

A. James G. Yaden, 900 F Street NW., Washington, D. C., national president, American Federation of Government Employees, a labor union.

B. Rubber Trade Association of Government Employees, a labor union.

C. (1) Legislative interests will continue indefinitely.

C. (2) Duties are to head a labor union, national in scope, and to represent the membership before the Congress on matters affecting them.

C. (3) Publish each Thursday the Government Standard, a newspaper; circulation 60,000; Ransdell, Inc., being the printer.

D. (5) \$2,750; (7) \$2,750.

E. (15) All.

A. Roslyn D. Young, 15 William Street, New York, N. Y., president of Rubber Trade Association of New York, Inc.

B. Rubber Trade Association of New York, Inc., 15 William Street, New York, N. Y., a membership corporation composed of natural rubber importers, dealers, agents, and brokers.

C. (1) and (2) As president of Rubber Trade Association of New York, Inc., I am interested in any legislation relating to rubber; it is impossible to state when such legislation may arise or how long such legislative interest is to continue; any legislative efforts undertaken by me are wholly incidental both to the purposes for which the association was formed and its usual activities, and to my general duties as president; neither the association nor I collect any funds for legislative activities; as president of the association I receive a salary; not more than 2 percent of my time over a year is devoted to legislative activities; the budget of the association for the year 1950 is in excess of \$80,000; all expenditures relating to legislative matters will not exceed \$200, and will be paid by the association.

C. (3) Neither myself nor the association causes to be issued any publication in connection with legislative interests with the exception of purely informative factual mimeographed reports to the members of the association regarding pending legislation of interest to them.

D. (1) \$200; (13) No.

E. (4) Not over \$50; (6) not over \$50; (9) not over \$100; (15) all.

A. William S. Youngman, Jr., 111 John Street, New York, N. Y.

B. Independent lawyer; clients: Massachusetts Investors Trust, 19 Congress Street, Boston, Mass.; Massachusetts Investors Second Fund, Inc., 19 Congress Street, Boston, Mass.; Investors Mutual of Minnesota, Roanoke Building, Minneapolis, Minn.; American Business Shares, Inc., 63 Wall Street, New York, N. Y.; Affiliated Fund, Inc., 63 Wall Street, New York, N. Y.; Union Trustees Fund, Inc., 63 Wall Street, New York, N. Y.; Chemical Fund, Inc., 39 Broadway, New York, N. Y.

C. (1) I filed previous returns in December 1948 and March 1949. Since then I have been out of the country and have not undertaken any lobbying in connection with this matter; I have not collected any compensation in connection therewith, at any time, and do not intend to do so; this is a final return, as I have withdrawn from this matter.

A. Zimmerman & Norman, 1709 Harris Trust Building, 111 West Monroe Street, Chicago, Ill.; lawyers.

C. (1) Uncertain; dormant during first quarter of 1950; this report filed to maintain registration.

A. John D. Zook, administrative department, Ohio Chamber of Commerce, 820 Huntington Bank Building, Columbus, Ohio.

B. Ohio Chamber of Commerce, 820 Huntington Bank Building, Columbus, Ohio; non-profit organization.

C. (1) I assume "legislative interests" refer to Federal legislation—such interest is sporadic and indefinite as to future duration.

C. (2) Legislative interests; as an employee of the Ohio Chamber of Commerce, such matters affecting business and commerce in Ohio as are referred to me from time to time by the Ohio Chamber of Commerce; e. g., proposals in the fields of taxation, appropriations, old-age and survivors insurance, unemployment compensation, industrial development, and other management problems; present specific interests, Reorganization Plan No. 12, H. R. 6000, H. R. 8059, Federal aid to education, S. 246, and H. R. 4643; attention has been given during the period covered by this report.

C. (3) No publications issued during the period covered by this report.

D. (5) \$1,875; (7) \$1,875; (13) no.

E. \$152.34; (9) \$152.34; (14) \$152.34; (15) \$152.34; (16) To self for auto expense, meals, etc., \$79.45; Statler Hotel, \$72.89; total, \$152.34.

SENATE

MONDAY, JULY 17, 1950

(Legislative day of Saturday, July 1, 1950)

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

Rev. Gaston Foote, D. D., minister of Grace Methodist Church, Dayton, Ohio, offered the following prayer:

O God our Father, we are grateful for a nation where, in her legislative halls, men pause to ask for divine guidance.

Teach us the utility of procedure without Thy benediction. May the gigantic powers of our Nation be baptized by the spirit of Thy divine love. May our ultimate faith be not in the brute forces of material power, but in the creative forces of justice, mercy, and truth.

May we ever be careful lest we stand for principles of righteousness abroad and deny them at home. Strengthen the arm of the United Nations that we may move forward under God toward a world in which little babies may be safely born, in which homes may be made secure from invasion, and wherein the laws of God may become the ways of men.

Cure Thy children's warring madness by the deeping of our personal devotions to the principles of peace, we pray in the name of the Prince of Peace. Amen.

THE JOURNAL

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was 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 agreed to the amendment of

the Senate to each of the following bills of the House:

H. R. 940. An act to authorize construction of the Eklutna project, hydroelectric generating plant and transmission facilities in connection therewith, and for other purposes; and

H. R. 5866. An act to adjust and define the boundary between Great Smoky Mountains National Park and the Cherokee-Pisgah-Nantahala National Forests, and for other purposes.

ENROLLED BILLS SIGNED

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

S. 441. An act to redefine the units and establish the standards of electrical and photometric measurements;

S. 2046. An act to provide authority for certain functions and activities in the Department of Commerce, and for other purposes;

S. 2201. An act to amend section 2 of the act of March 3, 1901 (31 Stat. 1449), to provide basic authority for the performance of certain functions and activities of the Department of Commerce, and for other purposes;

S. 2507. An act to authorize the Secretary of Commerce to grant to the East Bay Municipal Utility District, an agency of the State of California, an easement for the construction and operation of an interceptor sewer pipeline in and under certain Government-owned lands comprising a part of the Maritime Alameda Shipyard, Alameda, Calif.; and

H. R. 8568. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenue of such District for the fiscal year ending June 30, 1951, and for other purposes.

LEAVE OF ABSENCE

On request of Mr. WHERRY, and by unanimous consent, Mr. TOBEY was excused from attendance on the sessions of the Senate during this week.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. NEELY, and by unanimous consent, the Committee on the District of Columbia was authorized to sit during the session of the Senate today.

CALL OF THE ROLL

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Aiken	Frear	Kilgore
Anderson	Fulbright	Langer
Brewster	George	Leahy
Bricker	Gillette	Lehman
Bridges	Graham	Lodge
Butler	Green	Lucas
Byrd	Gurney	McCarran
Chapman	Hayden	McCarthy
Chavez	Hendrickson	McClellan
Connally	Hickenlooper	McFarland
Cordon	Hill	McKellar
Darby	Holland	McMahon
Donnell	Humphrey	Magnuson
Douglas	Hunt	Malone
Dworshak	Ives	Martin
Eastland	Jenner	Maybank
Eaton	Johnson, Colo.	Millikin
Ellender	Johnson, Tex.	Morse
Ferguson	Kem	Murray
Flanders	Kerr	Myers

Neely
O'Connor
O'Mahoney
Pepper
Robertson
Russell
Saltonstall

Schoeppel
Smith, Maine
Smith, N. J.
Stennis
Taft
Thomas, Okla.
Thomas, Utah

Thye
Tydings
Watkins
Wherry
Williams
Young

Mr. LUCAS. I announce that the Senator from Connecticut [Mr. BENTON] and the Senator from North Carolina [Mr. HOEY] are absent on public business.

The Senator from California [Mr. DOWNEY] is absent because of illness.

The Senator from South Carolina [Mr. JOHNSTON], the Senator from Louisiana [Mr. LONG], the Senator from Idaho [Mr. TAYLOR], and the Senator from Kentucky [Mr. WITHERS] are absent by leave of the Senate.

The Senator from Tennessee [Mr. KEFAUVER] is absent on official committee business.

The Senator from Alabama [Mr. SPARKMAN] is absent by leave of the Senate on official business.

Mr. SALTONSTALL. I announce that the Senator from Washington [Mr. CAIN], the Senator from South Dakota [Mr. MUNDT], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

The Senator from California [Mr. KNOWLAND] is absent because of a death in his family.

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

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The VICE PRESIDENT. A quorum is present.

TRANSACTION OF ROUTINE BUSINESS

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

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

EXECUTIVE COMMUNICATIONS, ETC.

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

SUSPENSION OF DEPORTATION OF ALIENS— WITHDRAWAL OF NAME

A letter from the Attorney General, withdrawing the name of Irene Psaros, nee Irene Evangelos Pagonis, from a report relating to aliens whose deportation be suspended more than 6 months ago, transmitted to the Senate on January 16, 1950 (with an accompanying paper); to the Committee on the Judiciary.

REPORT OF COMMISSION ON RENOVATION OF EXECUTIVE MANSION

A letter from the acting chairman of the Committee on Renovation of the Executive Mansion, reporting, pursuant to law, on preservation or appropriate disposition of all materials removed from the Executive Mansion (with an accompanying paper); to the Committee on Public Works.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of New York; to the Committee on Finance:

"Concurrent resolution of the Senate and Assembly, memorializing the Congress of the United States to enact legislation returning to the several States excess amounts collected by the Federal Government for administration costs of the employment insurance and employment service programs

"Whereas under existing law, the several States of the Union bear the responsibility for the administration of the unemployment insurance and employment service programs; and

"Whereas the Federal Government levies a payroll tax of three-tenths of 1 percent on employers of eight or more persons to pay the administrative cost of such programs by the States; and

"Whereas each State has no control over the amount it receives for the administration of such program and must accept whatever amount is allowed to it by the Federal Government; and

"Whereas since the inception of unemployment insurance and employment service program, the Federal Government has collected from the employers of this State for the administration of this program \$150,000,000 more than has been returned to the State for this purpose, and the amounts so returned to the State of New York have been consistently and grossly inadequate; and

"Whereas it was never intended that the Federal Government should divert the proceeds of this tax for its own general purposes, which it has done to the extent of \$1,000,000,000; and

"Whereas the continued inadequacy of operating moneys and personnel makes the detection of improper and fraudulent benefit claims exceedingly difficult and impedes efforts to cope with tax evasions; and

"Whereas the failure to make adequate moneys available for efficient administration, to the extent that it weakens control over disbursements from the unemployment insurance fund, jeopardizes the effectiveness and stability of the entire program and brings it into disrepute; now, therefore, be it

Resolved (if the assembly concur), That the Congress of the United States be and hereby is respectfully memorialized to enact legislation which will—

"1. Earmark the taxes collected under the Federal Unemployment Tax Act to assure adequate funds for administration by each State of the unemployment insurance and employment service program;

"2. Transfer any excess over the amounts allocated by the Federal administrative agencies to the States for use in the unemployment insurance and employment service program with full responsibility resting on each State for the proper use thereof free from Federal control;

"3. Make reasonable provisions assuring all States equitable participation in such allotment; and be it further

Resolved (if the assembly concur), That copies of this resolution be transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, the chairman of the Committee on Ways and Means of the House of Representatives, the chairman of the Committee on Appropriations of the House of Representatives, the chairman of the Finance Committee of the Senate of the United States, the chairman of the Committee on Appropriations of the Senate of the United States, and each Member of the Congress duly elected from the State of New York.

"By order of the senate.

"WILLIAM S. KING,

"Secretary.

"In assembly, March 22, 1950; concurred in without amendment.

"By order of assembly.

"ANSLEY B. BORKOWSKI,

"Clerk."

A concurrent resolution of the Legislature of the State of New York; to the Committee on Foreign Relations:

"Concurrent resolution of the senate and assembly memorializing Congress to enact appropriate legislation to bring to the attention of various countries the worldwide revulsion at the forcible detention of 28,000 children from their homes in Greece to countries alien to their nature, custom, and birthright

"Whereas the abduction of approximately 28,000 children from their homes in Greece and their forcible detention in countries alien to their nature, customs, and birthright has profoundly shocked the civilized world; and

"Whereas the countries of Yugoslavia, Bulgaria, Rumania, Poland, Hungary, Czechoslovakia, and the Soviet occupation zone in Germany have ignored unanimous resolutions adopted by the United Nations General Assembly on November 27, 1948, and on November 17, 1949, and refused to cooperate in securing the release of these children and their return to the arms and hearts of their parents, and the comfort and security of their homes; and

"Whereas forcible detention of these children and the attempted severance of all their ties of family, home, and country is tantamount to the horrible crime of genocide, and an abominable crime against humanity: Now, therefore, be it

Resolved (if the assembly concur), That the Congress of the United States is hereby respectfully memorialized to take appropriate steps and to enact such legislation and adopt such measures as may be necessary and expedient to bring to the attention of the aforementioned countries the feeling of world-wide revulsion at this infamous crime and to demand the liberation of these children and their prompt repatriation; and it is further

Resolved (if the assembly concur), That copies of this resolution be transmitted to the President of the United States, the Secretary of State of the United States, the Secretary of the Senate, and the Clerk of the House of Representatives of the United States, and to each Member of Congress duly elected from the State of New York and that the latter be urged to do all in their power to accomplish the purpose of this resolution.

"By order of the senate,

"WILLIAM S. KING,

"Secretary.

"In assembly, March 22, 1950; concurred in without amendment.

"By order of assembly.

"ANSLEY B. BORKOWSKI,

"Clerk."

A resolution of the Constitutional Convention of Hawaii of 1950; to the Committee on Post Office and Civil Service:

"Resolution 44

"Whereas the issuing of stamps and minting of coins in commemoration of historic events is a practice long established in the United States of America; and

"Whereas the admittance of the State of Hawaii to the Federal Union will be an event of both national and international importance: Now, therefore, be it

Resolved by the Constitutional Convention of Hawaii of 1950, That the Postmaster General of the United States, upon the admission of Hawaii as a State of the Union, is respectfully requested to cause a 6-cent air-mail stamp to be designed, embodying therein the proposed seal of the State of Hawaii, and to issue said stamps in commemoration of the admission of Hawaii into the Federal Union; and be it further

Resolved, That the Secretary of Treasury of the United States is respectfully requested, upon the admission of Hawaii as a State of the Union, to cause a 50-cent coin to be designed, embodying thereon the Proposed

Seal of the State of Hawaii and other appropriate designs, and to have said coin struck and issued in commemoration of the admission of Hawaii into the Federal Union; and be it further

Resolved, That certified copies of this resolution be forwarded to the President of the United States, the Secretary of Treasury of the United States, the Postmaster General of the United States, the President of the Senate, the Speaker of the House of the Congress of the United States and to the Delegate to the Congress from Hawaii."

A resolution adopted by the annual convention of the Hawaiian Junior Chamber of Commerce, Walluku, Maui, T. H., favoring the enactment of legislation to make effective the recommendations of the Hoover Commission on Reorganization of the Executive Branch of the Government; to the Committee on Expenditures in the Executive Departments.

A resolution adopted by the annual convention of the Hawaiian Junior Chamber of Commerce, Walluku, Maui, T. H., relating to the repeal of the excise tax on transportation; to the Committee on Finance.

A resolution adopted by the Associated Townsend Clubs of Pinellas County, Fla., at Clearwater, Fla., favoring the enactment of the so-called Townsend plan, providing old-age assistance; to the Committee on Finance.

A resolution adopted by the Old-Age Pension Association, Inc., and the Alabama State Committee of the National Pension Committee, Gadsden, Ala., favoring all-out support to the South Korean resistance against the Communist attack of North Korea, with accompanying papers; to the Committee on Foreign Relations.

A resolution adopted by the Bloomsburg branch of the American Association of University Women, Bloomsburg, Pa., protesting against the enactment of legislation providing compulsory health insurance; to the Committee on Labor and Public Welfare.

A letter in the nature of a memorial from the Junior Women's Club, Danville, Pa., signed by Jean J. Marshall, president, and Lois L. Wintersteen, remonstrating against the enactment of legislation providing compulsory health insurance; to the Committee on Labor and Public Welfare.

A telegram in the nature of a petition from the national board of the YWCA, New York, N. Y., signed by Mrs. Arthur Forrest Anderson, president, favoring the amount originally authorized for point 4 program appropriations; ordered to lie on the table.

A cablegram in the nature of a petition from Club Hui Makaala, Honolulu, T. H., signed by John Gushiken, president, favoring the enactment of legislation providing statehood for Hawaii; ordered to lie on the table.

A letter in the nature of a petition from the Republican Precinct Club, tenth precinct, fourth district, Island of Oahu, T. H., signed by John T. Jenkins, president, favoring the enactment of legislation providing statehood for Hawaii; ordered to lie on the table.

RESOLUTIONS OF AMERICAN DEFENDERS OF BATAAN AND CORREGIDOR, INC., NEWARK, N. J.

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a list of resolutions adopted by the American Defenders of Bataan and Corregidor, Inc., at their recent convention at Pittsburgh, Pa.

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

1. That the word "legal" be substituted for the words "dependent" wherever they occur in paragraphs (1), (2), (3), and (4)

under section (c) of United States Senate bill 3006 and House of Representatives bill 7249, and urge the prompt passage of these bills.

2. Recommends the passage of proper legislation by the United States Congress recommended by the War Claims Commission under section 8 of the War Claims Act of 1948 for the purpose of reimbursement to any ex-prisoner of war or internee, their family, widows, orphans, or other rightful heirs, who suffered from any prisoner-of-war or interment disability; said reimbursement to be paid out of impounded Japanese and German assets as the ration allowance heretofore allowed.

3. Opposes the Hoover Commission report respecting the dismemberment of the Veterans' Administration.

4. That immediate release of assets in the hands of the Alien Property Custodian to United States Treasury for incorporation into the war-claims fund and requesting emergency legislation to stop the further dissipation of the alien-property funds until the claims of the American prisoners of war and civilian internees are given priority in payment.

5. That the appropriate Federal agency be authorized by Congress to undertake an adequate survey to determine the long-term effects of malnutrition among former American prisoners of war of the Imperial Japanese Government.

6. Urges Congress to pass legislation on S. 1102 with an amendment to include civilians attached to the military.

7. That the President of the United States, the Congress of the United States, and every citizen of the Nation stand united in our Government's effort to solve the present international problems and to establish a permanent world peace.

8. That we meet the threat of communism by greater and greater participation in our free elections and expending every effort to make our democracy function in the interest of all our people in accordance with the principles of the Constitution of the United States.

9. Recommends an amendment to the United Nations Charter to meet world conditions of today; by eliminating the veto provision or drastically revising the same; by tightening the joint procedures of the democracies in cases of aggression or threatened aggression.

SAFEGUARDING MILITARY INFORMATION

Mr. BUTLER. Mr. President, I am in receipt of a resolution adopted by Nebraska Post, 3704, VFW, Lincoln, Nebr., with reference to the safeguarding of military information, especially that which pertains to the alerting of American units. The resolution is very appropriate in the present international situation, and I ask unanimous consent that it may be printed in the RECORD at this point.

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

Whereas the American armed services are now participating in hostilities in North Korea; and

Whereas it may become necessary for the American armed services to engage in operations in other sectors of the world to counteract Communist aggression; and

Whereas specific information in the hands of the enemy pertaining to the movement of troops, material, and equipment will enable the enemy to appraise our tactical plans far in advance and to make preparations to meet them; and

Whereas such information in the hands of the enemy may also endanger the lives of

our servicemen by exposing them to sabotage of the transportation facilities, the attack of troopships by submarines and planes, and carefully planned defensive and offensive measures on the part of the enemy in the combat zones: Now, therefore, be it

Resolved by Post 3704, Veterans of Foreign Wars of the United States, That the Department of Defense be urged to take steps to safeguard information pertaining to the alerting of American units, the destinations of and routes to be taken by alerted units, the names and types of ships bearing troops overseas, and the types and capabilities of new weapons to be sent to the combat zones.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAVEZ, from the Committee on Public Works:

S. 3898. A bill to authorize a preliminary examination and survey for flood control and allied purposes of Las Vegas Wash and its tributaries, Las Vegas, Nev., and vicinity; without amendment (Rept. No. 2046).

By Mr. THOMAS of Utah, from the Committee on Labor and Public Welfare:

S. Res. 309. Resolution continuing the authority of the Committee on Labor and Public Welfare to employ additional personnel; without amendment, and, under the rule, referred to the Committee on Rules and Administration.

By Mr. STENNIS, from the Committee on Rules and Administration:

S. 3873. A bill to amend the Hatch Act; with amendments (Rept. No. 2048).

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

H. R. 8909. A bill to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes; without amendment (Rept. No. 2047).

By Mr. McCARRAN, from the Committee on the Judiciary; without amendment:

S. 2618. A bill for the relief of Fred P. Hines (Rept. No. 2049);

S. 3000. A bill to amend the War Claims Act of 1948, as amended (Rept. No. 2050);

S. 3901. A bill amending section 34 of the Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended (Rept. No. 2051);

S. 3508. A bill to amend the War Contractors Relief Act with respect to the definition of a request for relief, to authorize consideration and settlement of certain claims of subcontractors, to provide reasonable compensation for the services of partners and proprietors, and for other purposes (Rept. No. 2052);

H. R. 2851. A bill for the relief of Carl L. Sexauer (Rept. No. 2053);

H. R. 3330. A bill for the relief of Therese Hohman (Rept. No. 2054);

H. R. 5110. A bill for the relief of Janos (John) Treber and Mrs. Katalin (Katherine) Treber (Rept. No. 2055);

H. R. 5221. A bill for the relief of Mrs. Maria Grazia Riccio DePietro (Rept. No. 2056);

H. R. 6198. A bill for the relief of the First National Bank in Richmond, Calif. (Rept. No. 2057);

H. R. 7079. A bill for the relief of Mrs. Gin Shibusaki Okafuji (Rept. No. 2058);

H. R. 7204. A bill for the relief of Maria Cristina D'Angelo (Rept. No. 2059);

H. R. 7314. A bill for the relief of Yukie Nishimura Okubo (Rept. No. 2060);

H. R. 7414. A bill for the relief of Teresa Gentile and Galliano Gentile (Rept. No. 2061);

H. R. 7779. A bill for the relief of Mrs. Stamatia Lymberopoulos and Leonidas Stavrou Limperopoulos (Rept. No. 2062);

H. R. 7783. A bill for the relief of Mrs. Donald Rafter (Rept. No. 2063);

H. R. 7810. A bill for the relief of M. S. Davis (Rept. No. 2064);

H. R. 7815. A bill for the relief of John Yee Horn (Rept. No. 2065);

H. R. 7820. A bill for the relief of Keiko Uchida Doane and her minor child (Rept. No. 2066);

H. R. 7970. A bill for the relief of Mrs. Regina Anderson and her minor child (Rept. No. 2067);

H. R. 8067. A bill for the relief of Mrs. Yup Boon (Joan) Kim Skanes (Rept. No. 2068);

H. R. 8098. A bill for the relief of Teruko Ishikawa (Rept. No. 2069);

H. R. 8155. A bill for the relief of Chiyo Furumura Yoshida (Rept. No. 2070);

H. R. 8183. A bill for the relief of Asako Tsuchida (Rept. No. 2071);

H. R. 8289. A bill for the relief of Yee Balche Yee (Rept. No. 2072);

H. R. 8361. A bill for the relief of Toshiko Mural (Rept. No. 2073);

H. R. 8381. A bill for the relief of Mrs. Joseph C. Grant (Rept. No. 2074);

H. R. 8382. A bill for the relief of Mrs. Misao Hatanaka Deskins (Rept. No. 2075);

H. R. 8451. A bill for the relief of Yoshie Nozaawa (Rept. No. 2076);

H. R. 8500. A bill for the relief of Hatsuko Torikai; (Rept. No. 2077);

H. R. 8581. A bill for the relief of Yasuko Higuchi Thomson (Rept. No. 2078);

H. R. 8583. A bill for the relief of Hisako Shimizu (Rept. No. 2079);

H. R. 8722. A bill for the relief of Jun Hin Lum (Rept. No. 2080); and

H. Con. Res. 187. Concurrent resolution favoring the grant of status of permanent residence to certain aliens (Rept. No. 2081).

By Mr. McCARRAN, from the Committee on the Judiciary, with an amendment:

S. 2550. A bill for the relief of Arthur Henrik Sorensen, Maren Anderson Sorensen, and minor child, Evelyn Sorensen (Rept. No. 2082);

H. R. 4628. A bill for the relief of John G. Essenberg (Rept. No. 2083);

H. R. 6173. A bill for the relief of Sun Yip Chin and Chung Lum (Lum Chung) (Rept. No. 2084);

H. R. 6458. A bill for the relief of Maj. Roy E. Bevel (Rept. No. 2085);

H. R. 7071. A bill for the relief of Mrs. Masa Iyoki (Rept. No. 2086);

H. R. 8245. A bill for the relief of Dr. Alessandro Rizzo (Rept. No. 2087); and

H. R. 8655. A bill for the relief of Toshiko Kikyo and Francis Kikyo (Rept. No. 2088).

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

H. R. 2234. A bill for the relief of Mrs. Gladys J. Senyohl McCarthy (Rept. No. 2089);

H. R. 8440. A bill for the relief of Noae Kawashima (Rept. No. 2090); and

H. Con. Res. 181. Concurrent resolution favoring the grant of status of permanent residence to certain aliens (Rept. No. 2091).

REPORTS OF COMMITTEES ON PERSONNEL AND FUNDS

Pursuant to Senate Resolution 123, Eightieth Congress, first session, the following reports were received by the Secretary of the Senate:

JULY 14, 1950.

REPORT OF COMMITTEE ON BANKING AND CURRENCY

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees for the period from January 1, 1950, to June 30, 1950, together with the

funds available to and expended by it and its subcommittees:

Name and profession	Rate of gross annual salary	Total salary received
A. Lee Parsons, chief clerk	\$10,846.00	\$5,423.00
Joseph P. McMurray, staff director	10,846.00	5,423.00
William F. McKenna, counsel	10,846.00	4,971.09
Robert D. L'Heureux, counsel	10,846.00	5,423.00
Thomas H. Daniel, counsel	10,846.00	5,423.00
Raimond Bowles, assistant clerk	10,846.00	5,423.00
Eunice V. Avery, clerical assistant	5,892.43	2,946.21
Henrietta S. Chase, clerical assistant	4,328.19	2,164.10
Pauline C. Beam, clerical assistant	4,067.49	1,355.85
Caro M. Pugh, clerical assistant	4,067.49	2,033.75
Gertrude Jackson, clerical assistant	4,067.49	677.90

¹ Leave of absence, effective June 15, 1950.

² Jan. 1 through Mar. 15 and May 15 through June 30.

³ Mar. 15 through May 15.

Funds authorized or appropriated for committee expenditure during 81st Cong. \$30,000.00
Amount expended during 81st Cong. 23,387.69

Balance unexpended 6,612.31

BURNET R. MAYBANK,

Chairman.

JULY 14, 1950.

REPORT OF COMMITTEE ON BANKING AND CURRENCY

SUBCOMMITTEE ON THE RECONSTRUCTION FINANCE CORPORATION, OPERATING UNDER AUTHORITY OF SENATE RESOLUTION 219 AND SENATE RESOLUTION 279

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees for the period from January 1, 1950, to June 30, 1950, together with the funds available to and expended by it and its subcommittees:

Name and profession	Rate of gross annual salary	Total salary received
George Meader (from Mar. 7), counsel	\$10,846.00	\$3,434.55
Arthur S. Curtis (from Apr. 12), investigator	6,500.74	1,426.53
Hubert R. Moody (from Apr. 1), investigator	6,326.94	1,581.72
William A. Brewer (from May 15), investigator	5,023.41	641.87
Edith H. Anderson (from Mar. 18), clerical assistant	4,067.49	1,163.73
Bernice J. Farmer (Apr. 17-30), clerical assistant	4,067.49	158.17
Stephanie E. Lojewski (from Apr. 1), clerical assistant	4,067.49	1,016.85
Helene Fischell (from May 1), clerical assistant	4,067.49	677.90
Carmine S. Bellino (per diem), accounting consultant	30.13	1,174.97
Karl T. Schlotterbeck (per diem), economist	30.13	858.63
John T. M. Reddan (per diem), assistant counsel	30.13	241.02

Funds authorized or appropriated for committee expenditure \$50,000.00
Amount expended 34,004.04

Balance unexpended 15,995.96

BURNET R. MAYBANK,

Chairman.

JULY 14, 1950.

REPORT OF COMMITTEE ON BANKING AND CURRENCY

SUBCOMMITTEE ON SMALL BUSINESS, OPERATING UNDER AUTHORITY OF SENATE RESOLUTION 101 AND SENATE RESOLUTION 218

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees for the period from January 1, 1950, to June 30, 1950, together with the

first session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees for the period from January 1, 1950, to June 30, 1950, together with the funds available to and expended by it and its subcommittees:

Name and profession	Rate of gross annual salary	Total salary received
Charles E. Shaver, counsel	\$7,858.27	\$3,601.67
William C. Stewart, Jr., investigator	7,858.27	3,929.10
John L. Douglas, investigator	7,858.27	3,929.10
Carter E. Talman, financial adviser	7,858.27	3,929.10
Sarah I. Harley, clerical assistant	4,067.49	2,033.70
Pauline C. Beam, clerical assistant	4,067.49	677.90
Richmond Harris, consultant	30.13	2,078.80

¹ Terminated June 15, 1950.

² Mar. 15 through May 15, 1950.

³ Per diem.

Funds authorized or appropriated for committee expenditure, 81st Cong. \$60,000.00

May 6 to Dec. 31, 1949 (already reported) 18,473.59
Amount expended, Jan. 1 to June 30, 1950 20,879.76

Balance unexpended 20,646.65

BURNET R. MAYBANK,

Chairman.

JULY 14, 1950.

REPORT OF COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees for the period from January 1, 1950, to June 30, 1950, together with the funds available to and expended by it and its subcommittees:

Name and profession	Rate of gross annual salary	Total salary received
Edward Cooper, professional staff member	\$10,846.00	\$5,422.98
Halford Davis, professional staff member	10,846.00	5,422.98
Harriet Gray, clerical assistant	4,154.38	2,077.14
Edward Jarrett, chief clerk	10,846.00	5,422.98
Edward R. Jelsma, professional staff member	10,846.00	5,422.98
Dorothy Prout, clerical assistant	4,154.38	2,077.14
Evelyn Rosenkranz, clerical assistant	4,154.38	2,077.14
Vera Rudolph, clerical assistant	5,197.21	2,598.60
Martha Shaffer, clerical assistant	4,154.38	2,077.14
Edward C. Sweeney, professional staff member	10,846.00	5,522.98

Funds authorized or appropriated for committee expenditure \$20,000.00
Amount expended 10,499.05

Balance unexpended 9,500.95

ED C. JOHNSON,

Chairman.

JULY 14, 1950.

REPORT OF COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE (PURSUANT TO S. RES. 50, AGREED TO APRIL 11, 1949)

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each person employed by it and its subcommittees for the period from January 1, 1950, to June 30, 1950, together with the

funds available to and expended by it and its subcommittees:

Name and profession	Rate of gross annual salary	Total salary received
John R. Butz, clerical assistant....	\$4,154.38	\$2,077.14
George W. Chane (resigned Jan. 31, 1950), consultant.....	10,846.00	903.83
Paul R. Conway, attorney.....	7,400.00	3,850.97
Cecelia M. Cook, clerical assistant.....	4,154.38	2,077.14
Melba J. Coutsonikas (Feb. 15 to May 15, 1950), clerical assistant.....	3,459.17	874.39
Louise H. Dagney (resigned Feb. 28, 1950), clerical assistant.....	4,154.38	692.38
Ralph B. Dewey (Feb. 6, 1950), consultant.....	7,022.16	2,828.37
Catherine L. Harrington, research assistant.....	5,197.21	2,598.60
Douglas W. Hartman, consultant.....	6,326.94	3,163.44
Stephen S. Jackson (detailed from Bureau of Employees' Compensation Apr. 10, 1950), special consultant.....	8,800.00	2,127.43
Katherine K. Jennings (Jan. 20 to May 31, 1950), clerical assistant.....	3,719.87	1,333.79
Hugh C. McCarthy, attorney.....	8,438.93	4,219.44
Edgar R. McShane, consultant.....	6,326.94	3,163.44
Elizabeth G. Moore, clerical assistant.....	3,719.87	1,859.88
George R. Paschal (resigned Jan. 31, 1950), economist.....	8,438.93	703.24
Frank Pellegrini, chief counsel.....	10,846.00	5,422.98
Mary Belya Shradar (resigned May 31, 1950), clerical assistant.....	3,719.87	1,549.90
Edward A. Stern, special assistant.....	8,438.93	4,219.44
Helen A. Thompson, clerical assistant.....	4,154.38	2,077.14
Willard B. Van Horne, Jr., attorney.....	8,438.93	4,219.44
Ernestine Vigil, clerical assistant.....	3,806.78	1,903.38
Charlene D. Wolfarth, research assistant.....	3,719.87	1,859.88
Charlotte D. Worden (Apr. 4, 1950), clerical assistant.....	3,198.46	772.94
Nicholas Zapple, attorney.....	8,438.93	4,219.44

Funds authorized or appropriated for committee expenditure during 81st Cong. \$165,000.00
Amount expended during 81st Cong. 141,650.01

Balance unexpended..... 23,340.99

Ed C. JOHNSON,
Chairman.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 17, 1950, he presented to the President of the United States the following enrolled bills:

S. 441. An act to redefine the units and establish the standards of electrical and photometric measurements;

S. 2046. An act to provide authority for certain functions and activities in the Department of Commerce, and for other purposes;

S. 2201. An act to amend section 2 of the act of March 3, 1901 (31 Stat. 1449), to provide basic authority for the performance of certain functions and activities of the Department of Commerce, and for other purposes; and

S. 2507. An act to authorize the Secretary of Commerce to grant to the East Bay Municipal Utility District, an agency of the State of California, an easement for the construction and operation of an interceptor sewer pipeline in and under certain Government-owned lands comprising a part of the Maritime Alameda Shipyard, Alameda, Calif.

BILLS INTRODUCED

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

By Mr. GREEN:

S. 3924. A bill authorizing the naturalization of Daniel Rhee; to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado:

S. 3925. A bill for the relief of Tsuneko Vemura; to the Committee on the Judiciary.

By Mr. JENNER:

S. 3926. A bill for the relief of George Telita Florida; to the Committee on the Judiciary.

By Mr. IVES:

S. 3927. A bill to amend section 3 of the Merchant Ship Sales Act of 1946 in certain respects, and for other purposes; to the Committee on Interstate and Foreign Commerce.

GENERAL APPROPRIATIONS—AMENDMENTS

Mr. McKELLAR. Mr. President, by direction of the Committee on Appropriations, I submit amendments intended to be proposed to the bill (H. R. 7786) making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes, and I ask unanimous consent that a letter I have received from the President, dated July 13, 1950, together with accompanying papers, be printed in the RECORD.

The VICE PRESIDENT. The amendments will be received, printed and lie on the table, and, without objection, the letter and papers will be printed in the RECORD. The Chair hears no objection.

The letter and papers are as follows:

THE WHITE HOUSE,

Washington, July 13, 1950.

Hon. KENNETH McKELLAR,

United States Senate,

Washington, D. C.

DEAR SENATOR McKELLAR: In furtherance of the discussion we had Tuesday concerning the point four appropriation, I am enclosing for your consideration a draft of an amendment to the pending appropriation bill (H. R. 7786) which would be appropriate to accomplish the purposes about which I talked with you and your colleagues.

You will recall that I said at that time that I hoped the \$10,000,000 item included in the bill could be increased to \$25,000,000. I find that the actual figure involved is \$26,900,000 rather than \$25,000,000, and I hope the Senate will see fit to accept that figure. However, if you find that the figure cannot be increased beyond \$25,000,000, I would regard that as being sufficient to meet the most vital needs of this important program.

As I promised to do at that time, I am having a statement prepared to explain the justification for this appropriation. I expect that statement will be completed very shortly and I shall have a copy sent to you and each of the other Senators who met with us on Tuesday. In the meantime, I will appreciate it if you will talk with your colleagues about arrangements to have this amendment brought before the Senate, with the hope that we may get favorable action upon it.

With best regards,

Very sincerely yours,

HARRY S. TRUMAN.

SUGGESTED LANGUAGE CHANGES—COMMITTEE PRINT

Page XB-5, line 12, substitute "\$26,900,000" for the figure "\$10,000,000"; line 25, insert after "any project", "except for demonstration or instructional purposes."

Page XB-6, lines 1 and 2, delete "(not to exceed 10 per centum)."

The attached contains the following requested changes in appropriation language for the international development program (chapter XB—Foreign aid title I—Funds appropriated to the President):

1. Page XB-5, line 12, substitute "\$26,900,000" for "\$10,000,000"; line 25, insert after

"project" the following: "except for demonstration or instructional purposes."

The experience of the Institute of Inter-American Affairs has demonstrated that in connection with projects in such fields as health, sanitation, basic education and food supply, it is extremely helpful to provide demonstrations or pilot plants. These are generally financed by the local government with some help from the United States. This stimulates further activity by the local government and provides a basis for expansion at its own expense.

The change in language suggested above would permit a nominal expenditure for this purpose where it is deemed practical. The change would be consistent with the provisions of the act for international development (title IV of Public Law 535, approved June 5, 1950).

2. Page XB-6, lines 1 and 2, omit the parenthetical provision "(not to exceed 10 per cent)."

The economic-development program is a program of providing technical training and technicians. Appropriated funds will be expended almost entirely, therefore, for salaries, travel, and allowances of technical personnel and trainees. Under such a program it is difficult to define and isolate "administrative" costs as distinct from "program" costs.

A number of agencies of the United States Government as well as international organizations will be cooperating in the program. During the first year of operation a considerable amount of effort will go into program planning and development and negotiations with foreign government.

It is believed that the present language of the bill may be construed as a limitation not only upon general overhead and upon such items as communications, printing and binding, and equipment which will represent very small expenditures, but also upon preliminary technical planning with foreign governments, technical review of project proposals, preprogram technical surveys and negotiations.

The present language would appear also to limit expenditures for program administration by the UN and other international organizations. Such limitations have not been placed upon previous contributions to UN programs.

The 10 percent expenditure for administration would appear also to include the planned program of "service to business" to be carried out by the Department of Commerce involving an expenditure of \$398,000.

It is feared that the inclusion of this limitation on administrative expenditures would greatly complicate and confuse program procedures and operations. The Department of State will make every effort to hold overhead costs to an absolute minimum. It is urged, however, that for the first year of operation and pending a detailed analysis of costs based upon experience that no such limitation be provided.

INTERNATIONAL DEVELOPMENT

For expenses necessary to enable the President to carry out the provisions of the Act for International Development (title IV of Public Law 535, approved June 5, 1950), including personal services in the District of Columbia; expenses of attendance at meetings concerned with the purposes of this appropriation; purchase (not to exceed 12), and hire of passenger motor vehicles for use outside the continental limits of the United States; printing and binding; payment of tort claims pursuant to law (28 U. S. C. 2672); health-service programs as authorized by law (5 U. S. C. 150); insurance of official motor vehicles in foreign countries when required by law of such countries; acquisition of temporary quarters outside the continental

Limits of the United States to house employees of the United States Government by rental without regard to section 322 of the act of June 30, 1932, as amended (40 U. S. C. 278a), lease, or construction, and necessary repairs and alterations to such temporary quarters; exchange of funds without regard to section 3651 of the Revised Statutes (31 U. S. C. 543); entertainment (not to exceed \$2,000); health and accident insurance for foreign trainees and technicians while absent from their own countries participating in activities authorized under this appropriation, and actual expenses of preparing and transporting to their former homes the remains of such persons who may die away from their homes while participating in such activities; services of commissioned officers of the Public Health Service and of the Coast and Geodetic Survey, and for purposes of providing such services the Public Health Service may appoint not to exceed 20 officers in the Regular Corps to grades above that of senior assistant, but not above that of director, as otherwise authorized in accordance with section 711 of the act of July 1, 1944, as amended (42 U. S. C. 211a), and the Coast and Geodetic Survey may appoint for such purposes not to exceed 20 commissioned officers in addition to those otherwise authorized; [\$10,000,000] \$26,900,000; and, in addition, there may be transferred to this appropriation for the purposes hereof not to exceed \$2,600,000 from the appropriation to the Department of State for international information and educational activities, fiscal year 1951: *Provided*, That this appropriation shall be available for contracts or agreements entered into during the fiscal year 1951, pursuant to section 405 (e) of the Act for International Development which entail commitments for the expenditure of funds for not to exceed 3 years: *Provided, however*, That no part of this appropriation may be expended for the duplication of any program being carried on by any other agency of the United States Government or any international agency to which the United States is a major contributor, nor for the construction of any project except for demonstration or instructional purposes, nor for any purpose except administrative expenses (not to exceed 10 percent), and preliminary surveys and technical cooperation programs upon which reports shall be made to the Congress of the United States quarterly: *Provided further*, That the making of any survey or the advancement of any technical cooperation program or the preparation of plans for projects does not constitute any obligation whatsoever on the part of the Government of the United States to make any loan or grant for the execution or construction of any project or for the completion of any program devised under title IV of Public Law 535, approved June 5, 1950: *Provided further*, That it shall be the duty of the Secretary of State to give written notice to each recipient of funds or beneficiary under said title that such assistance shall not be construed as an obligation on the part of the United States to make funds available for the construction or execution of any project and to report such action to Congress.

GENERAL APPROPRIATIONS— AMENDMENTS

Mr. KEM submitted amendments intended to be proposed by him to the bill (H. R. 7786) making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. BRIDGES submitted an amendment intended to be proposed by him to House bill 7786, supra, which was ordered to lie on the table and to be printed.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO GENERAL AP- PROPRIATIONS BILL

Mr. THOMAS of Oklahoma submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7786) making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes, the following amendment, namely: On page 200, line 14, before the period, insert the following: "*Provided further*, That of the funds available herein, not in excess of \$7,880,000 may be expended in watersheds heretofore authorized by section 13 of the Flood Control Act of December 22, 1944, for necessary gulley control, flood water detention, and floodway structures in areas other than those over which the Department of the Army has jurisdiction and responsibility."

Mr. THOMAS of Oklahoma also submitted an amendment intended to be proposed by him to House bill 7786, making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

GENERAL APPROPRIATIONS FOR 1951— MOTION TO RECONSIDER

Mr. DOUGLAS. Mr. President, does this period include presentation of motions for reconsideration?

The VICE PRESIDENT. Motions may be entered, but not considered.

Mr. DOUGLAS. Mr. President, I move that at the appropriate time the Senate reconsider the vote by which the amendment on page 42, line 18, was agreed to.

The VICE PRESIDENT. The motion will be entered.

Mr. WHERRY subsequently said: Mr. President, I ask unanimous consent that I may address a question to the distinguished junior Senator from Illinois.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. WHERRY. A few minutes ago the Senator entered a motion to reconsider a vote. I could not hear what the motion involved, to what line or page of the bill it related.

Mr. DOUGLAS. Mr. President, my motion had reference to the vote on the amendment on page 42, line 18, of the appropriation bill, providing for salaries and expenses for the Department of State. As the House passed the bill, it carried an appropriation of \$77,300,000. The Senate committee recommended an increase of a million dollars, to make the amount \$78,300,000. The amendment was agreed to, but I was not on the floor at the time. I am now asking that the vote by which the amendment was agreed to be reconsidered at the appropriate time.

Mr. WHERRY. The amendment was on page 42, line 18?

Mr. DOUGLAS. Yes.

Mr. WHERRY. I thank the Senator.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of Ewan Clague, of Pennsylvania, to be Commissioner of Labor Statistics, which was referred to the Committee on Labor and Public Welfare.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

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

William Henry Hastie, of the Virgin Islands, to be judge of the United States Court of Appeals for the Third Circuit; and

Ray J. O'Donnell, of Ohio, to be United States attorney for the southern district of Ohio.

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

Thomas A. Uzzell, Jr., to be United States attorney for the western district of North Carolina, vice David E. Henderson, resigned.

ADDRESS BY SENATOR MARTIN TO VET- ERANS OF FOREIGN WARS AT HARRIS- BURG, PA.

[Mr. MARTIN asked and obtained leave to have printed in the RECORD the address delivered by him at the annual convention of the Department of Pennsylvania, Veterans of Foreign Wars, at Harrisburg, Pa., on July 13, which appears in the Appendix.]

TRIBUTE TO INDIANA IN HOLIDAY MAG- AZINE—STATEMENT BY SENATOR CAPE- HART

[Mr. JENNER asked and obtained leave to have printed in the RECORD a statement by Senator CAPEHART calling attention to an article featuring Indiana in the August issue of Holiday magazine, which appears in the Appendix.]

VOLUNTARY CENSORSHIP BY NEWS- PAPERS—ANNOUNCEMENT BY THE CHICAGO SUN-TIMES

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an announcement regarding self-censorship of news relating to troop movements, which was published in the Chicago Daily Sun-Times, July 15, 1950, which appears in the Appendix.]

POWER DEVELOPMENT IN EUROPE UNDER ECA

[Mr. CORDON asked and obtained leave to have printed in the RECORD a press release entitled "French TVA," written by Gus Norwood, executive secretary, Northwest Public Power Association, dated June 30, 1950, which appears in the Appendix.]

FARM AND LABOR PURCHASING POWER

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article entitled, "Farm, Labor, Purchasing Power Drop Alarmingly Since 1947," published in the Trainman News of July 17, 1950, which appears in the Appendix.]

THE RAILWAY STRIKE

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled, "How About Railroad Patriotism?" published in the Trainman News of July 17, 1950, which appears in the Appendix.]

THE KOREAN SITUATION

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "The Korean Outbreak—Looks Like We Are Right Back Where We Started From," published in the United Mine Workers

Journal of July 15, 1950, which appears in the Appendix.]

RELATIONS OF THE UNITED STATES AND UNITED NATIONS TO KOREA

[Mr. SMITH of New Jersey asked and obtained leave to have printed in the RECORD an article entitled "Recent History of Our Korean Commitment," written by Arthur Krock, and published in the New York Times of July 11, 1950, which appears in the Appendix.]

TRUMAN'S KOREAN DECISION—EDITORIAL FROM THE NEW JERSEY JOURNAL

[Mr. SMITH of New Jersey asked and obtained leave to have printed in the RECORD an editorial entitled "Truman Takes Decisive Stand Against Stalin's Hitler Tactics in Korea," published in the Jersey Journal of June 28, 1950, which appears in the Appendix.]

NOMINATION OF OLIVER S. POWELL TO BE A MEMBER, BOARD OF GOVERNORS, FEDERAL RESERVE SYSTEM—ARTICLE FROM THE MINNEAPOLIS STAR

[Mr. THYE asked and obtained leave to have printed in the RECORD an article concerning the nomination of Oliver S. Powell to be a member of the Board of Governors of the Federal Reserve System, published in the Minneapolis Star, which appears in the Appendix.]

DELAY ON JUDGE HASTIE—EDITORIAL COMMENT

[Mr. LODGE asked and obtained leave to have printed in the RECORD an editorial entitled "Neglected Nomination," from the Washington Post of July 8, 1950, and an editorial entitled "Delay on Judge Hastie," from the New York Herald Tribune of July 15, 1950, which appear in the Appendix.]

THE UNITED STATES TRAGEDY IN FORMOSA—ARTICLE FROM TIME MAGAZINE

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article entitled "The United States Tragedy in Formosa," written by John Osborne, and published in the July 17 issue of Time magazine, which appears in the Appendix.]

ACHESON MUST BE WATCHED—EDITORIAL FROM THE NEW HAMPSHIRE MORNING UNION

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an editorial entitled "Acheson Must Be Watched," published in the New Hampshire Morning Union of July 15, 1950, which appears in the Appendix.]

CASE AGAINST THE MUNDT BILL—EDITORIAL COMMENT

[Mr. KILGORE asked and obtained leave to have printed in the RECORD a column under the heading "The Mirror of Public Opinion," containing editorial comment on the Mundt bill, which appears in the Appendix.]

SITUATIONS OF STRENGTH—NEWSPAPER EDITORIAL

[Mr. McCARTHY asked and obtained leave to have printed in the RECORD an editorial entitled "Situations of Strength," published in the San Francisco Examiner of Thursday, July 6, 1950, which appears in the Appendix.]

DEATH OF SENATOR KNOWLAND'S MOTHER

Mr. CHAVEZ. Mr. President, what I am going to do is under instructions given me this morning by the Committee on Appropriations.

Through the processes of American opportunity, I happen to be the chairman of the Subcommittee on Appropriations for the Department of Labor and

Federal Security. Through those same processes, the Senator from California [Mr. KNOWLAND] is the ranking minority member. Word reached the committee during the day of the demise of our colleague's mother at her home in California. We who know the able junior Senator from California feel confident that, being the son of a worthy mother, he can and will, in his sorrow, say, "Thy will be done."

THE KOREAN SITUATION

Mr. McCARTHY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter, dated July 10, 1950, addressed to me, by Paul Mitchell, a member of the American Legion, Veterans of Foreign Wars, and Fleet Reserve Association, together with an editorial by Walter Winchell of July 9, 1950, on the same subject.

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

SACRAMENTO, CALIF., July 10, 1950.

The Honorable Joe McCarthy,

Senate Office Building,

Washington, D. C.

MY DEAR SENATOR McCARTHY: As a veteran of two wars, member of the American Legion, Veterans of Foreign Wars, and Fleet Reserve Association I respectfully request that you enter the enclosed editorial in the CONGRESSIONAL RECORD for the information of those sophisticated idiots who cannot see beyond their noses.

From what I have heard inside closed meetings of all veterans organizations, I believe 90 percent of all the veterans in the United States are behind you in your superhuman efforts to expose the enemies within our lines.

If Mr. Acheson and the entire staff of the Eastern Affairs Section of the State Department had any self-respect they would have resigned in a body within 24 hours after the invasion of Korea.

But as long as they are selfish individuals they should be ousted by the Senate immediately for the good of our national unity.

I believe many million veterans are wondering how many more wars we will have to fight in order to make this world safe for democracy as long as we have such potential quislings in the State Department.

You may enter this letter also in the CONGRESSIONAL RECORD if you wish.

As a father of three boys I would like to see all of them give the best years of their lives to the service of their country without waiting for Congress to draft them to do their duty. But I most certainly will demand that Congress, regardless of party lines, destroy now and for all time potential traitors in every Government department.

Respectfully yours,

PAUL MITCHELL.

Mr. WINCHELL. Mr. and Mrs. United States, under our American system the strongest form of loyalty is fair criticism based on brutal truth. No administration ever needed it more desperately and none has accepted it less graciously. But it continues to be the birthright of every American citizen to pay homage to his country without swearing allegiance to the Kansas City politicians. The very day that the first casualty list was published last week, Washington stated that the Korean situation was not serious. The very next day, however, reversing itself, the administration prepared to call up all men 19 to 26. The Air Force announced this week that it would hire private commercial airliners to rush support to our men in Korea. During the war we built 250,000 planes and we have spent billions for them every year since. If we could run an airlift for Berlin, why can't we run one for our own men in

bloody Korea? Far more important, however, than where the money has gone, is this question: Why aren't the planes we need ready? The truth is, that the 70-group Air Force twice authorized by Congress was pigeonholed by Mr. White House himself. The President's own commission reported to him that 70 groups was the minimum necessary to defend our own cities from enemy attack. Gen. Toohey Spaatz resigned because he would not take the responsibility without them. But it was the late Secretary of Defense, James Forrestal, who stopped the 70-group Air Force by warning that it would mean rationing and price ceilings. Now, you are about to get rationing and price ceilings without a 70-group Air Force. The very same Navy which was all but officially declared obsolete last fall is right now saving the State Department's Far East Munich from turning into a sickening American Dunkirk. And the irony of it, the State Department's 91 pansies are exempt from active duty and do not have to face the enemy panzers, but their dirty diplomatic linen is being washed, in American blood.

GENERAL APPROPRIATIONS, 1951

The Senate resumed the consideration of the bill (H. R. 7786) making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LUCAS. I inquire of the Chair as to the point we have reached in the pending appropriation bill, H. R. 7786.

The VICE PRESIDENT. The Senate had completed the chapter on Treasury and Post Office appropriations when it recessed on Friday. The next chapter in regular order would be that on Labor, Federal Security, and so forth.

Mr. LUCAS. It is my understanding that the Senator from New Mexico [Mr. CHAVEZ], who is in charge of that portion of the appropriation bill, desires to have it passed over for the present.

Mr. CHAVEZ. Mr. President, the junior Senator from California [Mr. KNOWLAND] is unavoidably absent from the Senate. His mother passed away a day or so ago, and she is to be buried tomorrow. As the ranking member of the subcommittee which considered the Labor, Federal Security appropriations, he has requested that that portion of the bill be passed over until later. I understand that the Senator from Georgia [Mr. RUSSELL], who is in charge of the next feature of the bill, that relating to Agriculture, is ready to go forward.

Mr. WHERRY. I thank the distinguished Senator from New Mexico, the chairman of the subcommittee, for making the request. It is deeply appreciated. I am quite satisfied that while the remainder of the bill will be taken up a little out of order, beginning with the agricultural appropriations, complying with the Senator's request will not hold up the bill at all. In behalf of the junior Senator from California, who is the ranking member of the subcommittee, as the Senator from New Mexico has stated, we deeply appreciate his holding up the Labor-Federal Security chapter of the appropriation bill until the Senator from California is able to return.

Mr. FLANDERS. Mr. President, an amendment to the pending appropriation bill has been offered which calls for

a 10-percent cut in peacetime expenditures of the budget. I wish to add my name as a cosponsor of that amendment, with the reservation that I shall submit or support an amendment eliminating the ECA from that 10-percent cut.

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

Mr. WHERRY. Mr. President, the distinguished junior Senator from New Hampshire [Mr. TOBEY] has asked that his name be added as a cosponsor to the amendment submitted by the senior Senator from New Hampshire [Mr. BRIDGES] for himself and 34 other Senators, that being an amendment to the appropriations bill, calling for a 10-percent rescission.

The VICE PRESIDENT. Without objection, the addition will be made.

MOBILIZATION OF AMERICAN MANPOWER AND INDUSTRY TO MEET WORLD CRISIS

Mr. LODGE. Mr. President, it is now crystal clear that the Soviets have developed a foolproof procedure whereby, unless we intervene effectively, they cannot lose and we cannot win. The procedure is simply that, with no cost in manpower to themselves, they impel a mercenary native army to aggression and thus confront the United States with two alternatives, one of which is ruinous and the other of which, though necessary, is bad.

The ruinous alternative of ignoring the aggression—of turning our back on an international rape—we properly rejected. The other alternative was to send our armed forces to stop the aggression and liberate the invaded country. This we are rightly now trying to do. At best, however, this is a bad, though unavoidable, alternative because it commits thousands of our young men for at least many months until local victory is secured, after which forces must remain to prevent repetition of aggression. At worst, it could mean thousands of casualties without victory. In any case the cost to the Soviets has been nil.

If the procedure which has been used by the Soviets in Korea is repeated in Indochina or Iran or other places on the rim of the Soviet Empire, we would have even larger numbers of young men bogged down in equally unprofitable adventures. The Soviets would then be in a perfect position to make their main effort at the No. 1 objective, which is probably the Ruhr, or at their No. 2 objective, which is probably Japan. And we would be unable even to send significant reinforcements because of being bogged down in these peripheral theaters.

With the Ruhr and Japan in their grasp the Soviets would have an industrial potential under their control which might well convince them that they could go to war with the United States with a good chance of success. It is generally accepted that the Soviets will have enough atomic bombs to strike a rugged blow at the United States in 1952-53. The Korean aggression, therefore, followed by a similar procedure in other places, and leading up to the seizure of the Ruhr and Japan later on, would conclude with the atomic climax of 1952-53. It all fits neatly into the time schedule and coincides with what

we are told about the Soviet plane-gun-tank-building program.

The United States would then be just about isolated enough and weakened enough to be ripe for the plucking. The Soviets would thus, if we let them, have won world war III without even fighting one major engagement with the United States with their own troops—and without our having had a chance to use our superiority in atom bombs and other weapons. No wonder that former Prime Minister Churchill says: "I do not see how the passage of 2 or 3 years during which the Soviets will be building up a large stock of atomic bombs is going to make our problems simpler or our dangers less." Indeed not, Mr. President; neither do I. Nor have I heard a convincing explanation from any source that this would be the case.

We therefore face this question. Must we sit idly by and stupidly watch such a grim tragedy unfold before our frightened eyes? Or can we prevent the tragedy; and, if so, how?

We do not need to sit idly by. We can prevent the tragedy; and here is how:

We must recognize that we are this moment in a major war, and that Korea is one part of a world war picture. This is true, although no one has declared war and perhaps no one will. We must thus quickly create a situation of military strength. This means nothing less than the immediate mobilization of American manpower and industry.

But we must not do this job alone. We must galvanize our allies and make sure that they work with us in building military strength. Every time we add to the military strength of one of our allies, whether through equipment or through American troops, we should have assurances that they add the utmost of which they are capable. This is the objective of the Atlantic Pact, but the pace of preparedness under the Atlantic Pact is woefully leisurely and it must be and can be enormously speeded. It has well been said within the last 10 days by certain statesmen that today Europe is in mortal peril. We probably do not need to have 12,000,000 men under arms in order to have men in even larger numbers in the armed forces of ourselves and our allies.

Thus could we regain the initiative and demand that the international brigandage, imposture, and subversion by the Soviet imperialists stop at once. We need make no demands on the Russian people, but we would put the ruthless men in the Kremlin in their place and would tell them in unmistakable language that they will not be allowed to play their merciless chess game to the final, tragic checkmate. Then the world could go on to lasting peace.

I know that this course would require an immense expenditure of treasure and human toil and immediate inconvenience, particularly to all our men of military age. But it should be possible, with God's help, to do it without great bloodshed, because the Soviet leaders have often shown their respect for strength.

One thing is clear: the present procedure of "heads you win; tails I lose" must stop, and stop at once. If we are getting pushed around to such an extent in Korea, what will it be, with our pres-

ent procedures, when we come up against the Communists' first team? Certainly we would be faithless to those who have already sacrificed themselves in Korea and we would be negligent of our own interests if we regarded Korea as an isolated, purely local, action. It is better to be ready—hugely expensive though it is—and not to need it, rather than to need it and not be ready. In sober truth our very national existence is at stake. We have not a minute to lose. We must not stumble around at the threshold of disaster.

GENERAL APPROPRIATIONS, 1951

The Senate resumed the consideration of the bill (H. R. 7786) making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes.

Mr. KEM. Mr. President, I wish to associate myself with what the distinguished Senator from Massachusetts [Mr. LODGE] has just said about the necessity of our galvanizing our allies into action. What I am going to say is with that idea in mind.

I am proposing a substantial reduction in the amount provided for ECA in the pending bill. I believe that amount, from our standpoint, is entirely unrealistic. If the Senate will bear with me, I shall explain why I believe that is so.

Mr. President, I am offering an amendment to the foreign aid section of the pending measure, and I ask that the amendment be read at this time, for the information of the Senate.

The VICE PRESIDENT. Without objection, the amendment will be read.

The LEGISLATIVE CLERK. On page 447, line 18, in lieu of "\$2,391,930,000" it is proposed to insert "\$1,950,000,000."

Beginning with the word "Provided", in line 2, page 448, it is proposed to strike out all to and including the words "limitations herein specified;" in line 7, page 448.

On page 448, lines 8 and 9, it is proposed to strike out the word "consolidated."

The VICE PRESIDENT. The amendment will be printed and lie on the table.

Mr. KEM. Mr. President, as Senators will observe, this amendment, if adopted, will reduce the amount to be appropriated to the Economic Cooperation Administration for the fiscal year ending June 30, 1951, to \$1,950,000,000. The amendment in addition will also eliminate from the appropriation bill the sum of \$276,761,473 carried over from last year's appropriation. The total saving that would be effected by this amendment to the bill is \$718,691,473. A saving of approximately \$1,000,000,000 in the original budget estimate would be accomplished.

This amendment would in no way affect the appropriations for assistance to the Republic of Korea, the military-aid program, or several other programs included in the foreign-aid section of the pending measure. My amendment applies solely to the economic recovery program for western Europe.

The unexpended balance for the fiscal year 1950, amounting to more than \$276,000,000, was not needed in that 12-month period. There now appears

to be no justification for reappropriating it. Administrator Hoffman is to be congratulated on not spending all the money that was made available to him. The amount should be saved to the United States. It should not be made available for the following year just because it was not spent in the year for which it was appropriated.

Mr. President, I wish to say that I have confidence, as do all other Members of this body, in the Senate Appropriations Committee. I know that each member of the committee has given careful and painstaking consideration to every section of this important bill. I know that my distinguished friend, the Senator from Tennessee [Mr. McKellar] the chairman of the committee, will not think it amiss for me to suggest that the amount allocated to foreign aid should be reexamined in the light of the facts that have developed since the bill was reported.

What is this change of status? The difference between the way the job ahead of us looks now, and the way it looked a few days ago, is well summarized in the following editorial review which appeared in the New York Times of yesterday, July 16:

THE UNITED STATES FACES IT

On June 27—the day President Truman ordered American sea and air forces to go to the aid of South Korea—this was the estimate of the job:

North Korea: Six to nine divisions—probably 95,000 men. Seventy to 100 tanks. Morale probably low. United States: Sea and air forces probably sufficient.

On July 16, after 19 days of bitter fighting in Korea, this is the estimate of the job:

North Korea: Ten to 15 divisions—150,000 to 250,000 men. Two hundred and twenty tanks, almost unlimited supplies behind lines, in Siberia and in Manchuria. Morale and leadership excellent. United States: Eight full divisions, perhaps 250,000 men in all, needed. Manpower, tanks, heavy artillery, planes in Pacific woefully inadequate. Vast supplies needed from home bases 7,000 miles away.

The difference between these two estimates is a measure of the problem that now confronts the United States. At the outset of the fighting the United States had envisaged a fast, mechanized campaign in which planes would play a major role. Then began the battle of the build-up on both sides—the battle to bring up the supplies, the weapons, and the men. It was the big battle—although fought far behind the lines—and the United States lost. Now the United States is faced with the grim possibility that it may be pushed into the sea and forced to mount a counterattack from Japan.

And what about possible Communist aggression elsewhere in the world? The 9 days that has gone by since this bill was reported on July 8 have brought us nothing but disillusionment.

It is time now for some new thinking, some clear thinking in the light of the unpleasant truths that we have had to swallow.

Last week the Senate gave clear indication in a relatively minor incident that it fully recognizes the gravity of the international situation. The Senate rejected the appropriation to build a much needed addition to the Senate Office Building. And yet, in the ECA appropriations of this omnibus appropriation

bill, huge sums are provided for the construction of a wide variety of public works and other projects in foreign lands. These programs look to the future development of their respective countries. They have little or no bearing upon the present emergency. The proposed ECA appropriations are said to be for the purpose of overcoming so-called "dollar gap." Many of us are concerned today about the danger of a gap between our obligations and our ability to respond to them. In the field of national security we cannot entertain the slightest possibility of a deficit in performance.

NATIONAL DEFENSE IS OUR FIRST CONSIDERATION

It is becoming increasingly clear that the Korean war is likely to be long and costly, even if the Russians decide not to intervene directly. It is also apparent that the United States will have to bear the brunt of the fighting.

We must back up our boys on the fighting front to the limit. Upon this we are all agreed. This is the first consideration in the minds of all of us.

I should like to say, Mr. President, that since I have been a member of this body I have supported without exception appropriations for our military establishment. I shall continue to do so as long as I am here. It has been my belief that we should build a national defense so strong that no nation in the world would be under the slightest temptation to attack us. I supported the supplemental national defense appropriation bill of 1948 providing funds for a 70-group Air Force. I was pleased when the present Congress approved the bill authorizing a 70-group Air Force.

Senators will recall that the program for the 70-group Air Force came before the Senate in 1948 following the passage of the Marshall Plan bill. The Congress had approved the Marshall Plan, and had then set about determining what we could afford to do for our military establishments. I asserted in course of the discussion in the Senate that we were putting the cart before the horse. I said that we should first adequately arm ourselves and then, after that, consider what amounts our economic resources would permit us to send out of the country as gifts to other countries, however praiseworthy. I think now as I thought then.

At a press conference only last June 22, 5 days before giving his historic order that our air and naval forces should go to the aid of Korea, President Truman said, at a press conference, that our country cannot pay for a 70-group Air Force. In view of the serious foreign situation, we need that 70-group Air Force. Our soldiers in Korea need it now. We can pay for it. We should provide for our own needs first, and then make gifts out of our remaining resources.

How shall we explain to the mothers and wives of our soldiers fighting in the rice paddies of Korea that we cannot pay for needed guns, tanks, and planes of the right type for air cover?

The South Koreans have had the benefit of economic cooperation—plenty of it. Between 1946 and 1948, inclusive, we invested \$360,000,000 in relief and technical assistance in South Korea, approximately \$18 for each man, woman, and child in South Korea.

OUR PRESENT FINANCIAL SITUATION

Today the Korean war finds us in a state of unpreparedness. We are unprepared from a military standpoint. We are unprepared from a financial standpoint. Our national debt is more than \$257,000,000,000. During the fiscal year which ended June 30, 1950, the Federal Government went into the red more than \$3,000,000,000. It is estimated that the deficit for the current fiscal year will amount to \$5,000,000,000, excluding any additional expenditures in connection with the war in Korea.

What will be the impact of the Korean crisis on our economy? How large is our military effort to be? Are the additional military appropriations that will be required to pay for the Korean war and to strengthen our Armed Forces \$1,000,000,000, or \$5,000,000,000, or more?

No one knows the answers to these important questions.

But we do know this: It is imperative that we eliminate all unnecessary expenditures, both foreign and domestic, not directly connected with our military effort. We cannot ignore the fact that there is a very definite limit to our financial resources. We know very well that we cannot bankrupt our Government and at the same time maintain our free institutions. Since American troops started fighting in Korea, the only communications regarding the war which the Senate has received from the President, so far as I know, are copies of his press releases. I am glad that if reports are true the President plans to address the Congress in person this week. Every member will listen to the words of the President with profound attention.

WE MUST USE OUR RESOURCES TO BEST ADVANTAGE

Equally important are the limitations on our material resources, such as iron and steel. We must provide the dollars required by an all-out war effort. We can do that. We can pledge the credit of the United States. But I seriously question whether we can continue to make extravagant gifts of raw materials to western Europe and still have enough to provide for our own requirements. If and when we run out of essential raw materials can we depend on our European friends to reverse the flow of gifts across the Atlantic?

The Korean war—whether or not Russia intervenes—is bound to make a serious drain on our resources, particularly industrial products, manufactures, and raw materials vitally needed for the war effort.

ECA has proposed to give away during the next year to Marshall-plan countries more than \$200,000,000 worth of industrial materials produced in the United States, including iron, steel, aluminum, copper, zinc, and industrial chemicals. ECA also would give away \$448,700,000 worth of industrial machinery and equipment, \$7,500,000 worth of rubber and rubber products, and more than \$77,000,000 worth of petroleum and petroleum products.

All available reports indicate that our soldiers in Korea need desperately more tanks, more planes, and more heavy artillery. They need weapons to be made

from iron, steel, aluminum, copper, and zinc.

Mr. President, I am bold enough to say that it is not in the interest of the United States, it is not in the interest of our boys on the fighting front, for us at this point to give away vast quantities of critical war materials which may be needed by us to prosecute war, and which may soon be in short supply. I mean the war in which we are now engaged and any other war which may be forced upon us. Increased military production, as well as the mobilization of military manpower, will draw men from civilian production. Civilian producers will then start bidding against each other for goods and labor. Whether or not controls become necessary depends upon many imponderables. One of these is what we do with our available supply of goods. Certainly the shipment of vast quantities of our goods as gifts to foreign countries will bring shortages, controls, and rationing that much nearer to our people. I am sure Members of the Senate will understand this when they vote on the pending measure.

We must not make the mistake of spreading our resources so thin around the world that they will not do anyone any good. We must husband what we have and put it to the best possible use.

Steel is a good example of what I mean. Our steel works were operating at full capacity even before the Korean war broke out. No material is more vital to the war effort than is steel for guns, planes, tanks, and ammunition.

On April 17, 1950, Secretary of the Interior Chapman told a House committee that iron-ore resources in the United States were being depleted at a rate that raised the possibility of restricted steel production within the foreseeable future. He predicted that Great Lakes ore production would fall 50 percent below present levels in 15 years.

Dr. James Boyd, Director of the Bureau of Mines, told the committee that the steel industry would be 3,400,000 tons short of our iron-ore requirements by 1959, even if all present foreign sources still were available.

Of course, Mr. President, it is unnecessary to say that in April 1950 Secretary Chapman and Director Boyd were not speaking with the Korean war in mind. They were talking about what would happen to this country, independent of any war effort.

It is impossible to say at this time just how much additional steel will be required for the Korean war. No doubt the demand will be great. The gifts of steel ECA contemplates making to western Europe might well cripple our economy and endanger our war effort.

It is becoming increasingly clear that our overgenerous gifts to western Europe during the past 2 years could have been put to much better advantage if they had been utilized in building up our own national defenses—turning out, let us say, heavy tanks now so sorely needed by our boys in Korea.

I need not remind the Senate that our first responsibility is to provide whatever is needed to enable our fighting men to drive the North Korean Reds back of the thirty-eighth parallel. What is it to be? Tanks for young Americans bat-

ting for their lives, or steel for the Marshall-plan countries, which have shipped, and are continuing to ship, large quantities of steel to the Russians? I shall have more to say about that in a little while.

ECONOMIC CONDITIONS IN MARSHALL PLAN COUNTRIES

I have found it hard to justify the proposed expenditure of \$104,100,000 for gifts of tobacco to western Europe next year. According to ECA officials, Greece and Turkey, both of which participate in the Marshall plan, now have surplus stocks of tobacco.

ECA officials report that the level of productivity of the Marshall-plan countries generally is more than 20 percent above the prewar level of 1938.

On May 25, 1950, during the hearings before the Senate Committee on Appropriations, the Senator from Michigan [Mr. FERGUSON] questioned Richard M. Bissell, Jr., ECA Assistant Administrator, concerning this matter. Here is the colloquy which occurred:

Senator FERGUSON. Have they—

Referring to the Marshall-plan countries—

any surplus out of this 20-percent increase?

That is the increase in production.

Mr. BISSELL. There are certainly a few spot surpluses, sir, of manufactured goods and a few even of agricultural goods. I would guess that a number of luxury products in Europe are in surplus and that they cannot market their whole amount.

Mr. President, even ignoring for a moment the situation in Korea, is it wise, is it sound, for us to continue to draw off our resources to increase further the rate of production in western Europe, when those countries are beginning to be plagued with surpluses? Does it make sense for us to continue to give away fertilizer to the Netherlands, for example, when ECA has advised us that the Netherlands is concerned about disposing of its current output of fresh vegetables.

On July 13, the Senator from Ohio [Mr. TAFT] put in the CONGRESSIONAL RECORD a statement from the British Economic Record showing the improvement in the British gold and dollar position during the last year. I hope Senators will study this document. The dollar position has steadily improved since devaluation of the pound in September 1949, and has made American goods expensive in sterling areas. In the 9 months since September there has been a surplus of \$189,000,000, compared with a deficit of \$1,501,000,000 in the 9 months before. The British have balanced their budget, while our national debt continues to mount. Britain to date has received \$2,500,000,000 in aid under the Marshall plan. In the name of common sense our British gifts should be discontinued. This would save about \$500,000,000 in this bill. The British figures show why less is being heard these days from the advocates of foreign spending about the dollar gap. As a matter of fact, even before the Korean crisis, substantial progress was made by several important countries in improving their dollar position.

Imports into the United States—that is what we are buying from these countries—will set a new high record this

year. The total is likely to exceed \$7,500,000,000 if the trend for the first 5 months continues. The gain over the corresponding period in 1949 has been about 10 percent.

The Korean crisis is increasing the import volume from the standpoint of both quantity and higher prices. Foreign countries benefit from this higher price trend on raw materials and other goods we buy from them.

In view of these considerations a new ECA appropriation of \$1,950,000,000 should be, entirely sufficient to continue the Marshall plan another year.

THE MARSHALL PLAN NO INSURANCE AGAINST WAR

Senators will recall that the Marshall plan was first presented to the Congress as insurance against war. Either adopt the Marshall plan, we were told, in effect, or prepare for war.

On December 19, 1947, President Truman in a special message to the Congress, said:

I recommend this program of United States support for European recovery to the Congress in full confidence of its wisdom and necessity as a major step in our Nation's quest for a just and lasting peace.

The then Secretary of State Marshall, testifying before the Senate Foreign Relations Committee on January 8, 1948, declared:

This program will cost our country billions of dollars. It will impose a burden on the American taxpayer. It will require sacrifices today in order that we may enjoy security and peace tomorrow.

On January 14, 1948, the then Secretary of the Army Royall said:

Without such effort the Army budget and the Army itself should be increased.

On the same day, the then Secretary of Defense Forrestal, testifying on the Marshall plan, declared:

Our purpose and object is totally and exclusively to prevent another war.

Mr. President, the object was totally and exclusively to prevent another war.

And on March 12, 1948, the Senator from Texas [Mr. CONNALLY], speaking on the initial Marshall plan authorization bill, said: "We are voting upon the peace of the world."

The Marshall plan was approved and carried out, substantially as recommended by the administration. I ask in all seriousness: Are the prospects for peace any brighter than they were 2 years ago, when the program went into effect? We now find ourselves engaged in a full-fledged war in Korea, although officially characterized, I believe, as a police action. Who among us will say that the chances for peace in western Europe are more favorable today than they were in 1948, when we started to pour out these vast sums of money belonging to the American taxpayers?

NO MORAL COMMITMENT TO CONTINUE THE MARSHALL PLAN

Mr. President, we often hear it said that we have a moral obligation to continue these appropriations. The fact is that the Congress is under no obligation, moral or otherwise, to appropriate any particular sum to continue the Marshall plan. Indeed, we are under no obligation to continue the program at all. This was clearly understood at its inception.

On March 2, 1948, during the Senate debate on the initial Marshall plan authorization bill, the then chairman of the Senate Foreign Relations Committee, the distinguished Senator from Michigan [Mr. VANDENBERG] had this to say:

Under the terms of the bill, every Congress—even broader, every session of every Congress—is a free agent to pass its own judgment on the question of whether or not foreign cooperation is justifying the basis upon which the enterprise was launched.

Let me repeat those words. The distinguished Senator from Michigan said that every Congress is a free agent to pass on the question of whether foreign cooperation is justifying the basis upon which the enterprise was launched.

Then the Senator from Michigan declared:

Next January the Congress will be as free as the air to do what it pleases in respect to what has happened during the intervening months, and in respect to what may happen in the days that lie beyond that point.

Several days after the statement of the Senator from Michigan, I questioned the Senator from Texas [Mr. CONNALLY], who was then the ranking minority member of the Committee on Foreign Relations, concerning this matter. I thought it would be well that we understood from the official spokesman for each party what their understanding was of this important point. Here is the colloquy which occurred on March 13, 1948:

Mr. KEM. I should like to ask the Senator from Texas whether, in his opinion, there is any moral commitment extending beyond a 1-year period.

Mr. CONNALLY. Not so far as I am concerned. . . . We are here as Members of Congress, with a perfect right to discontinue the appropriation whenever we wish to do so.

Yes, Mr. President; we have a perfect right to discontinue the appropriation whenever we wish to do so.

These are gifts. They are the most princely gifts in all history. No refinement of reason can turn them into an obligation, moral or otherwise.

Mr. WHERRY. Mr. President—

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. KEM. I am glad to yield.

Mr. WHERRY. The junior Senator from Nebraska has been listening with great interest to the very forceful address being made by the junior Senator from Missouri. I remember very distinctly the colloquy that was engaged in by the junior Senator from Missouri and the two members of the Foreign Relations Committee to whom the Senator has referred. I agree completely that one Congress cannot bind a succeeding Congress; we all understand that. But so far as a moral commitment is concerned, if there are those who contend that there is involved a moral commitment to continue appropriations for ECA, is it not a fact that this Congress will have to use its judgment and carefully consider not merely the appropriations, because the appropriations mean materials.

I ask the Senator to emphasize the point he so forcefully made. Does it not

behoove the Congress to exercise its best judgment relative to continuing ECA, in the light of the experiences through which we are now passing, with the idea in mind that it is no longer a question of dollar gaps? The question confronting the Congress at this time is a decision as to whether or not the money should be granted, not as dollars, but for the materials it represents, since furnishing the materials might deprive the United States and the national defense of the very things we must have, regardless of how we may feel about aiding countries throughout the world. Is not that the vital question that is running through the Senator's mind as he addresses the Senate this afternoon, and as we consider further appropriations for ECA?

Mr. KEM. The distinguished minority leader has placed the matter clearly before the Senate in language which no one can misunderstand. Those who proposed the ECA plan, with commendable wisdom and foresight, provided that it should not be a commitment for any particular period of time. Instead, they left the Congress as free as the air, as the Senator from Michigan said, to decide, in view of developments and exigencies which might occur from time to time, what could and ought to be done with the money of the taxpayers of the United States.

Mr. President, the record is clear on that point for all to read. I believe that many of our people are a little impatient about the suggestion now advanced that there is a moral obligation which must be carried out. We should decide whenever this matter comes before the Senate as of then, whether it is to the best interest of the United States for gift shipments to be made out of the country of essential war materials. We will be called on to answer to the people of the United States, if we are not reasonably prudent about these shipments. We ought to be called on to answer if we act without prudence, without foresight, without careful thought as to the effect of what we are doing.

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

Mr. KEM. I yield to the Senator from Nebraska.

Mr. WHERRY. There is another question I should like to raise, which is indirectly brought to the attention of the Senate by the Senator's remarks, but which was forcefully brought to our attention by an amendment which the junior Senator from Missouri offered during the debate on the authorization of ECA, namely, that the shipments of strategic materials referred to find their way into the hands of the aggressor through satellite countries. In view of what we read in the press—and in these days that is, apparently, the source we have to rely upon for information—what does the Senator feel about restricting or limiting the amount of money which goes to an ECA beneficiary country, that is, the beneficiary country itself, if it continues to ship strategic materials, such as oil, so that they find their way into the hands of the Communists, and finally into the hands of the Red Koreans, and are used in the battle against American boys who are trying to

stop the expansion of communism in South Korea?

Mr. KEM. Mr. President, it is unthinkable that the Congress should permit the resources of the United States to be used for the purpose of making war against it, for the purpose of shooting down and killing the young men of America who are engaged in the fight for freedom.

Mr. WHERRY. Does not the Senator feel that the amendment he offered during the consideration of the authorization bill for ECA is more important now than ever, that no country which is a recipient of ECA aid should receive assistance any longer if that country continues the practice to which I have referred?

Mr. KEM. I agree entirely. When that matter was before the Senate on the previous occasion, the figures I presented were for the year 1948. I think the question may well be raised today: That was in 1948; what is going on now? I have investigated that matter and I am now prepared to shed some light on the situation.

SHIPMENT OF WAR MATERIALS BY MARSHALL PLAN COUNTRIES BEHIND THE IRON CURTAIN

Officials of the Department of Commerce have advised me that the British have shipped, and so far as is known, are still shipping quantities of petroleum and petroleum products, including motor gasoline, to Red China.

Recently, upon the request of our State Department, American oil companies agreed to shut off supplies of petroleum products to the China Reds, and they have done so.

Under the Marshall plan, more than \$245,000,000 worth of petroleum and petroleum products have been sent to Great Britain, which is shipping these products now to Red China. Of these gifts, \$95,000,000 worth was made up of shipments from the United States.

Next year ECA wants to give away \$90,000,000 worth of petroleum and petroleum products to Great Britain, part of which would no doubt come from the United States.

So we are faced with this question: Which shall it be? Fuel to Great Britain, which in turn is sending it to Communist China for possible use in the tanks now crushing our troops in Korea? Or fuel for our own tanks, trucks, and planes on the fighting front?

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

Mr. KEM. I yield to the Senator from Nebraska.

Mr. WHERRY. If I recall the colloquy in which the junior Senator from Nebraska and the junior Senator from Missouri were engaged during the debate upon the authorization of ECA, when the question of the shipments of petroleum arose, it was about the time, as I recall, when there was a deficit of oil in this country, and if I remember the figures correctly, nearly 600,000 barrels of petroleum products were being shipped into the United States daily at that time. The amount varies, I understand, and at times the slack is taken up, but in the light of the statement just made by the junior Senator from Missouri, and the conditions we now face

from a military point of view, does he not feel that every ounce of gasoline which could be used in our national defense, and in the front line, wherever it may be, should be conserved, and that we should look with care on appropriations which take away from us and our national defense the very products the distinguished Senator has been discussing?

Mr. KEM. I definitely feel so; and I do not confine it to petroleum and petroleum products. I extend it to all materials of war, and I am now going to present some figures about other war materials which are being funneled through Marshall plan countries to the other countries behind the iron curtain.

Earlier during this session, when the foreign aid authorization bill was being considered, I presented to the Senate evidence that certain Marshall plan countries, namely Great Britain, France, and Belgium-Luxemburg, were making large shipments of war material to Russia and her satellites. This information was official information—made available to me by the Office of International Trade, Department of Commerce. Last year, for example, Great Britain sent more than \$12,000,000 worth of iron, steel, and manufactures to Russia and her satellites, and more than \$240,000 worth of ball and roller bearings.

I know the Senator from Vermont [Mr. FLANDERS], as a great machine-tool manufacturer himself, will appreciate the importance of those shipments.

I ask unanimous consent to have inserted in the RECORD at this point tables containing a partial list of exports from Belgium-Luxemburg, the United Kingdom, and France, to Russia and the satellite countries during 1949.

The PRESIDING OFFICER (Mr. HILL in the chair). Without objection, it is so ordered.

The tables are as follows:

Partial list of exports from Belgium-Luxemburg during 1949 to Russia and satellite nations¹

Item	Amount in dollars ¹	Amount in thousands of francs	Metric tons ²
Arms (to Czechoslovakia).....	6,040	302	-----
Iron, cast iron, and steel.....	19,782,840	989,142	151,749
Copper.....	11,028,820	551,441	23,523
Lead.....	1,583,160	79,158	4,836
Zinc.....	3,003,780	150,189	10,413
Tin.....	941,060	47,053	485
Other base metals and alloys.....	1,387,360	69,368	623
Boilers, machinery, mechanical apparatus, and appliances, and parts.....	7,937,880	396,804	6,273
Electrical machinery and apparatus, and articles for electro-technical use, and parts.....	5,840,660	292,033	-----
Railway and tramway rolling stock and material.....	430,600	21,530	872
Optical, measuring, precision, and other instruments and apparatus.....	2,480	124	-----
Chemical products.....	1,709,540	85,477	8,573
Explosives, fireworks, matches, and other inflammable materials.....	1,447,900	72,398	2,014
Rubber and manufactures.....	942,600	47,130	1,355

¹ Complete list available in my office, including a breakdown of exports by importing country.

² Computation based on current exchange rate of 50 francs to the dollar.

³ 1 metric ton is equal to 2,204.6 pounds.

Partial list of exports from United Kingdom during 1949 to Russia and satellite nations

Item	Amount in dollars ¹	Amount in thousands of pounds sterling	Quantity
Ball and roller bearings and parts.....	243,600	87	² 2,000
Iron, steel, and manufactures (total).....	12,140,800	4,336	² 88,000
Steel bars and rods, not alloy.....	1,736,000	620	² 20,000
Bars and rods of alloy steel.....	504,000	180	² 1,000
Hoop and strip.....	422,800	151	² 3,000
Railway and tramway construction material.....	708,400	253	² 10,000
Barbed wire.....	420,000	150	² 3,000
Cable and rope (except insulated telephone and telegraph cable).....	425,600	152	² 1,000
Nonferrous metals and manufactures (total).....	4,062,800	1,451	-----
Aluminum and alloys.....	618,800	221	² 21,000
Brass and other alloys of copper, other than nickel alloys.....	1,142,400	408	² 63,000
Copper.....	694,400	248	² 1,000
Electrical goods and apparatus.....	6,806,800	2,431	-----
Machinery (total, excluding ball and roller bearings and parts).....	45,172,400	16,133	² 867,000
Electric generators.....	11,986,800	4,281	² 181,000
Electrical machinery, other than motors and generators.....	2,864,400	1,023	² 46,000
Machine tools (metal-working) other than portable power tools.....	5,138,000	1,835	² 129,000
Vehicles (including locomotives, ships, and aircraft) (total).....	13,361,600	4,772	-----
Rubber tires for motor vehicles, other than motorcycles and tractors.....	229,600	82	9,000
Chassis for motor vehicles, with engines.....	1,660,400	593	1,000

¹ Computation based on present exchange rate of \$2.80 to the pound sterling.

² Hundredweight (112 pounds).

³ Long tons.

⁴ Hundredweight.

Partial list of exports from France during 1949 to Russia and satellite nations

Item	Amount in dollars ¹	Amount in thousands of francs	Metric tons
Chemicals:			
Inorganic.....	1,546,759	533,365	23,425
Organic.....	983,283	339,063	610
Rubber and rubber products.....	1,678,616	578,833	1,426
Steel-mill products, hot rolled, sheets and plates.....	4,198,881	1,447,890	41,696
Steel-mill products, cold rolled, tubular products, and wire.....	3,087,703	1,064,725	19,283
Aluminum, crude, and semimanufactures.....	369,245	127,326	815
Aluminum alloys.....	408,688	140,927	833
Lead and lead alloys.....	316,349	109,086	1,115
Metal manufactures.....	2,046,376	705,647	3,985
Machinery and apparatus.....	10,272,238	3,542,161	6,771
Machinery, electrical, and apparatus.....	2,015,239	694,910	525
Transportation equipment.....	8,281,011	2,855,521	7,913
Optical, surgical, scientific, and photographic instruments and apparatus.....	1,113,145	383,843	115

¹ Computation based on current exchange rate of 350 francs to the dollar.

Mr. KEM. Mr. President, many of the same materials which are being sold to Russia and her satellites by Marshall plan countries are being given to these

same countries by the United States under the Marshall plan.

For example more than \$26,000,000 worth of iron and steel mill materials and products have been sent by the United States to France under the Marshall plan. And last year, France shipped more than \$7,000,000 worth of steel-mill products, including hot rolled sheets and plates, to Russia and her satellite nations.

It may be said that that was last year; that that is water over the dam. What about this year?

A few days ago, I contacted officials of the Department of Commerce as to what progress had been made toward correcting the situation. The report I received was not encouraging. While I was advised that some progress had been made, Commerce Department officials made it clear that Marshall plan nations in Europe are still making substantial shipments of war materials to Russia and her satellites—materials which we are refusing to ship to those countries.

On Friday, July 14, two members of my staff inspected the latest statistics in the Department of Commerce on exports from Marshall plan nations to countries behind the iron curtain. They took some notes. Here are only a few of the things they found.

During the first 4 months of this year, the United Kingdom exported more than \$6,800,000 worth of electrical machinery to the Soviet Union. This represents nearly a 50 percent increase over British exports of electrical machinery to Russia during the first 4 months of 1949.

During the 4 months which ended April 30, 1950, the United Kingdom also sent to Russia more than \$1,087,000 worth of machine tools. This is almost 10 times as many machine tools as were exported by the United Kingdom to Russia during the first 4 months of 1949. In other words, in the first 4 months of this year, the United Kingdom accelerated her sales of machine tools to Russia 10 times over.

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

Mr. KEM. I yield to the Senator from Vermont, who, I am aware, knows more about machine tools than probably any other Member of this body.

Mr. FLANDERS. I should like to suggest that there is a difference perhaps between the principle of the thing and the amount involved. It is not satisfactory to us to see Great Britain increasing her machine-tool export to Russia. I might suggest, however, that the amount of that export would do little more than equip a two- or three-hundred-man plant. So that the amount is inconsiderable. I do agree with the Senator as to the principle.

Mr. KEM. Could the Senator advise us how long it would take a two- or three-hundred man plant to turn out a 60-ton tank for shipment to Korea?

Mr. FLANDERS. I do not have the figures as to the number of man-hours that go into the making of a tank. But I surmise that it would not make much difference to the Korean campaign.

Mr. KEM. Does the Senator mean that a few tanks would not make much difference in the Korean campaign?

Mr. FLANDERS. What I am saying is that the export of machine tools is in amount very small indeed. But I agree with the Senator as to the principle.

Mr. KEM. I defer to the knowledge of my distinguished friend from Vermont as to what constitutes a substantial amount of machine tools. As a mere layman, not being among the intelligentsia in that business, I should think that a shipment of a million dollars' worth of machine tools in 4 months was quite a considerable amount. Regardless of that, what does the Senator from Vermont say about Great Britain increasing her shipments 10 times over in the 4 months which followed January 1, 1950?

Mr. FLANDERS. I have already agreed with the Senator from Missouri that the principle is more than dubious—it is bad. But the amount involved was inconsiderable.

Mr. KEM. To me it is shocking, literally shocking, that such traffic should be going on when at the same time we are sending as gifts to Great Britain, great quantities of steel, some of which no doubt could be manufactured into the same kind of machine tools that are being sent to Russia.

Mr. FLANDERS. I should like to ask the Senator whether he has the figures of our shipments of steel to Great Britain.

Mr. KEM. The gifts?

Mr. FLANDERS. Yes.

Mr. WHERRY. Mr. President, while a search is being made for the figures of the amount of steel sent by us to Great Britain, I should like to make an inquiry of the distinguished Senator from Missouri—and I should be glad to have him relay the question to the Senator from Vermont, because I also am a layman when it comes to knowledge of this particular subject. I have received information from the Appropriations Committee respecting some of the evidence presented to it. Cannot machine tools be used to provide other machine tools? Cannot the original machine tools be used as the seed, so to speak, for the development of machine tools which could be produced in abundance? I do not know how this procedure can be carried through unless the Senator from Missouri asks unanimous consent that he may yield for that purpose.

Mr. FLANDERS. Mr. President, I should like to interrogate the Senator from Missouri.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Vermont for that purpose?

Mr. KEM. Before the Senator from Vermont puts his question, I should like to give him the figure of the shipments from the United States, as shown by the ECA report for the period from April 8, 1948, to April 30, 1950. The shipments in that period, that is the gifts of steel by the people of the United States to the Government of Britain, were \$27,528,000 worth.

I shall now be glad to have the Senator from Vermont propound any question he has in mind.

Mr. FLANDERS. I should like to inquire of the Senator from Missouri whether he will permit me, through his

intermediation, to furnish some information to the Senator from Nebraska.

Mr. KEM. I shall be glad to. The only thing any of us is interested in is the truth. I shall be glad to waive any rights I have under the Senate rules, in the interest of our joint search for truth.

Mr. FLANDERS. I should like to enunciate, sir, a profound truth, which is that the only inanimate thing which reproduces itself is a machine too. That is in response to a request from the Senator from Nebraska.

Mr. KEM. Can the Senator from Vermont estimate the rate of fecundity on the part of this million dollars' worth of machine tools sent from England to Russia in the first 4 months of the present year?

Mr. FLANDERS. Of course, no one knows what those machine tools are to be used for. They can be used to make other machine tools. They can be used to make tanks. They can be used for repair shops on railroads. They can be used on hundreds and thousands of projects.

Mr. KEM. Could they not be used as models for other machine tools?

Mr. FLANDERS. That has been done long since. The Russians have their models and have made their copies.

Mr. KEM. We can feel sure then that our British friends are keeping them up to date.

Mr. FLANDERS. If they are searching for models, they had better not go to Great Britain; they should come here to the United States.

Mr. KEM. The Marshall plan has taken care of that, for under the Marshall plan we are not only making regular shipments of machine tools to Great Britain, but we are also sending Great Britain technical assistance; are we not?

Mr. FLANDERS. Not so far as I know, in the lines with which I am best acquainted.

We are inviting them to come here and watch our methods of production and our methods of organization and management. We are doing that, and I think it is a good thing.

I simply wish to return to the point that I agree completely with the Senator from Missouri that the principle of such shipments is wrong. I was only rejoicing—insofar as one can rejoice over something that is wrong—that the operation has not yet attained vast proportions.

Mr. KEM. Mr. President, I should simply like to say to my distinguished friend, the Senator from Vermont, that I hope we shall be in equal agreement when the vote is taken on this amendment.

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

Mr. KEM. I yield.

Mr. WHERRY. The information I sought has been provided by means of the statements made by the Senator from Missouri, in response to the questions which have been asked by the Senator from Vermont—which is a rather roundabout means of obtaining information, I admit. What they have said is conclusive proof, it seems to me—and it is in accordance with the evidence adduced

before the committee—that the shipment of machine tools provides the means not only whereby duplicates can be made, but, what is worse, whereby other machine tools can be made—tools which, in turn, might be capable of producing vast amounts of material which could be used not only on one front but on various fronts throughout the world, if need be.

I do not say that the machine tools the distinguished Senator has mentioned would be used for that purpose, but that is a possibility.

I am satisfied that if the country to which the tools went wanted to use them for that purpose, there would be nothing to stop that country from using them in that way.

Mr. KEM. Mr. President, we all seem to be in agreement about this matter so far as Great Britain is concerned.

Suppose we consider some of the other countries:

Belgium has continued to make shipments of war material to Russia. During the period January through April sizable shipments of iron, steel, and tin plate have gone from Belgium to the U. S. S. R.

Italy is sending iron, steel, and machinery to the U. S. S. R.

Sweden's trade with Russia during January 1950 was nine times greater than it was in January 1949.

All too fresh in our minds is the fact that during World War II our ships and planes were blasted with scrap iron furnished by us to the Japs. Tens of thousands of young Americans were killed or maimed for life. Mr. President, history repeats itself: Now we are again supplying—this time indirectly—materials of war to an unfriendly nation. That nation, it is well known, supplied the tanks and the guns now blasting our young men along the Kum River in Korea. It is entirely possible, even probable, that many of the shipments of iron and steel from Marshall plan countries to Russia went into building the very same guns and tanks now killing our own boys.

When the most recent Marshall plan authorization bill was before the Senate, I made this statement:

It is essential to our national security that this country continue to ban shipments of war material to the Soviet Union. It is tragically absurd for us to pour into western Europe vast quantities of war materials under the Marshall plan and the arms aid program, only to have our friends export the same materials to Russia and other countries behind the iron curtain.

Mr. President, it is shocking that, in view of the situation in Korea, Marshall plan countries are still permitting substantial shipments of war material to the Reds. Surely our allies will not continue to furnish materials to the Reds to kill young Americans who are fighting for a free world.

THE RESPONSIBILITY OF THE SENATE

Mr. President, if the fighting is confined to Korea, the United States may be able to ride out the present crisis without serious economic strain and the adoption of controls that a major war would entail. But there is no assurance that the fighting will be confined to Korea. Every dispatch from Korea carries a lesson. The dispatches tell a tale

of the need for adequate preparedness against acts of Communist aggression not only there but in other parts of the world. Earlier today we heard the distinguished junior Senator from Massachusetts [Mr. LODGE] demand entire, complete mobilization of industry in the United States. If I correctly understand his meaning, that would call for complete controls over our entire economy.

Mr. President, in the last few days we have learned that our aircraft have become obsolete more rapidly than they have been replaced. It is now disclosed that we lack aircraft of a proper type for supporting ground troops. We now make the unhappy and surprising discovery that we lag behind in scientific research and development in certain military fields; for example, in the manufacture of bullet-repelling steel. We know to a certainty that our tanks are inferior.

We may need, and need badly, many things before too long: More manpower, more money, more and better weapons, more basic materials.

As the Washington News said on last Thursday:

Communism is winning its way by the sword. Why can't our policy makers get that through their heads?

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

Mr. KEM. I am glad to yield to the Senator from Vermont.

Mr. FLANDERS. The quotation from the Washington News, just read by the Senator from Missouri, touches a point which I cannot let pass unchallenged. It is true that the armed forces of Russia have been a very potent tool in conquering the vast areas which Russia has conquered. Yet in her latest conquests and in those which she has almost made, she has not proceeded by means of the sword at all. To the contrary, her method in those cases has been to use propaganda.

Anyone who at any time says there is nothing but force involved in the Russian advance simply does not know what is going on, does not know what Russia is doing, and pays no attention to her methods and her policies. We should today encounter very much less danger, and have very much less fear of her armed power, had we been as wise, had we been as diligent, had we been as intelligent in the thought war as Russia has been. Let us not be blind to the means by which she has attained her power.

Mr. KEM. Mr. President, I thank the Senator from Vermont for his very interesting comment. He has made some thought-provoking speeches on the Senate floor with reference to the necessity of carrying on propaganda behind the iron curtain. As the Senator knows, I have studied those speeches carefully, I have been very much interested in them, and I have asked the Senator questions about his ideas in that connection.

I think, however, that the Senator from Vermont has misinterpreted the quotation I just made from the Washington News. I think the editor of that newspaper had in mind that, since June 27, 1950, communism was winning its way with the sword. I think the Sena-

tor from Vermont will agree the statement as so interpreted is eminently correct.

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

Mr. KEM. I am glad to yield to the distinguished Senator from North Dakota.

Mr. LANGER. Is it not true that immediately following World War II Russia acquired 2,000 of the leading scientists of Germany; that, at the very time our country said we did not want them here, and when we were barring them from the United States, the Russians took them to Russia; and that, as a matter of fact, those scientists kept right on developing the weapons which Germany had been creating at the time the war ended?

Mr. KEM. I think that is undoubtedly so. It is as true as is the statement, if we may believe newspaper reports, that the bullet-repelling steel now used in the forepart of 60-ton Russian tanks is a discovery made by the same German scientists to whom the Senator from North Dakota alludes.

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

Mr. KEM. I am glad to yield.

Mr. LANGER. The net result is, is it not, that because of the action of our Government in refusing to admit those 2,000 scientists and engineers, or any of them, from Germany, hundreds of our boys are dying today? As the distinguished Senator from Missouri has said, the Russians have developed a steel-resistant tank which is superior to our tanks.

Mr. KEM. I think that conclusion is inescapable, I may say to the Senator. It made my blood run cold, within the past few days, to read reports from the Korean front, and to learn how our bullets fell off the Russian tanks like paper pellets, because they lacked sufficient size, speed, and power to penetrate the steel. Here we were, giving substance to 16 countries of western Europe, yet we were unable to give our boys, who were risking their lives in Korea, an even chance.

Mr. President, I do not suppose that since the Continental Army marched in the American Revolution has it occurred that the equipment of American troops was not at least equal to that which they were called upon to meet. I think that is a disgrace to this country. I think that that circumstance alone requires that this whole program be reviewed in the light of what we have learned within the past few days.

We have learned, Mr. President, that it is impossible to stop 60-ton tanks with cases of Coca-Cola or with cartons of cigarettes. This is no time for us to be boondoggling in western Europe. It is no time for our Government to be building a gambling casino in Le Harve or running a night club in Rome.

Senators may say that we should leave this to the sound judgment of the ECA. That would be an easy out; but is it sufficient? Would that discharge our constitutional obligation? Mr. President, we are on notice that ECA can err, and err very badly.

On June 13, 1950, William C. Foster, Deputy Administrator of the Economic Cooperation Administration, appeared before the Senate Committee on Appropriations.

Mr. Foster declared:

I am happy to tell the Appropriations Committee that, in my judgment, the trend of events in South Korea is more favorable than it has been at any time since the liberation of that country in 1945.

Then Mr. Foster said:

A rigorous training program has built up a well-disciplined army of 100,000 soldiers; one that is prepared to meet any challenge by North Korean forces.

Any Senator who is interested may read Mr. Foster's testimony in the record of the hearings of the Appropriations Committee, at pages 305 and 306.

That, then, was the considered opinion of the Deputy Administrator of the ECA, on June 13, just 11 days before the invasion of South Korea by Red forces. He said that South Korea had a well-disciplined army of 100,000 soldiers, prepared to meet any challenge by North Korean forces.

Subsequent events—the complete rout of South Korean forces—place Mr. Foster's testimony in bold relief. We must ask ourselves: Did the ECA have the slightest conception of the true picture of South Korea?

Other disconcerting question will come to the mind of Senators: Is the ECA better informed as to the situation in Western Europe than it was regarding the situation in Korea? Is the information given to the Congress by ECA regarding western Europe more accurate than it was regarding Korea?

ECA spends nearly \$300,000 a year for publicity in this country alone. Press agents and speech writers tell a pretty story of its accomplishments, and what the future will bring, if only the American taxpayers continue to foot the bills. But they find it increasingly necessary to keep up a constant barrage of hand-outs and addresses. Travelers are arriving home every day to raise grave doubts as to the results of the tinkling jingle of American gold.

The time has come—sooner than some of us anticipated—when the Senate must concern itself with facts—plain, hard, disagreeable facts. We are confronted face to face with the stark, relentless realities of a changing world. I hope that the Senate will examine the ECA appropriation with courage and foresight in light of the world-shaking events that have come about since the bill was reported to the Senate.

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

Mr. KEM. I yield to the Senator from Vermont.

Mr. FLANDERS. I should like to ask a question of the junior Senator from Missouri. I wonder whether he had any feeling of dichotomy in the first two sentences of his very interesting talk in which he called for reducing ECA contributions and stimulating our allies abroad.

Mr. KEM. I had in mind that both things could be done at the same time, and that there was no inconsistency in the program. I had in mind that the

great sum of \$1,950,000,000 should be ample to show our friends in western Europe our intention to uphold their hands and to stand by them, shoulder to shoulder and cheek by jowl. I had in mind that our friends in western Europe will have more confidence in our own intelligence and our own ability to stay the course of events if they know we are conducting our own affairs with prudence and foresight. I think the same will be true of our allies who are not beneficiaries of the Marshall plan.

Mr. FLANDERS. However, the difference does require a little explanation, does it not?

Mr. KEM. I do not think so. I think it would be self-evident to as keen a mind as that of the Senator from Vermont.

Mr. FLANDERS. I merely wanted to make sure that the Senator felt he could correctly read the mental processes of our allies on the other side.

I come to another question. I ask the Senator from Missouri whether he has a feeling that the ECA has played no part in maintaining the peace of Europe up to this time.

Mr. KEM. I think it has perhaps done some good. I should like to think it has. But I am sure that the contribution which ECA has made is as nothing compared with the atomic bomb. If the Russians have not overrun western Europe, I am sure it has not been due to Coca Cola, cigarettes, and the casinos and night clubs we supplied in western Europe, but it has been due to the fear of the armed might of the United States, and more specifically to the knowledge which we possess of the atomic bomb, knowledge and the courage to use it, if and when the appropriate time rises.

Mr. FLANDERS. Does the Senator from Missouri, who has a keen eye for the picturesque in our operations abroad, feel that it is the atomic bomb which changed the prospects of the elections in Italy and France?

Mr. KEM. Yes. I am sure it sent many a doubting citizen to the polls to uphold the side espoused by the United States. I feel absolutely certain of that. I should like to say that I think the atomic bomb was the most powerful of all arguments for the American side. Whether the Honorable James C. Dunn, in presenting the matter to the people of Italy, referred to the atomic bomb, I do not know; but I am sure that there was no citizen of Italy so dense that he did not know about the atomic bomb and the effect it had on the entire world picture.

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

Mr. KEM. I yield.

Mr. LANGER. I should like to refer my friend to the speech of Winston Churchill which he delivered at the Massachusetts Institute of Technology approximately a year ago, in which he said that the only thing—not the Marshall plan—which has protected Europe has been the atomic bomb of the United States. He repeated the statement several times in the course of his speech.

Mr. KEM. That is quite true. I thank the Senator from North Dakota for his contribution. I should like to say that many reports from Europe indicate that

the average citizen in western Europe regards the Marshall plan as evidence of a sort of weak-mindedness on the part of the people of the United States. He thinks we must have some ulterior motive, and he never has been influenced too much by our overgenerous gifts. He has realized, I think, that they were beyond our capacity, that as a matter of prudence we ought not to be sending them in such an amount. He has received our gifts with his fingers crossed. He wonders why we do not balance our own budget, instead of sending such sums to him.

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

Mr. KEM. I yield.

Mr. FLANDERS. The Senator from Missouri has the floor and has the privilege of yielding or not to the Senator from Vermont. I saw nothing in the press at the time, and nothing in the reports of those who were on the ground, to indicate that the atom bomb was a determining factor of any sort whatsoever in the elections in France and Italy. We do know, without question, as Mr. Churchill said, that it has been a deterrent factor, so far as the armed invasion of western Europe is concerned; but Russia's invasion of western Europe was undertaken not as an armed invasion, primarily, but as an invasion by Communist ideas and ideals, and we very narrowly escaped the danger of Italy and France going under. I am sure history will show that the Marshall plan was a prime factor in averting that great danger.

Furthermore, I should like to ask the Senator from Missouri whether he thinks it was the atom bomb which increased so greatly and so favorably the productive output of western Europe.

Mr. KEM. I do not think the atom bomb has anything to do with the industrial output. I believe recovery in western Europe has been largely due to the ability of the people of western Europe to recover after a devastating war. That has been shown time and again in the course of history. There is no uniqueness about what the people of western Europe have done this time. France has been devastated time and time again by invading armies, and yet the people of the world have often marveled at the recuperative powers of the French people. The fact that we have spent some money there does not mean that her recovery is entirely due to that. It means that a natural economic process has been carried on.

I have invited the attention of the Senator from Vermont to the fact that whatever I may think about the Marshall plan and whatever I may have said about it in the past, what I am suggesting today is a reduction of the Marshall plan appropriation to \$1,950,000,000. I am presenting that as the outside figure of what I think the limit should be, and as far as we should go, in view of the exigencies at home and the demands upon ourselves to equip and maintain our soldiers at the front.

Mr. FLANDERS. I would still like to go back to the previous discussion in order to find out whether or not it is really true that the Senator from Missouri feels

the Marshall plan played no important part in the economic recovery of Europe.

Mr. KEM. If it will make the Senator from Vermont feel any better, I shall be very glad to say that it played a part. As a matter of fact, I suppose it did. I never said it did not. It would be strange if the pouring into any land of such tremendous sums of money did not do some good to the economy. To say otherwise would be foolish. I have no ambition to cut that kind of figure on the floor of the Senate.

What I have said and what I say now is that these gifts are no long-time solution to the problem. As soon as we stop making gifts, or as soon as we show any hesitancy in making gifts, the people over there will say to us, "Well, we are sorry, and just as sorry as we can be, but if you don't send us this money, we will have to go Communist." That is inevitable, Mr. President. We shall have to meet this issue. The point I make is that with a debt of \$257,000,000,000 the American people cannot continue year after year to bribe the people of the 16 countries in western Europe not to go Communist.

Mr. FLANDERS. I should like to interrogate the Senator still further. My reason for pressing the question as to whether or not the Senator from Missouri felt that the money spent up to now had been well spent was to get some gage for my own use as to the value of his judgment that we could now do with any other certain amount than that proposed. If the Senator belittles the political and economic effect of the Marshall plan in Europe to date, I would have to say to the Senator that I fear I cannot trust his judgment.

Mr. KEM. The Senator from Missouri is very anxious to retain the confidence of the Senator from Vermont. The Senator asked me if I thought the Marshall plan aid had made any contribution to the recovery of western Europe. I admitted it had. Then the Senator undertook to say that the Senator from Missouri admitted that the Marshall plan money had been well spent. Of course that is an entirely different matter. In my opinion, much of the Marshall plan money has utterly been wasted. I believe much of it has gone down the drain forever and has accomplished no appreciable good of any kind. It has made some contribution to the recovery in western Europe. However, if, in order to retain the confidence of the Senator from Vermont, which I am very anxious to do—

Mr. FLANDERS. Not the personal confidence or affection, but merely guidance on this particular legislation.

Mr. KEM. If, in order to do that, it is necessary for me to admit that I think the ECA money has been well spent, the Senator from Vermont and I, in a figurative sense, will have to part company. I cannot go along with him on that. I shall be glad to give him a bill of particulars on that point. I shall show him the many respects in which I feel that money of the American taxpayers has been wasted in western Europe.

Mr. FLANDERS. Does the Senator from Missouri feel that in that respect

it is much different from many appropriations which we make on the floor of the Senate for undertakings inside the borders of our own country?

Mr. KEM. I should hate to say that every appropriation we have made has been as ill advised as I regard ECA. I will tell the Senator what I think about ECA. The Senator has spoken about what will be the place of ECA in history. I shall be glad to give the Senator the benefit of my opinion for what it is worth. In my opinion it will be regarded in history as we now regard the tulip craze, the South Sea bubble, the Mississippi bubble, the witchcraft mania in Salem, or the Florida land boom of a few years ago. I think ECA will go down in history as one of the mass delusions which seize upon the minds of men from time to time and which only time will erase, or correct. I have expressed this opinion in the Senate before. I see no reason to change it today.

Mr. FLANDERS. I should like to say to the Senator from Missouri that he has completely cleared my mind as to his position, but has done very little to persuade me in joining him in his position. I should like to conclude this little colloquy, so far as I am concerned, by stating as my conviction that had it not been for ECA, and its economic and political results, the Russian Army would now be washing its socks with salt water soap in the Atlantic Ocean.

Mr. KEM. The Senator has explained his position very neatly. When we started our colloquy I did not have the slightest idea that I would change the opinion of the Senator from Vermont. The Senator from Vermont is not a politician. If he were I know he would cling tenaciously to the first principle of a politician, namely, "Never admit that you are wrong." I do not expect to convince the Senator from Vermont. Perhaps I may be more successful in prophecy than in persuasion with respect to some of my other brethren here. At any rate, Mr. President, I have made a record of my views for better or worse. It will be here in the pages of the CONGRESSIONAL RECORD for all time. Those who follow the Senator from Vermont and me may pass judgment.

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

Mr. KEM. I am glad to yield to the Senator from North Dakota.

Mr. LANGER. Is it not true that we shall soon find out how much good the Marshall plan has done when we see how many ground troops the countries who have received benefits under the Marshall plan will send to Korea in response to the request of the Secretary General of the United Nations? Does not the distinguished Senator from Missouri believe that in that response we shall have a part of the proof?

Mr. KEM. I do not wish to cast the slightest aspersion on the good intentions of our allies. I believe they will support us. I hope they will. We need their help. I believe we shall get it. We know that in two world wars some of them have been loyal and faithful allies. However, I want to say that I think they would have more confidence in coming

to our aid if they believed we are keeping our own economy on a sound basis.

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

Mr. KEM. I am glad to yield to the Senator from Pennsylvania.

Mr. MARTIN. I have not heard all the Senator's very able address, but I have heard enough of it to become very greatly interested in it. Is it not important for America in this critical hour to keep its financial condition as sound as it possibly can?

Mr. KEM. I feel certain that that is so. As I said earlier, there is no point to our trying to maintain free institutions abroad, in the lands beyond the seas, if we are to jeopardize our own free institutions. There is nothing in the record of the past to indicate that we can bankrupt our Government and at the same time maintain our free institutions.

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

Mr. KEM. I am glad to yield further to the distinguished Senator from Pennsylvania.

Mr. MARTIN. Until we can ascertain how serious our present condition is, is it not necessary to economize all along the line, not only in our contributions to ECA, but in our public works and things of that character at home.

Mr. KEM. I think it is necessary, indeed. As I have indicated before, the major part of the gifts proposed to be made under the pending bill would go into public improvements in the countries of western Europe, which have no reference at all to the emergency in which we now find ourselves. I voted for the military-assistance bill when it was before the Senate recently. I voted for it without comment. So far as arming our allies is concerned, that is an entirely different matter. I am not talking about that. I hope no one will get the idea that I am talking about that. My remarks are directed solely and exclusively to economic assistance to western Europe.

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

Mr. KEM. I am glad to yield.

Mr. MARTIN. Is it not a fact that here in the United States we are away behind in the construction of roads, the improvement of rivers and harbors, and matters of that kind, and that we will need those things badly if we become involved in a total war, in order to attain the maximum of agricultural, mining, and manufactured products, necessary for the conduct of a total war?

Mr. KEM. I believe that to be true beyond question. We are now draining the Zuider Zee in Holland at the expense of American taxpayers. I think that is costing in the neighborhood of \$37,000,000. We are building extensive multilane highways in many countries of western Europe. We are building great viaducts and aqueducts. We are building a great hydroelectric plant in Italy. A few days ago one of our colleagues told me that he was in Rome last summer and saw a great railroad terminal under construction. He inquired where the money came from and

was told that \$4,000,000 came from the Marshall plan. And so it goes.

Mr. President, I yield the floor.

INCLUSION OF SPAIN IN ASSISTANCE PROGRAM

Mr. EASTLAND. Mr. President, I desire to call to the attention of the Senate and the country a news item from Madrid, dated July 16, by the International News Service, which appeared this morning in the public press. I quote the article:

FRANCO REVOKES ALL ARMY LEAVES

Usually reliable sources said tonight that Generalissimo Franco has ordered all military leaves canceled and set the stage for the calling up of four army classes. Franco and his cabinet devoted most of their meeting Friday to a discussion of the Korean war and its effect on the international situation.

Mr. President, that is a news item which is enough to make the so-called liberals sick. This country has refused to aid and assist Franco. This country has refused to aid and assist the peoples of western Europe who oppose communism, and who, by the use of military force, will oppose the sweep of communism over western Europe.

Today western Europe is a void, a vacuum, because the United States has not allied herself with the two keystones, Germany and Spain, to prevent the spread of communism. Consistently, at the behest of the left wing, we have refused to arm and to assist them.

Mr. President, we find that although we called on the United Nations for military assistance in the form of ground troops in Korea, up until last night none of those countries had agreed to assist. Yet we find Spain, a country which does not even belong to the United Nations, holding Cabinet meetings and calling up four classes of her army to meet the international crisis.

Mr. President, if we had a trained army of Germans and a trained and equipped Spanish army, five of those divisions would be equal to 250,000 Chinese Communists. If this country is to live, it must build up its defenses, and it must ally itself with and assist the peoples of the world who will really take up arms to oppose communism.

In Europe Spain has been the bulwark against communism, and I say that our conduct toward her should be viewed with shame by the American people. It should shame our leaders, who are willing further to temporize with communism. They weaken this country when they do not assist Spain, but in order to appease certain left-wing pressure groups, certain radical elements of this country, we go ahead with a senseless policy which will cause many American boys to lose their lives.

I say it is a shame. This country must be mobilized, and we must cooperate with and ally ourselves in Europe with Spain and Germany, the two great peoples there who must be the bulwark in the defense system of western Europe. I trust the significance of this news item will not be lost on our leaders. I know its significance will not be lost on this country.

CALL OF THE ROLL

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

Mr. RUSSELL. Mr. President—

The PRESIDING OFFICER. Will the Senator withhold his suggestion a moment?

Mr. RUSSELL. I hope we may get on with the agricultural appropriations.

Mr. LANGER. I promised the minority leader, before he left the Chamber, that I would call a quorum before the Senator from Georgia started in with the agricultural portion of the appropriation bill. It seems that some Senators have expressed a desire to be present and hear the distinguished Senator's discussion.

Mr. RUSSELL. Mr. President, I hope the appropriations bill may now be discussed; we have discussed almost everything in the whole gamut of human affairs except agricultural appropriations.

Mr. LANGER. I am calling the quorum for that very purpose, at the request of the Senator from Nebraska [Mr. WHERRY].

The PRESIDING OFFICER. The clerk will call the roll.

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

Alken	Hayden	Martin
Anderson	Hendrickson	Maybank
Brewster	Hickenlooper	Millikin
Bricker	Hill	Morse
Bridges	Holland	Murray
Butler	Humphrey	Myers
Byrd	Hunt	Neely
Chapman	Ives	O'Connor
Chavez	Jenner	O'Mahoney
Connally	Johnson, Colo.	Pepper
Cordon	Johnson, Tex.	Robertson
Darby	Kem	Russell
Donnell	Kerr	Saltonstall
Douglas	Kilgore	Schoeppel
Dworshak	Langer	Smith, Maine
Eastland	Leahy	Smith, N. J.
Eaton	Lehman	Stennis
Ellender	Lodge	Taft
Ferguson	Lucas	Thomas, Okla.
Flanders	McCarran	Thomas, Utah
Frear	McCarthy	Thye
Fulbright	McClellan	Tydings
George	McFarland	Watkins
Gillette	McKellar	Wherry
Graham	McMahon	Williams
Green	Magnuson	Young
Gurney	Malone	

The PRESIDING OFFICER (Mr. STENNIS in the chair). A quorum is present.

Mr. RUSSELL obtained the floor.

DISCUSSION OF HYDROGEN BOMB ON MEET THE PRESS PROGRAM—CORRECTION

Mr. McMAHON. Mr. President, will the Senator yield for an insertion in the RECORD?

Mr. RUSSELL. I yield.

Mr. McMAHON. Mr. President, a news story today quoted me as saying yesterday on the Meet the Press program that a site to test the proposed hydrogen bomb is now being selected.

This is in error. I made no such statement.

Incidentally, there are some other misstatements in the story to which I have referred.

Below is a transcript of the questions and answers from the broadcast, which,

of course, demonstrate beyond a shadow of a doubt that I said no such thing.

Mr. McNEIL. In any event, is it not likely that they won't be able to even test an "H" bomb for 18 months?

Senator McMAHON. Mr. McNeil, I suppose one of the most top secret things that we are dealing with is the rate of progression of our atomic armaments. I truly believe that that rate of progress should be guarded as well as we are able to guard it.

Mr. McNEIL. Well, now, this two-hundred-and-sixty-odd million that the President asked for, that's for some entirely new plants separate from any thing that AEC has got now.

Senator McMAHON. Yes; that is true.

Mr. McNEIL. And they haven't picked a site for that yet, have they?

Senator McMAHON. It's in the process of being selected.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a transcript of the broadcast, in question-and-answer form, which will be a permanent record, to be the source of correction of the errors which were made in the news story, and which have caused me some embarrassment.

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

ANNOUNCER. From Washington, D. C. NBC brings you America's Press Conference of the Air, "Meet the Press," with today's guest, Senator BRIEN McMAHON, Democrat of Connecticut. Senator McMAHON is the chairman of the Joint Atomic Energy Committee and a member of the Tydings committee which is investigating Senator McCARTHY's charges of communism in the State Department. Ready for today's unrehearsed spontaneous press conference are four of America's top reporters. Please remember that their questions do not necessarily reveal their point of view. It's their way of getting a story for you. And now, meet Mr. Marshall McNeil of the Scripps-Howard newspapers, Mr. Lawrence Spivak, editor of the American Mercury magazine, Mrs. Mary Craig of the Portland Maine Herald, Mr. Edward Miller of the Cowles publication and here is our guest, Senator Brien McMahon of Connecticut. Finally, Miss Martha Roundtree, moderator of Meet the Press. That is our news panel for today and our guest. The news conference will begin in just one minute.

MISS ROUNDTREE. Senator, if you will brace yourself I think Mr. Spivak has the first question.

Mr. SPIVAK. Senator, a group of leading statesmen the other day called upon the United States to consider the use of the atomic bomb against North Korea in order to prevent a long and costly war. What do you think of that suggestion?

Senator McMAHON. I do not think the suggestion is a good one. I believe that the North Korean war is of such a character as to rule out the use of the atomic bomb.

Mr. SPIVAK. Do you think we can win a war with the atom bomb? Do you think the bomb can be decisive?

Senator McMAHON. Yes, I do believe it can be decisive. It depends upon its use, upon the sources of the power of a striking nation.

Mr. SPIVAK. Senator, do you think we are still sufficiently ahead of the Russians in the manufacture of the atom bomb to place the advantage on our side?

Senator McMAHON. I feel that we do have a very real lead over the Russians in the atomic field. It's a lead, Mr. Spivak, that I wouldn't be satisfied with because no mat-

ter how great it is I still wouldn't be satisfied.

Mr. SPIVAK. What do you mean by that?

Senator McMAHON. I mean by that that I would only be content with the great preeminence in that field.

MISS ROUNDTREE. Mr. McNeil.

Mr. McNEIL. Senator, why isn't Korea a good target for the A-bomb?

Senator McMAHON. Because, Mr. McNeil, as I see the Korean situation you have troops widely dispersed. The atom bomb is primarily a weapon to strike at the sources of power or at troops that would be so massed as to furnish a target.

Mr. McNEIL. What about dropping it on their capitol. Isn't that a target to fit your—

Senator McMAHON. No, I do not believe so, the sources of the power of the North Koreans is in being generated in North Korea itself. I doubt if there are any tank factories in North Korea, Mr. McNeil.

Mr. McNEIL. I think you are right. One of your reasons for opposing the bomb is the fear that it might or the belief that it might start operations.

Senator McMAHON. No; I just feel that militarily it is not the kind of weapon for use in this kind of an action. I believe—

Mr. McNEIL. It would kill a lot of people.

Senator McMAHON. That is true, but there has to be—now I'll tell you Marshall, you know the Russians, the Soviets, have been putting out a lot of propaganda about the atomic bomb as you know. We had it growing out of the Stockholm conference to ban the use of the atomic weapon. I believe the State Department spoke very truly the other day when it pointed out that it was aggression that was the thing that counted and not the kind of weapons that were used.

Mr. McNEIL. You don't kill anybody graciously.

Senator McMAHON. That is right, you're just as dead with a gentleman's rifle as with an atomic weapon. Fire bombs are bad too.

Mr. McNEIL. Pursuing this a minute, one of your old desires—have you ever fulfilled one of your old desires to find out how many of these we got at this point?

Senator McMAHON. Mr. McNeil, the Joint Committee on the Atomic Energy has not informed itself as to the stockpile of atomic—

Mr. McNEIL. I'm not talking about the committee, I'm talking about BRIEN McMAHON.

Senator McMAHON. As far as BRIEN McMAHON is concerned, I have been so intimately associated with it that I would be less than bright if I hadn't made what I think is a pretty good estimate of what our stockpiles are.

Mr. McNEIL. Have we an adequate arsenal now, in your opinion?

Senator McMAHON. I wouldn't say that our arsenal in anything was adequate to the kind of thing which might happen sometime in the future. That is why I have been saying continuously that we must step up our atomic armament production. I said that at the same time I have been pointing out as well as I could the necessity for calling a great disarmament conference for the purpose of seeing to it that we stop this armament race in which we are engaged.

MISS ROUNDTREE. Mrs. Craig.

Mrs. CRAIG. Recently Senator HICKENLOOPER said that Atomic Energy Commissioner Pike had dragged his feet on the development of the H-bomb. Now, is it true that you would have to divert materials, laboratory personnel, away from the atom bomb in order to produce the H-bomb?

Senator McMAHON. May, that is a very complicated question. It is true that with a certain amount of personnel and a certain amount of material that if you were going

to produce hydrogen weapons you would have to divert some of your personnel and some of your materials to hydrogen production which would result in fewer atom bombs. It is true in my opinion however, that by putting on extra steam and extra effort and recruiting the personnel that we can maintain at least our present production of atomic weapons and on top of that produce hydrogen weapons.

Mrs. CRAIG. Well, there was, was there not, the question of whether we had to fight soon or after a few years. If we had to fight soon, we would need atom bombs and after a few years perhaps the hydrogen bomb. Was there not a decision which had to be made there?

Senator McMAHON. May, there were many, many facts surrounding the decision to continue at an accelerated pace the development of the hydrogen weapon. That was announced, you will remember, by the President last January. I do not believe that we could go into all of those factors on this program much though I might like to.

Mrs. CRAIG. Yes, well, let me ask you this, is it not true that now what is essentially a war has come upon us that what we got to have soon is atomic bombs.

Senator McMAHON. May, I believe that we have got to emphasize our atomic production and hydrogen production, something I don't want to do, but I think we got to do it and the President recognized that necessity by request for \$262,000,000 more for the program just last week, as you know.

Miss ROUNDTREE. Mr. Miller.

Mr. MILLER. Senator, our military leaders, General Vandenberg, General Collins, and Admiral Sherman, know how many atomic bombs we have produced?

Mr. McMAHON. Yes, they do.

Miss ROUNDTREE. Mr. McNeil.

Mr. McNEIL. In any event, is it not likely that they won't be able to even test an H-bomb for 18 months?

Senator McMAHON. Mr. McNeil, I suppose one of the most top secret things that we are dealing with is the rate of progression of our atomic armaments. I truly believe that that rate of progress should be guarded as well as we are able to guard it.

Mr. McNEIL. Well, now, this two-hundred-and-sixty-odd million that the President asked for, that is for some entirely new plan is separate from anything that AEC has got now.

Senator McMAHON. Yes, that is true.

Mr. McNEIL. And they haven't picked a site for that yet, have they?

Senator McMAHON. It is in the process of being selected.

Mr. McNEIL. Your committee last week put out a report on the H-bomb—of course, you are thoroughly familiar with that. It had more doggone unanswered questions in it than any CONGRESSIONAL RECORD I ever saw.

Senator McMAHON. It was done for the purpose of stimulating thought upon those questions.

Mr. McNEIL. Stimulate my thought on this one.

Senator McMAHON. We didn't pretend to know all the answers, we might not know the answer to this one either.

Mr. McNEIL. Suppose we make the hydrogen bomb, do we now have, or is there on the drawing board an airplane for the delivering of that bomb?

Senator McMAHON. How do you know it is going to be delivered by airplane?

Mr. McNEIL. Is there a ship that will take it? Is it deliverable?

Senator McMAHON. Mr. McNeil, I believe two things. I believe, first, that the H-bomb is a practical proposition, and I think it can be built. I don't say that on my own scientific authority which you know is very, very little. I say it on the assurances of some of the scientists for whom I have a great respect. Now, I believe it will be

built and I believe it is practical, and I believe it can be delivered.

Miss ROUNDTREE. Mr. Miller.

Mr. MILLER. I hope it never will be. You hope it will be built, though.

Senator McMAHON. Yes; and the only reason I hope it will be built, Mr. Spivak, is because I am convinced that the Soviets are working at it and that if we don't build it they would anyway and I cannot for one moment agree that this country—it would be against our traditions to be less well armed than any of the nations in the world especially one that has said so pointedly and so many times that it intends to dominate the earth.

Mr. MILLER. Senator, let me ask you this question, is there any question in your mind who is behind all this mess? In other words, that the Russians are behind this Korean business. Is there any doubt in your mind?

Senator McMAHON. If I said that there was I think you could certainly question my intelligence.

Mr. MILLER. In other words, the answer is "Yes."

Senator McMAHON. The answer is "Yes."

Mr. MILLER. Well, what do you think would happen if we told Russian rulers that we either wanted an end now to this whole business, this aggression, or that we would use the atomic bombs which we have against them. If we are going to have to come to a settlement why not do it now?

Senator McMAHON. Mr. Spivak, last February you will remember that I made a very honest plea for a disarmament conference at which we would suggest to the world and to the Russians that we would both lay down our arms and that we would take, if they agreed, to a thoroughly good inspection and control system. Mind, you, we didn't do it until they did and until that was in operation, we would take at least two-thirds of that which we saved and put it on what might be termed point 4, developments throughout the world to see if we couldn't put some more food in hungry bellies which are probably the greatest producers of communism. I believe that we should have done that. I hope the day will come. I feel as Winston Churchill expressed himself yesterday when he said that he hopes and thinks that it is time for a settlement with the Russians. He pointed out that in 1948 that it was only memory of the atomic weapons that kept the Russians from, in his opinion, coming to the Atlantic Ocean. I just want to finish this one remark. If they will do this with the atom bombs. Churchill said if they will do this in the Greenwood, what will they do in the dry? Meaning that would they do if they had a great stockpile of atomic weapons. That is something we have got to face. That is something that every citizen of the United States should be thinking about and praying about. What we want to do, of course, above all is keep the peace.

Mrs. CRAIG. I will let you pursue that in just a moment, but let us just pause for a special announcement.

Mr. SPIVAK. Senator, you didn't quite answer my question before. The Russian response to this grand plan was exactly nothing. You never—

Senator McMAHON. I never got a chance to respond to it because we never issued the call for the conference.

Mr. SPIVAK. Well, you issued the invitation and they never indicated in any way that they were interested.

Senator McMAHON. Yes they did. During the week after I made that speech in February, Mr. Spivak, they released four dispatches to the New York Times in which they allowed they might be interested but when the news, when the slow boat got from America over to Russia with the reaction of some of the hoodlum press in this country, which suggested that I was out to bribe the

Russians, why then of course, they adopted that line. As frequently happens in this country, you will find a certain section of the press that is on all fours with the Pravda declaration, as we find some Senators of the United States who are seven times out of ten in line with the Pravda declaration.

Mr. SPIVAK. But, Senator—

Senator McMAHON. But I have got a right to comment.

Mr. SPIVAK. Senator, you have had enough experience with the Russians to know that they say one thing and they do another. If they meant at all that they were interested in your plan, don't think that they would have taken the action that they did in Korea. Now we either have a settlement now or we're going to use the bomb. Now, is that what you meant by the talk you gave a little while ago.

Senator McMAHON. No, Mr. Spivak, I think there are some things that we must do to avoid that dire contingency. I believe that one of the things that we must do would be to immediately adopt the President's suggestion for the \$89,000,000 addition to the Voice of America. I think that we can start a program now to rally the free peoples of the world to our side by making known the truth and above all, we must make Herculean efforts to get the truth behind the iron curtain. It is a very difficult thing to do but the stakes are so high that it warrants our best efforts and our greatest ingenuity, because if we can't take the Russian people away from the Kremlin, we can avoid coming to the terrible decision that you have outlined.

Mr. MILLER. In this H-bomb report the committee put out a couple of days ago, it is revealed that it takes an A bomb to trigger an H bomb. What was the point in releasing that information? Isn't it possible that it would be beneficial to the enemy?

Senator McMAHON. No, not at all. That has been declassified information because it has been known to the scientists of the whole world, Mr. Miller. As a matter of fact, before that report was released it was cleared with the AEC, it was cleared with the State Department. Now, that brings up a subject which I would like to make a comment on. Mr. Miller, there is no use in kidding ourselves or kidding the American people by pretending to hide something that everybody else knows. The answer to that is definitely "No."

Mr. MILLER. How did the Soviet Union get so much information on our atom bomb?

Senator McMAHON. I suppose that they got it in a number of ways. They have very good scientists themselves, exceedingly good. For instance, they invented artificial rubber with alcohol. That is just one of their achievements. In pure science, in some branches they have been ahead of us. The second way that they probably got some great help was due to the German scientist that they took over after the war ended and the third way was undoubtedly espionage. They undoubtedly got a lot of information out of Fuchs who as you know came into our project under the Manhattan district, not under the Atomic Energy Commission.

Mr. MILLER. Would you point that out?

Senator McMAHON. I would like to point it out because a lot of people would like to point out something else.

Mr. BREWSTER. Mr. President—
The PRESIDING OFFICER. The Senator from Georgia has the floor.

Mr. BREWSTER. Mr. President, will the Senator from Georgia indulge me for a moment, to make a comment in connection with the statement just made by the Senator from Connecticut?

Mr. RUSSELL. I am happy to yield to the Senator.

Mr. BREWSTER. Mr. President, I am much interested in the statement the

Senator from Connecticut has made. I have been similarly misquoted on the subject, although I am not in a class with the Senator from Connecticut as an authority in that field.

A few days ago I ventured to suggest that the President should give General MacArthur authority, if he deemed it expedient, to use the atom bomb. As very much of an amateur in this matter, I did not venture to express an opinion as to whether or not it was wise to do so.

I read with great interest what was reported as being an expression of opinion by the Senator from Connecticut, who has given a great deal of study to the matter. I wanted my own position to be quite clear, namely, that I have not expressed an opinion as to whether the atom bomb should or should not be used, but merely that inasmuch as we have spent billions in developing the atom bomb, and inasmuch as at the present time our boys are dying because of an inadequate defense, the President should have authority in his discretion to direct that the atom bomb be used.

GENERAL APPROPRIATIONS, 1951

The Senate resumed the consideration of the bill (H. R. 7786) making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes.

Mr. RUSSELL. Mr. President, I hope the first amendment under the agricultural section of the bill may be stated at this time. We have been on that section of the bill all day, but the amendment has not yet been discussed.

The PRESIDING OFFICER. The amendment will be stated.

The next amendment was, under the the heading "Chapter VI—Department of Agriculture—Title I—Research and Marketing Act of 1946," on page 168, after line 3, to strike out:

To enable the Secretary to carry into effect the provisions of section 9 of title I and title II of the act of August 14, 1946, as amended (7 U. S. C. 427, 427h, 427j, 1621-1629), as follows:

For payments to States, Territories, and Puerto Rico for agricultural experiment stations pursuant to section 9 of the Bankhead-Jones Act approved June 29, 1935, as amended by the act of August 14, 1946, \$5,000,000;

For the improvement and development, independently or through cooperation among Federal and State agencies, and others, of a sound and efficient system for the distribution and marketing of agricultural products pursuant to the "Agricultural Marketing Act of 1946" (title II of the act of August 14, 1946, as amended), including the objects for which funds are available for titles II and III of such act of August 14, 1946, \$6,000,000: *Provided*, That not less than \$650,000 of this amount shall be available for contracts in accordance with the provisions of section 205 of said act: *Provided further*, That the Secretary may make available to any bureau, office, or agency of the Department such amounts from this appropriation as may be necessary to carry out the functions for which it is made (but amounts made available to the Office of the Secretary, Office of the Solicitor, and Office of Information, shall not exceed those which the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine), and any such amounts shall be in addition to amounts

transferred or otherwise made available to other appropriation items of the Department: *Provided further*, That no part of this appropriation shall be available for work relating to fish or shellfish or any product thereof, except for the support of equitable transportation rates before Federal agencies concerned with such rates and for development of foreign markets.

In all, \$11,000,000: *Provided*, That no part of this appropriation shall be used for beginning construction of any building costing in excess of \$15,000, except that a poultry breeding house may be constructed at Purdue University at a cost to this appropriation of not to exceed \$29,000.

And on page 169, after line 24, to insert:

To enable the Secretary to improve and develop, independently or through cooperation among Federal and State agencies, and others, a sound and efficient system for the distribution and marketing of agricultural products under the provisions of title II of the Act of August 14, 1946, as amended (7 U. S. C. 1621-1629), including the objects for which funds are available for titles II and III of such Act of August 14, 1946, \$6,000,000: *Provided*, That not less than \$650,000 of this amount shall be available for contracts in accordance with the provisions of section 205 of said Act: *Provided further*, That the Secretary may make available to any bureau, office, or agency of the Department such amounts from this appropriation as may be necessary to carry out the functions for which it is made (but amounts made available to the Office of the Secretary, Office of the Solicitor, and Office of Information, shall not exceed those which the Bureau of the Budget, after a hearing thereon with representatives of the Department, shall determine), and any such amounts shall be in addition to amounts transferred or otherwise made available to other appropriation items of the Department: *Provided further*, That no part of this appropriation shall be available for work relating to fish or shellfish or any product thereof, except for the support of equitable transportation rates before Federal agencies concerned with such rates and for development of foreign markets.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. RUSSELL. Mr. President, last week the distinguished Senator from New Mexico [Mr. ANDERSON], formerly Secretary of Agriculture, expressed some concern about the change in the language of the appropriation affecting the funds for the Research and Marketing Act. I had requested the Department of Agriculture to furnish me with a statement as to its construction of the effect of this language. Let me read at this time an extract from that statement:

The action taken by the Senate Committee on Appropriations with regard to the transfer of the appropriation for section 9 of the Research and Marketing Act to the appropriation for other payments to State Experiment Stations in no way changes any provisions of the act or procedures for its administration. The research administrator has had the responsibility of administering the Research and Marketing Act. He retains that responsibility by the committee action since the Office of Experiment Stations is under his supervision. The separate identity of this section is maintained, the authorizations remain the same, there is the same distribution of funds by prescribed formulas to the different States, and the research program remains the same down

to the last project. The provisions for regional research in section 9 and marketing research in section 11 remain unchanged. The law provides direct payment to the State Experiment Stations of the funds appropriated under section 9 and the stations have authority to initiate and conduct research authorized by section 1 of the act using such funds. The act itself, in section 9 (c) also states that this section is to be administered by the Office of Experiment Stations and the transfer of section 9 to the Office of Experiment Stations will continue the administrative procedure which has been in effect from the beginning. The committee action is consistent with these provisions of the act and is in the interest of simplifying budgetary, administrative, and fiscal procedures without in any way changing the evident intent of Congress as stated in the act. This action was recommended by the Land Grant College Association and by the Department of Agriculture.

Mr. President, I ask unanimous consent that the entire statement may be printed at this point in the RECORD, as a part of my remarks.

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

STATEMENT OF THE DEPARTMENT OF AGRICULTURE WITH RESPECT TO THE ACTION TAKEN BY THE HOUSE AND SENATE APPROPRIATIONS COMMITTEES RELATING TO SECTIONS 9 AND 10 OF THE RESEARCH AND MARKETING ACT

The Appropriation Committees of both the Senate and House, as well as the Bureau of the Budget and the Department, have had difficulty since the initiation of the program under the Research and Marketing Act in clearly distinguishing between activities carried on under regular funds and those carried on with funds from sections 9 and 10 of the Research and Marketing Act. Because of this, the Congress recommended in April 1949 that the Department study the matter and recommend consolidation where needed. (See Report No. 384, on H. R. 3997 making appropriations for fiscal year 1950, House of Representatives, 81st Cong., 1st sess., p. 3.)

Subsequently, as of July 30, 1949, when the former Administrator of the Research and Marketing Act left the Department, responsibility for administration of the act was assigned to the Agricultural Research Administration. This Administration includes six Bureaus of the Department and the Office of Experiment Stations.

As a result of the recommendation from Congress, the Department and the State Experiment Stations thoroughly studied the questions involved and the Department presented to the agricultural subcommittees of the House and Senate Committees on Appropriations for their consideration in connection with hearings on this bill, statements showing the relationship of work performed under sections 9 and 10 of the Research and Marketing Act, and that carried out under the other research appropriations of the Department. (See Hearings, House of Representatives, on the Department of Agriculture Appropriations for 1951, pt. 1, pp. 153 to 155.)

[The action taken by the Senate Committee on Appropriations with regard to the transfer of the appropriation for section 9 of the Research and Marketing Act to the appropriation for other payments to State Experiment Stations in no way changes any provisions of the act or procedures for its administration. The Research Administrator has had the responsibility of administering the Research and Marketing Act. He retains that responsibility by the committee action since the Office of Experiment Stations is under his supervision. The separate identity of this section is maintained, the authorizations remain the same, there is the same distribution of funds by prescribed

formulas to the different States, and the research program remains the same down to the last project.] The provisions for regional research in section 9 and marketing research in section 11 remain unchanged. The law provides direct payment to the State Experiment Stations of the funds appropriated under section 9 and the stations have authority to initiate and conduct research authorized by section 1 of the act using such funds. The act itself, in section 9 (c) also states that this section is to be administered by the Office of Experiment Stations and the transfer of section 9 to the Office of Experiment Stations will continue the administrative procedure which has been in effect from the beginning. The committee action is consistent with these provisions of the act and is in the interest of simplifying budgetary, administrative, and fiscal procedures without in any way changing the evident intent of Congress as stated in the act. This action was recommended by the Land Grant College Association and by the Department of Agriculture.

Furthermore, the committee's action is consistent with the actions taken by the House in consolidating the appropriation for section 10 of the Research and Marketing Act with the regular appropriations for the various research bureaus and agencies of the Department.

The Research and Marketing Act was in fact two acts that were tied together for legislative convenience. Title I of the act was an amendment to the Bankhead-Jones Act of 1935, while title II was the "Agricultural Marketing Act of 1946."

The action of the Senate Committee on Appropriations and the action of the House are consistent with the provisions of the Research and Marketing Act and with the intent of Congress. The separate identity of title II, the "Agricultural Marketing Act of 1946" has been preserved in a separate appropriation. Since title I is an amendment of the Bankhead-Jones Act of 1935, the appropriation for section 9 of this title is combined in the same appropriation with other Bankhead-Jones funds for State experiment stations, and the appropriation for section 10 is combined with other Department appropriations financing similar activities. The provisions for advisory committees in the Research and Marketing Act have been retained and the Senate report as well as the report of the House on this bill points out that Congress expects that the functions of these committees shall extend to all research funds in the Department, rather than being limited to the Research and Marketing Act. Likewise, the provisions for contract research under section 10 (a) are retained and this bill provides a specific amount for contracts.

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

Mr. RUSSELL. I am glad to yield to the Senator from New Mexico.

Mr. ANDERSON. Does the Senator from Georgia feel that the statement he has just read completely guarantees that the Research and Marketing Act funds will be used as contemplated in the original Research and Marketing Act?

Mr. RUSSELL. The Department of Agriculture says so explicitly; and in view of its statement, which is to be printed at this point in the RECORD, it is my judgment that the Department of Agriculture will follow this course.

Certainly, if the Department does not do so, Congress will be in session in January, and it will not be a very difficult matter for Congress to restore the section, so as to make it read in the way it reads at the present time.

Mr. ANDERSON. I am quite sure the Senator from Georgia recognizes that at the time when the Research and Marketing Act was passed, there was a desire to have these funds administered by the land-grant colleges. However, the Congress decided otherwise, and placed the responsibility in the Department of Agriculture. The land-grant colleges have not been completely happy about that decision.

I should like to ask the Senator from Georgia whether he is aware that the Research and Marketing Act Advisory Committee chairmen, meeting in Washington, D. C., on June 20, 21, and 22, studied the Research Marketing Act in its operations, studied this very question, and in their recommendations—I refer specifically to recommendation No. 9, which is carried on page 2 of the report to the Secretary of Agriculture from the Research and Marketing Act Advisory Committee chairmen—said as follows:

The Research and Marketing Act has done much to stimulate the research, service, and educational work in agriculture.

I call the attention of the distinguished Senator from Georgia to the next sentence, in particular:

To the maximum extent possible, separate identity of the RMA funds and their application should be maintained.

I wonder whether the Senator from Georgia is a little disturbed over the fact that these men, whose responsibility it is to make sure that the Research and Marketing Act funds are used in ways that are useful to agriculture, take a position opposite to that taken in this connection in the research and marketing appropriation.

Mr. RUSSELL. Mr. President, frankness compels me to state that I have not seen the statement from which the distinguished Senator from New Mexico has just read. It has not previously been called to my attention. It is altogether likely that a copy of the statement reached my office; but we receive so much printed matter that I have not seen it.

I think it very likely, Mr. President, that the Advisory Committee chairman and advisory boards, on whose advice Congress depends largely in connection with the distribution of these funds, has made that statement.

Mr. ANDERSON. I am sure the Senator from Georgia understands my view of this matter, and in regard to his position. As I said twice the other day, the Department of Agriculture has no better friend on the floor of the Senate or in the Congress as a whole than the distinguished junior Senator from Georgia; and I know that the Research and Marketing Act has no better friend in the Senate than he.

Therefore, I am trying to make sure that everyone is put on notice that the Senate certainly expects the Research and Marketing Act to be administered as it has been, and as it was originally conceived.

Let me call attention to the fact that recently, in the set-up in the Department of Agriculture, the Administrator

of the Agricultural Research Administration has been given full responsibility for administering the Research and Marketing Act. Although Dr. Cardon, who has been given this responsibility, is an unusually outstanding person and a very competent man, nevertheless that action reverses the former tendency, namely, to have a separate administration of the Research and Marketing Act.

I am willing to take at face value what is said in the statement submitted to the distinguished Senator from Georgia by the Department of Agriculture. I am quite willing to assume that this will be administered exactly as the Department has explained the matter to the Senator from Georgia.

I feel that the recommendations of the chairmen of the advisory committees might well be made a part of the RECORD at this point, if the Senator from Georgia will permit me to make that request at this time.

Mr. RUSSELL. Certainly.

Mr. ANDERSON. Then, Mr. President, I ask unanimous consent to have printed at this point in the RECORD the recommendations and report of the Research and Marketing Act Advisory Committee chairmen, who met in Washington on June 20 to 22. The recommendations include recommendation No. 9, to which I have referred, in which it is pointed out that the research funds should have separate identity, and should not be merged with the other funds.

The PRESIDING OFFICER. Is there objection?

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

REPORT OF THE RMA ADVISORY COMMITTEE
CHAIRMAN, JUNE 20-22, 1950, WASHINGTON,
D. C.

In the passage of the Research and Marketing Act of 1946, Congress recognized the need for keeping the program close to the people it serves when it authorized the Secretary of Agriculture to establish appropriate committees including representatives of producers, industry, government and science to assist in effectuating specific research and service programs. In accordance with this legislation, the Secretary has established 20 commodity and functional committees to assist in developing and analyzing research and service programs. In addition there have been four State agency committees established to assist in the development of this program.

Members of these committees represent broad groups interested in the outcome of agricultural research and service work. They are familiar with the problems faced by these groups in particular parts of industry or of the country. They are expected to see that the Department becomes fully cognizant of these problems.

Congress in legislative acts has defined the basic objectives and general nature of the Department's program. Personnel of the Department are responsible, through administrative channels, to Congress. However, within the broad framework established by Congress, there is wide latitude for administrative judgment in determining what specific types of work should be undertaken. Advice for well-informed citizen groups provides a sound basis for administrative decisions. It should result in greater returns for money expended and a program consistent with the interests of the public as a whole.

After review of these programs the group of RMA Committee chairmen at their meeting in Washington, June 20-22, 1950, expressed general satisfaction regarding the functioning of the programs under the Research and Marketing Act. The advisory committees are serving a useful purpose in this general plan of research and such committees should be continued. The following recommendations and questions are presented, looking toward further progress and general improvement in the program:

PART I—RECOMMENDATIONS

1. Advisory committees should assist the Department in maintaining a balance between fundamental and applied research. Research should be directed toward practical operating problems as well as fundamental research.
2. There should be some research aimed at providing background data to serve as a basis for broad agricultural policy.
3. Research projects should be specifically outlined by the Department, showing objectives, and committees should be advised of related or similar projects being conducted in the same field by the Department, by State agencies, and, to the greatest extent possible, by industry. There should be complete cooperation between State and Federal agencies and, where possible, between governmental and industrial agencies.
4. Work under contract should be used and expanded as far as practicable to better effectuate the purposes of the act.
5. Projects should be completed and closed when the work is done, or when it is determined after consultation with the interested subject matter committee that the results are not practical, that further work is unnecessary, or would be of little value as fundamental research.
6. There should be an expansion of extension, education, and service work, looking toward wide distribution and commercial application of the results of research and the adoption of findings. Generally much of the research work will become valuable only when it has been applied to the problems of production and distribution.
7. Training programs should be encouraged, particularly by State institutions in the field of marketing and distribution, as well as in other technical fields to develop qualified personnel which will be needed in the growth of research work under this act.
8. All segments of the trade, from the producer to the consumer, should be encouraged to engage as much as possible in needed research with their own funds. This applies particularly to private corporations, trade and producer associations, various State and local commissions and other organizations which should be encouraged to conduct practical research as a supplemental and in addition to the research work being done in the Department.
9. The Research and Marketing Act has done much to stimulate the research, service, and educational work in agriculture. To the maximum extent possible separate identity of the RMA funds and their application should be maintained. Research is a continuing process and it is urged that adequate funds be made available by the Congress to continue and expand the program in accordance with the original provisions of the act.
10. Flexibility in use of funds is essential to provide for emergency situations and to insure maximum efficiency in the application of the funds.
11. Margin studies should include costs in relation to situations or conditions rather than margins alone.
12. With growing responsibilities and scope of work, additional funds for expanded staff work are necessary in order adequately to service the work of the committees and maintain the supervisory and correlative work necessary for maximum efficiency.

Mr. ANDERSON. Mr. President, I should like to ask, also—and I now request such unanimous consent—that the list of members of the Agricultural Research Policy Committee be printed at this point in the RECORD.

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

AGRICULTURAL RESEARCH POLICY COMMITTEE

Dr. John D. Black, professor of agricultural economics, Harvard University, 205 Littauer Center, Cambridge, Mass.

A. A. Brock, director, department of agriculture, State of California, State Office Building No. 1, Sacramento, Calif.

Robert R. Coker, vice president, Coker's Pedigreed Seed Co., Hartsville, S. C.

Dr. John H. Davis, executive secretary, National Council of Farmer Cooperatives, 744 Jackson Place NW., Washington, D. C.

Albert S. Goss, master, the National Grange, 744 Jackson Place NW., Washington, D. C.

Dr. C. G. King, scientific director, the Nutrition Foundation, Inc., Chrysler Building, New York, N. Y.

Albert K. Mitchell, Albert, N. Mex.

James G. Patton, president, National Farmers Union, 1555 Sherman Street, Denver, Colo.

Harry J. Reed, dean and director, School of Agriculture, Purdue University, Lafayette, Ind.

Mrs. Raymond Sayre, president, the Associated Women of the American Farm Bureau Federation, Ackworth, Iowa.

Dean Stanley, president, Stanley Fruit Co., 626 Security Building, Phoenix, Ariz.

Executive secretary: Henry G. Herrell, Agricultural Research Administration, United States Department of Agriculture.

Mr. ANDERSON. I am going to say, as I said to the Senator from Georgia, I think a point of order would lie against this change. I do not intend to raise a point of order. I prefer to depend upon the assurances given by the Department of Agriculture in its statement to the Senator from Georgia and his assurances to the Senate that it is the intention to preserve the integrity of these funds and not let them become mixed with the ordinary funds granted to the experiment stations.

Mr. RUSSELL. Mr. President, I shall not discuss the point of order, because that question is moot in view of the statement of the distinguished Senator from New Mexico. I shall express my appreciation of his kindly reference to the Senator from Georgia. I reiterate what I have said before on this floor that the distinguished Senator from New Mexico is one of the outstanding—if not the outstanding—Secretaries of Agriculture since that position was created. I am sure that we share the common hope and desire that the activities of the Research and Marketing Administration will proceed as contemplated by the Congress when the act was passed, and that there will be no change by administrative action in the Department of Agriculture of any part of the functioning of the research work by virtue of this change in language, which we understand is solely to simplify the book-keeping and budgetary procedures within the Department of Agriculture.

The Senate committee, in its efforts to sustain the Advisory Committee, made quite a lengthy statement in the commit-

tee report urging that the Advisory Committee be given greater authority and more information, to enable those from outside the Department who view this matter perhaps from a little different light, because they have not been living so close to it for so many years, to take a larger part in the activities of the Research and Marketing Administration.

Mr. WHERRY rose.

Mr. RUSSELL. Mr. President, I have one other brief statement, after which I shall be delighted to yield to the Senator from Nebraska.

Mr. WHERRY. Mr. President, will the Senator yield for but one question, at this point?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Nebraska?

Mr. RUSSELL. I yield.

Mr. WHERRY. Is the Senator about to leave this subject and go to something else, or will he continue to discuss this amendment?

Mr. RUSSELL. We are still on the first amendment.

Mr. WHERRY. I shall wait until the Senator is through, if he wants to offer a further observation regarding the amendment.

Mr. RUSSELL. I wish to make a brief observation; yes.

Recently I stated I was disappointed in the results which had been achieved to date in these activities. That language was perhaps too strong. I should have said that I was unhappy because there had not been more outstanding achievements. The Department sent me two booklets dealing at length with examples of the progress which has been achieved under the Research and Marketing Act of 1946. I may say the pamphlets show that great progress has been made, and that Senators who are interested in the subject would find them interesting reading, if they could find time to look into them, because there have been certain accomplishments which have been notable.

Mr. ANDERSON. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Mexico?

Mr. RUSSELL. I am glad to yield.

Mr. ANDERSON. I am very glad that the Senator from Georgia put that statement into the RECORD. He will remember that the act was passed at a time when it was impossible to get the money which was needed. That was impossible until very recently. I think the men inside the Department of Agriculture, those connected with the land-grant colleges, and persons in private industry have done a very fine job of getting these projects started. I would commend the activities of the Department of Agriculture, certainly those in recent months, for the fine job which has been done. I am particularly happy that independent groups have come forward and made their proposals, thereby making it possible for the Department to coordinate its work with what private industry is doing. I may refer particularly to the great activity of the National

Cotton Council for Research in undertaking research in cotton mills. Cotton research was to some extent tied in with the work of the land-grant colleges, and finally with the work of the Department of Agriculture itself.

I am glad the Senator from Georgia has had an opportunity to look at what they have accomplished, because I think it is a rather impressive study—not because of what they have thus far achieved, but because of the sound way in which they are planning their work and looking into the future. I have nothing but praise for the work the Department is doing at this time.

Mr. RUSSELL. The Senator has stated it much better than I could. I may further point out that under the act an appropriation of \$61,000,000 would have been authorized for the fiscal year 1951. In the great desire for economy, we have only requested appropriations of \$19,000,000, which is less than one-third of the authorizations of the act.

Mr. WHERRY and Mr. LANGER addressed the Chair.

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

Mr. RUSSELL. I yield first to the Senator from Nebraska.

Mr. WHERRY. Referring to the observation made by the distinguished Senator from New Mexico, the former Secretary of Agriculture, I did not quite catch the significance of his observation when he stated, if I heard him correctly, that he would not raise a point of order against this provision, on the assurance that the act would be administered, as I take it, as explained by the distinguished chairman of the Committee on Agriculture and Forestry. I should merely like to ask a question, through the Senator from Georgia, if I may reach the Senator from New Mexico in that way. Is there any apprehension upon his part that it might not be administered properly? Why the observation? I am as much interested as is the Senator from Georgia or the Senator from New Mexico in seeing to it that the research laboratories are able to conduct proper research. I am wondering whether there is anything in the Senator's mind which even indicates that under this new language of the bill that work might not be done.

Mr. RUSSELL. Mr. President, I ask unanimous consent that, without my losing the floor, I may yield to the Senator from New Mexico for the purpose of his replying to the question of the Senator from Nebraska.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. RUSSELL. I yield.

Mr. ANDERSON. I merely want to assure the distinguished majority leader that I saw, as I glanced at the language, as I was examining the bill, that there might be some significance in the fact that appropriations which had been made heretofore to the Department of Agriculture and by the Department then granted to the land-grant colleges were being changed by the fact that the money was now going directly to

the land-grant colleges. I wondered whether that meant the termination of the over-all supervision by the Department of Agriculture with respect to this project.

Mr. WHERRY. I may say to the distinguished Senator, I think that is a very pertinent question. It is one of the questions I asked when this legislation came up.

Mr. ANDERSON. I may say to the distinguished minority leader that when the original survey was made of research projects now going on, the Department of Agriculture acquired examples, running into the thousands of pages, of agricultural research then being done in the United States; first of all, by the Department itself; secondly, by the land-grant colleges; third, by the Office of Experiment Stations; and then by private industry. It was found, for example, that in one State the very same problem was being studied that was being studied in another State through the granting of Federal funds. That is not wholly bad. Frequently it is desirable to pursue independently the same type of research in two States. But, very frequently, it is desirable to have somebody at the top knowing exactly what is going on.

Therefore, when I saw this language which I thought might take it away from the Department, I raised the question with the distinguished Senator from Georgia. He then took it up with the Department, because the Senator from Nebraska, the Senator from Georgia, and I had the same desire to make sure that the Research and Marketing Act would succeed. The reply which came to him from the Department of Agriculture—he supplied me with a copy of it—satisfied him and it satisfies me, as long as the Senator from Georgia is watching this particular point.

Mr. WHERRY. In order that the RECORD may be clear relative to this matter, I may say it is my understanding that this language is added for no other reason than as a bookkeeping proposition which mechanically helps accomplish what has been suggested. It in no way impairs, but might to the nth degree bring about what the distinguished Senator from New Mexico has just mentioned. Is that correct?

Mr. ANDERSON. That is correct.

Mr. RUSSELL. Mr. President, the Senator from North Dakota raised some question about research activities relative to wheat straw. I had happened to mention research in the use of wood waste materials. The Department, in order to show that the work has been done, has sent me quite a list of pamphlets relative to wood waste, and also relative to the waste of wheat straw. I am sure the Senator from North Dakota will be glad to see them.

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

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from North Dakota?

Mr. RUSSELL. I yield.

Mr. LANGER. Does the Senator have any objection to placing in the RECORD for reference the titles of the two pamphlets to which he referred, in order that

any farmer who desires to obtain them may have reference to them?

Mr. RUSSELL. I shall be glad to do that. One of them is Appendix 1, "Examples of Progress Under the Research and Marketing Act of 1946," issued May 25, 1950. The second is Appendix 2, "A List of Publications Reporting Results of Work Under the Research and Marketing Act of 1946," dated the same date.

Mr. LANGER. Mr. President, may I make a further inquiry?

Mr. RUSSELL. Certainly.

Mr. LANGER. Does the distinguished Senator know whether they are available to other Senators?

Mr. RUSSELL. Yes. If the Senator will have one of his assistants call up the Department, the Department will have the documents on the Senator's desk in the morning.

The PRESIDING OFFICER. The question is on agreeing to the amendment beginning on page 168, after line 3, striking out certain language and inserting other language ending on page 169, line 25.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment was, under the subhead "Bureau of Agricultural Economics," on page 171, line 16, after the word "trends", to strike out "\$2,600,000" and insert "\$2,720,000."

Mr. DOUGLAS. Mr. President, last year Congress appropriated for this purpose \$2,621,000. The House Appropriations Committee recommended a cut of \$21,000, which brought the figure to \$2,600,000. The Senate committee has raised it to \$2,720,000. That is an increase of \$120,000 over the House figure, and is virtually an increase of \$100,000 over the amount appropriated last year. In view of the war situation, it seems to me we should make reductions in funds of this kind. I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 172, line 7, after "(7 U. S. C. 951-957)", to strike out "and data on farm construction as provided by title V of the Housing Act of 1949 (Public Law 171), \$2,725,000" and insert "\$2,904,000."

Mr. DOUGLAS. Mr. President, last year Congress appropriated \$2,817,000 for this purpose. The House bill cut the figure to \$2,725,000. The Senate committee has proposed \$2,904,000. This is an increase of \$86,000 over the appropriation of last year, and an increase of \$179,000 over the House figure. It also carries with it the elimination of funds to carry out the provisions of research on farm construction. So we are giving this group more money with which to do less work. I hope the committee amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WHERRY. Mr. President, may I ask the distinguished Senator from Georgia whether the amendment involves a pay increase? Is it approxi-

mately the same figure as that provided last year?

Mr. RUSSELL. Mr. President, this item includes the pay adjustment costs which were authorized through the pay-increase act which was passed last year. When we take into consideration the pay adjustments under the Federal Employees Compensation Act which was enacted last year, with the sums appropriated, there is less money available for this purpose in the coming fiscal year than there was in the past fiscal year.

Mr. DOUGLAS. Mr. President, I do not wish to delay the proceedings, because there will be many of these proposals, but, as a general principle, it seems to me we should have the agencies absorb the salary increases by a decrease in personnel. The appropriation called for is an increase of \$86,000 over last year which should help to some extent but the rest should be absorbed.

Mr. RUSSELL. Mr. President, I wish to point out that this item is substantially below the budget estimate, and it does not allow all the pay increases. The Department is absorbing and has absorbed a part of them.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 172, line 7.

The amendment was agreed to.

The next amendment was, under the subhead "Agricultural Research Administration—Office of Administrator," on page 172, line 19, after the word "of", to strike out "Advisory Committee" and insert "advisory committees."

The amendment was agreed to.

The next amendment was, at the top of page 174, to strike out:

WORKING CAPITAL FUNDS, AGRICULTURAL RESEARCH CENTER

For the establishment of a working capital fund, to be available without fiscal year limitation, for expenses necessary for furnishing facilities and services by the Agricultural Research Center to Government agencies, \$300,000. Said fund shall be reimbursed from applicable appropriations or other funds to cover the charges for such facilities and services, including handling and related charges, for equipment rentals (including depreciation, maintenance, and repairs), for supplies, equipment and materials, stores of which may be maintained at the Center, and for building construction, alterations, and repair, and applicable appropriations or other funds may also be charged their proportionate share of the necessary general expenses of the Center not covered by the annual appropriation.

The amendment was agreed to.

The next amendment was, under the subhead "Research on agricultural problems of Alaska," on page 175, line 10, after the word "Alaska", to strike out "\$260,000" and insert "\$280,000."

The amendment was agreed to.

The next amendment, was under the subhead "Office of Experiment Stations," on page 175, line 14, after the word "advance", to insert "where applicable."

The amendment was agreed to.

The next amendment was, on page 175, line 24, after "(7 U. S. C. 427-427g)", to strike out "\$2,863,708" and insert "Sections 3 and 5, \$2,863,708, and sections 9 and 11 of said act as added by the act of August 14, 1946 (7 U. S. C. 427h, 427j), including administration by the Office of

Experiment Stations in the United States Department of Agriculture, \$5,000,000, no part of which latter amount shall be used for beginning construction of any building costing in excess of \$15,000, except that a poultry breeding house may be constructed at Purdue University at a cost to this appropriation of not to exceed \$29,000;"

Mr. DOUGLAS. Mr. President, may I be privileged to ask the distinguished chairman of the subcommittee a question?

Mr. RUSSELL. Certainly.

Mr. DOUGLAS. This is an appropriation of \$5,000,000 to carry out the purposes authorized under the Bankhead-Jones Act of 1945, is it not?

Mr. ANDERSON. Mr. President, if the Senator from Georgia will permit me, this is transferred from a previous amendment and placed at this point. It is the amendment as to which I raised the question awhile ago. It was previously carried under the research and marketing operations, and it will be recognized from the earlier amendment that it is a transfer.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment was, on page 176, line 17, after the word "Alaska", to strike out "\$27,500" and insert "\$37,500", and in line 21, after the name "Puerto Rico", to strike out "\$7,406,208" and insert "\$12,416,208."

Mr. BUTLER. Mr. President, I should like to ask the Senator from Georgia if where the bill mentions the amounts which shall be available to Hawaii, Alaska, and Puerto Rico, it does not also include agricultural experimental work which should be done in the Virgin Islands. In other words, are the Virgin Islands continued as a part of Puerto Rico in the operation of the experimental station?

Mr. ANDERSON. I hope the Senator from Nebraska will not hold me strictly to this, but I believe it does not include the Virgin Islands, because income-tax payments from the Virgin Islands are not transferred to the Treasury of the United States.

Mr. RUSSELL. I think that is altogether correct. So far as I am advised, there is no experiment station in the Virgin Islands. There is one in Puerto Rico. I conclude that a great deal of the material gathered in Puerto Rico would be available to the Virgin Islands. Their research in agriculture would be along similar lines. They have practically the same agricultural economy.

Mr. BUTLER. It is true that the Puerto Rico station is approximately 40 miles from the Virgin Islands, and the experimental work done in Puerto Rico does contribute to the economy of the Virgin Islands, but the Virgin Islands are not mentioned. I think the Virgin Islands receive the benefit of much of the experimental work conducted in Puerto Rico, but I should like to have it understood that the Puerto Rico station is also responsible for experimental

work in the Virgin Islands as well as in Puerto Rico.

Mr. RUSSELL. The Senator from Nebraska may be entirely correct, and, in view of his past experience as former chairman of the committee dealing with the islands, he undoubtedly is correct. But I know of no authorization for that purpose. It would be necessary to pass specific legislation for an experiment station in Puerto Rico. There is none in the Virgin Islands of which I have any knowledge.

Mr. BUTLER. I am not asking that the appropriation be increased; I do not believe it is necessary; but I think it is necessary for Congress to understand that the station in Puerto Rico serves the Virgin Islands as well as Puerto Rico.

Mr. RUSSELL. I think any information developed should be available to the Virgin Islands.

Mr. CORDON. I should like to address a question to the Senator from Nebraska. I happened to have been with him on an inspection trip in the Virgin Islands, during the course of which we both visited an experimental farm which was operated either by the Department of Agriculture or the Department of the Interior. My inquiry is whether the Senator from Nebraska can identify the department which was responsible for the experimental work.

Mr. BUTLER. The experimental farm which has been conducted in the Virgin Islands is conducted under the general supervision of the Department of the Interior jointly with the Virgin Islands government. I do not believe that the Department of Agriculture is officially connected with the experimental farm in the Virgin Islands.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 176, line 21.

The amendment was agreed to.

The next amendment was, under the subhead "Salaries and expenses," on page 177, line 5, after the word "of", to strike out "December" and insert "September," and in line 8, after the name "Puerto Rico", to strike out "\$237,500" and insert "\$252,500."

The amendments were agreed to.

The next amendment was, under the subhead "Bureau of Human Nutrition and Home Economics," on page 178, line 9, after the word "subjects", to strike out "\$1,500,000" and insert "\$1,763,200."

Mr. DOUGLAS. Mr. President, as the text of the bill indicates, this represents an increase of \$263,000 above the amount appropriated by the House. It is a slight increase of \$14,000 above the amount appropriated last year. I should like to read from the House report, at page 130, as follows:

The funds for this Bureau have increased from \$360,000 in 1941 to approximately \$1,800,000 in 1950, including Research and Marketing Act and special research fund allotments. The committee believes that continued increases in appropriations for the work of this Bureau cannot be justified at this time, and the survey of rural family living expenses cannot be provided for, and that development of farmhouse plans is adequately covered by the regular work of this and other bureaus.

The committee expects this Bureau to make a thorough reevaluation of all of its activities

during the next year to make certain that attention is devoted only to the most essential research work in the field of human nutrition and home economics.

Mr. President, in view of the need for great budgetary stringency and the prospect of greatly increased war appropriations, I hope the committee amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 178, line 9.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Animal Industry—Salaries and expenses," on page 178, line 23, after the word "Hatcheries", to strike out "\$2,250,000" and insert "\$2,319,000."

Mr. DOUGLAS. Mr. President, this is an increase of \$69,000 above the House bill. It seems to me that the House appropriation of \$2,250,000,000 should be sufficient. The Senate committee report speaks of provision for repairs, reconditioning, and replacement of facilities. In view of the current situation it seems to me that the facilities could be allowed to remain as they are for a while. I hope the amendment will be rejected.

Mr. BUTLER. Mr. President, I wish to ask the chairman in charge of this section of the bill if the bill includes an appropriation for salaries of meat inspectors located in terminal markets.

Mr. RUSSELL. That is a separate item, which has not yet been reached. We did not alter the House figure with respect to the Meat Inspection Service.

Mr. BUTLER. Did the committee increase the amount?

Mr. RUSSELL. No; it did not. The House allowed the budgetary estimates except to the extent of some \$50,000. I may say that the excitement about meat inspectors grew out of the so-called Taber-Thomas amendment, which proposed to cut 429 meat inspectors from the Service. That provision has been stricken from the bill. The Meat Inspection Service is adequately provided for.

Mr. BUTLER. That is the phase in which I was interested.

Mr. RUSSELL. The Meat Inspection Service is adequately provided for in the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 178, line 23.

The amendment was agreed to.

The next amendment was, on page 179, line 1, after the word "products," to strike out "\$1,300,000" and insert "\$1,350,000."

The amendment was agreed to.

The next amendment was, on page 179, line 15, after the figures "\$7,950,000", to strike out the comma and "including not to exceed \$30,000 for the acquisition of land and construction of four buildings for inspection of live-stock at Canadian border ports of entry."

Mr. MAGNUSON. Mr. President, I have an amendment on page 179, on line 15, which I should like the clerk to report. It deals with the Meat Inspection Service.

Mr. RUSSELL. Mr. President, as I understand, we must conclude considera-

tion of committee amendments before taking up individual amendments.

The PRESIDING OFFICER. The Senator's amendment, which deals with the text of the bill, is not in order.

Mr. MAGNUSON. The amendment would add only a small amount to the \$7,950,000 figure, which was the amount provided by the House.

Mr. RUSSELL. Mr. President, I believe such an amendment would not be in order at this time.

The PRESIDING OFFICER. The Senator's amendment, being an amendment to the text of the bill, is not in order at this time.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAGNUSON. Would my amendment be in order after the section now under consideration is disposed of?

The PRESIDING OFFICER. The Senator's amendment would be in order after the disposition of the committee amendments.

Mr. LANGER. Mr. President, in view of the fact that the distinguished Senator from Washington must leave the city, I ask unanimous consent that he be allowed to submit the amendment at this time. He must leave for his home State.

Mr. RUSSELL. If the Senator desires to leave, I have no objection.

Mr. MAGNUSON. I thought this would be a good time to bring up an amendment with reference to the Meat Inspection Service.

Mr. RUSSELL. I would not accede to the Senator's request on those grounds.

Mr. MAGNUSON. I thank the Senator from North Dakota. I can wait until later.

The PRESIDING OFFICER. The Senator from Washington withdraws his amendment.

Mr. ANDERSON. Mr. President, at this time I should like to submit an amendment which I intend to propose. It is on page 472. I realize that is far from the page which we are now discussing. The amendment relates to the Commodity Credit Corporation. I thought it could be presented at this time. I send the amendment to the desk and I ask that the Clerk read it. I also ask that an explanation of the amendment may be printed in the RECORD at this point in my remarks. I may say that in attempting to make it possible for the Commodity Credit Corporation to deal with some of its problems, inadvertently no provision was made that the Corporation shall not be subject to the apportionment procedure. I should like to present the amendment at this time and to have the explanation printed in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table. Unanimous consent is requested that the amendment be read. Is there objection? The Chair hears none. The Clerk will state the amendment.

The legislative clerk read the amendment as follows:

On page 472, strike out all after the word "States" and the period in line 1 down to and including line 7 and in lieu thereof in-

sert the following: "No funds (other than funds for administrative expenses) available for price support, surplus removal, and related operations, with respect to agricultural commodities shall be subject to apportionment pursuant to this section."

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico that his explanatory statement be printed in the RECORD at this point?

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

EXPLANATION

The Secretary of Agriculture, through Commodity Credit Corporation and other means available to him, is required or authorized to make available price support on agricultural commodities and to engage in surplus removal operations with respect to agricultural commodities. The nature of these operations makes it impracticable to apportion the funds available therefor, since the extent or character of the operations must necessarily be related to supply and market conditions, and such conditions cannot be foreseen with any degree of certainty, but instead, are dependent upon weather, general economic conditions, and other fluctuating factors. Accordingly, it is believed that the price support operations and the surplus removal operations and other related programs with respect to agricultural commodities should be excluded from the provisions for apportionment. The operations which would thus be removed from the provisions requiring apportionment would include operations such as programs undertaken by the Secretary of Agriculture under section 32 (the act of August 24, 1935, Public Law 320, 74th Cong., as amended) and the price-support program, the supply program, the foreign purchase program, the commodity export program, and the storage facilities program, as described in the Commodity Credit Corporation's budget program for the fiscal year 1951.

Mr. MAGNUSON. Mr. President, in view of the parliamentary situation, I shall not ask for a vote on my amendment at this point. However, I should like to discuss it for about 5 minutes, inasmuch as both the Senator from Georgia and the Senator from Nebraska [Mr. BUTLER] are interested in it. In answer to inquiry from the Senator from Nebraska, the Senator from Georgia has made the statement that he thought the House amount was adequate with respect to salaries for Federal meat inspectors. It may be that the committee heard evidence to that effect. However, the amendment I am suggesting clearly points out that reductions which would result would cripple stock inspections at certain points. My amendment would add \$2,500 to the bill. It would be added for the purpose of employing a part-time veterinarian in the Union Stockyards at Seattle. The Department of Agriculture tells me that the budgetary requirement and the amount in the committee bill would not allow for such part-time inspection service. It would leave the Seattle Union Stockyards without any inspection at all. In view of the fact that we have reduced the import duty on Canadian beef from 6 to 3 cents a pound, there has developed some very serious competition to the packers in the Seattle area. Immediately after the Federal inspection was discontinued the Canadians started shipping their cattle

into the United States as dressed beef instead of as beef on the hoof. Shipments on the hoof, of course, would give the slaughtering and packing business to Seattle firms, but unless this small amount of \$2,500 for a part-time veterinarian is provided the cattle will not be shipped into the Seattle Union Stockyards.

Another important point involved is that without Federal inspection livestock can be shipped from Canada to the United States only on direct assignment for slaughtering. With Federal inspection such livestock can be shipped for resale.

It may be that enough money is included in the appropriation, but all my information is that the Seattle Union Stockyards will be without the services of a part-time veterinarian, and it seems to me to be very false economy from the standpoint of public health not to have a sufficient amount to make possible a part-time veterinarian in that area. It is not too large a stockyard. It does not compare with the Omaha, Chicago, Kansas City, and South St. Paul stockyards, but it is an important union stockyard for our section of the country.

Mr. President, I do not know why it is, but it seems to me that every year since I have been a Member of Congress we have been confronted with the appropriation for Federal meat inspectors. If it is not the Weather Bureau it is the Federal Meat Inspection Service, and every year we have to make the attempt to restore very minute amounts to keep the inspection alive.

I do not know what the situation is in the other stockyards, but I am going to ask for \$2,500 so that the inspection service can be kept alive in the Seattle Union Stockyard. I hope the Senator from Georgia, in view of this particular situation, may accept the amendment, take it to conference, and see whether or not this amount is adequate. The decreased appropriation in the bill does not amount to much, but it does stop all Federal inspection in that particular stockyard.

Mr. RUSSELL. Mr. President, I could not accept the amendment without having some idea the Department as to the effect it would have on the other stockyards. I daresay a number of other stockyards are situated about like the one in Seattle, and if we agreed to give a part-time inspector to Seattle, we would certainly be bound to give such inspectors to the other stockyards similarly situated.

This bill carries \$12,800,000 for meat inspection. That is \$159,000 below the Budget estimate. It seems to me that with appropriation of \$12,800,000, we ought to be able to save the \$159,000 by which the House decreased the Budget estimate of \$12,959,000.

I shall be glad to get a statement as to whether the other stockyards are similarly situated, but I could not agree to accept the amendment at this time.

Mr. MAGNUSON. I brought the matter up because the situation is such that the amount provided, it is said, is not sufficient to keep a part-time man in the stockyards in Seattle. The officials say that it is because of the budget ceiling. They did not present a formal request to

the committee to keep this place alive. There may be other like cases.

I hope that for the sake of saving \$2,500 a stockyard serving a great area will not be denied the right of Federal inspection, because it has even this further effect, that the Canadians, instead of sending their cattle to Seattle on the hoof to be slaughtered, are sending their dressed beef. With inspection, the tendency is to send the cattle from Canada into the Seattle Union Stockyards for consumption in that area.

Mr. President, I shall not submit the amendment until the parliamentary situation is favorable, but I thought this was a good time to bring up the subject of Federal meat inspectors.

Mr. RUSSELL. The Senator makes a very appealing case. The agricultural appropriation affords more opportunities for appealing pleas than any other single feature in the entire bill. At one time I counted them and found there are 1,863 different activities under this chapter of the bill. Some of those 1,863 activities are carried in every State in the Union. There has never been any instance where those within the States have not desired to have their services improved. Of course we all hear about those things in the Nation's Capital, because it is our responsibility to represent our people.

I should like very much to be able to accept the Senator's amendment, but I cannot do it if it is going to result in discrimination against any other stockyard that is similarly situated.

Mr. MAGNUSON. Mr. President, I am not familiar with what the effect would be on other stockyards. If the Department says that because of the budget limitation they cannot assign an inspector to Seattle, a great area of the country served by one union stockyard would be denied the right of inspection.

Mr. RUSSELL. Does the Senator know whether there are other inspectors there?

Mr. MAGNUSON. There are none there.

Mr. RUSSELL. The Department ought to assign one to that area, because they have, I believe, approximately, 4,000 inspectors.

Mr. BUTLER. Mr. President, I am deeply interested in the discussion taking place between the Senator from Washington and the Senator from Georgia. I wish to repeat the statement that the United States Department of Agriculture Inspection Division operates almost solely for the protection of the health of American citizens, and I think it is an extremely important service to be continued for the benefit of the people as a whole.

I am surprised that there is any question that \$2,500 cannot be available out of a total of \$12,800,000 for the services referred to, but I am willing to take the word of the chairman of the subcommittee of the Committee on Appropriations, who has the bill in charge, that the Taber amendment is not being considered in connection with this particular item.

Mr. RUSSELL. No; the Taber item is not in the bill. By committee action it

was stricken out. There is nothing in the appropriation for this item that brought about the drastic reduction in meat inspectors, as to which we all received innumerable telegrams. The Taber-Thomas amendment would have resulted in dropping four-hundred-odd meat inspectors. As I have said, I think there is a total of nearly 4,000. I am told by the clerk of the committee that there are 3,220. They are provided for in this bill. That being the case, it seems to me that the Senator from Washington could get a part-time inspector, and I should be delighted to join with him in making a representation to the Department of Agriculture, so that there could be at least one part-time inspector assigned to the Seattle area.

Mr. MAGNUSON. Mr. President, in view of the statement of the Senator and in view of the facts that there are some 3,300 inspectors, it seems to me that what the Senator says is correct. I shall talk to the Department again and see if we cannot get one for the Seattle area, at least one, perhaps a full-time inspector.

Mr. RUSSELL. The Senator could get at least a part-time one, I believe.

Mr. MAGNUSON. It seems to me we have the same problem as to meat inspection coming up all the time. I know it has been coming up since I have been a Member of Congress.

Mr. President, I ask unanimous consent to insert in the RECORD a statement showing the situation in the Seattle area, together with a letter from Henry J. Kruse, president of the Seattle Packing Co.

The PRESIDING OFFICER. Is there objection?

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

STATEMENT BY SENATOR MAGNUSON

I am offering an amendment proposing the addition of \$2,500 to funds provided in the bill for the item "Animal disease control and eradication," under the Bureau of Animal Industry.

In line 15, page 179, I propose to strike out the figure "\$7,950,000" and insert in lieu thereof \$7,952,500."

This addition of \$2,500 is urgently needed to provide Federal inspection at the Seattle Union Stockyards. I have talked to the Department of Agriculture informally about the need for Federal inspection at the Seattle yards. The Department agrees that Federal inspection is highly desirable, but because of the budget ceiling was unable to present a formal request to the committee.

Through 1946 the Seattle yard had Federal inspection. The Eightieth Congress cut rather drastically funds allotted the Bureau of Animal Industry, and, in consequence, Federal inspection at the Seattle Union Stockyards was discontinued. Inasmuch as these yards do not now have inspection, there is a tendency for cattle, particularly feeder stock, to be diverted to other areas.

In addition, serious competition has developed for Seattle packers from the Canadians. Immediately after Federal inspection was discontinued, Canadians started shipping their cattle into the Pacific Northwest in the form of dressed beef rather than on the hoof.

A current factor in this influx of dressed beef was the tariff reduction, effective January 1, 1948, from 6 to 3 cents per pound. Both management and labor in the meat packing industry believe that restoration of

Federal inspection will encourage the shipments to come in the form of livestock rather than dressed beef.

Shipments on the hoof will give the slaughtering and packing business to United States firms and workers, and would go some distance toward cushioning the competitive effects of this particular type of Canadian import.

The important point is that without Federal inspection, livestock can only be shipped from Canada to the United States on direct consignment to a slaughterer. With Federal inspection, such livestock can be shipped for resale.

It is obvious that there is great merit in making it possible for the Bureau of Animal Industry to restore Federal inspection at the Seattle Union Stockyards. The amount involved is only \$2,500—just enough to pay the half-time salary of a qualified veterinarian.

I hope the Senate will adopt this amendment.

SEATTLE PACKING CO.,

Seattle, Wash., June 30, 1950.

Senator WARREN G. MAGNUSON,
Senate Office Building,

Washington, D. C.

MY DEAR SENATOR: Although the Department of Agriculture recognizes the need for restoring Federal inspection at the Seattle Union Stockyards, it is unable to do so because of a shortage of funds. The Department estimates, however, that only \$2,500 is needed to restore the Federal inspection at Seattle as only the part-time services of one veterinarian is required. It is, therefore, suggested that you obtain an appropriation of \$2,500 for this purpose. This is important to the Northwest for the following reasons.

Increased control of livestock diseases is a protection to the general public. With Federal inspection the Seattle Union Stockyards would be assured that a veterinarian would be in charge and that adequate inspection with regard to communicable diseases would be in effect.

Livestock producers will be better served under Federal inspection. At the present time the Northwest is served by only two Federal-inspected yards. These are located at Spokane and Portland. Under State law, health requirements are enforced by the Brand Division which require that all female stock be tested and tagged when sold, except when sold to a packer for slaughter or for resale at a federally inspected yard.

Since a federally inspected yard has a veterinarian on duty, the additional expense and delay required by testing female cattle is avoided. Inasmuch as the Seattle Union Stockyards are not now inspected, livestock producers tend to make their shipments either to Spokane or to Portland.

Slaughter in the Northwest area would increase. Since reductions in the tariff on meat from Canada to the United States from 6 to 3 cents per pound effective January 1, 1948, and the termination of shipments from Canada to the United Kingdom, meat importations to the United States have been greatly increased. Due to higher wage rates, expenses, etc., in the United States, most of this importation is now in the form of meat that is dressed. It would be desirable to have it come in the form of livestock so that the slaughter and processing could be performed here. Federal inspection at the Seattle Union Stockyards would therefore greatly facilitate the movement of livestock from Canada. Without Federal inspection livestock can only be shipped on direct consignment to a slaughterer. Whereas, under Federal control such livestock could be shipped for resale. This would increase the flow of Canadian cattle and would help the packers in that area to meet the competition of Canadian packers. This competition has

been particularly severe in the Seattle area since the reduction in tariff duty.

Very respectfully yours,

HENRY J. KRAUSE,
President, Seattle Packing Co.

Mr. THYE. Mr. President, I should like to ask the able Senator from Washington whether any slaughtering is done in the union stockyard at Seattle.

Mr. MAGNUSON. Yes.

Mr. THYE. There is slaughtering there?

Mr. MAGNUSON. There is much slaughtering, but because of the lack of meat inspection, the cattle on the hoof have not been coming in, and the dressed beef has been coming in.

Mr. THYE. It seems to me very strange that the Department of Agriculture would permit slaughtering to take place and not have a meat inspector on hand. If that is the situation in Seattle, I would join with the Senator from Washington in asking that the Department of Agriculture assign a meat inspector from the regular appropriation, or join the Senator in seeking to have allowed the amount he has requested. It seems to me to be incredible that the Department of Agriculture does not have one of its meat inspectors at a point of slaughter.

Mr. MAGNUSON. We never have been able to get one.

Mr. THYE. I cannot imagine that.

Mr. MAGNUSON. I appreciate the Senator's interest. We never have been able to get one.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 179, line 15.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, under the subhead "Bureau of Dairy Industry," on page 182, line 14, after the word "butter", to insert "not to exceed \$100,000 for construction of 10 or more housing units for employees"; and in line 15, after the amendment just above stated, to strike out "\$1,600,000" and insert "\$1,735,000."

Mr. DOUGLAS. Mr. President, the amendment provides an increase of \$135,000 above the amount appropriated by the House. Apparently it is for two purposes: \$35,000 for repairs, and \$100,000 for housing facilities, that is, 10 houses for personnel. The personnel of this bureau, as I understand, are in Maryland near Greenbelt, and the House committee in turning down the recommendation to build 10 houses said that in their judgment it is quite possible that these employees might find housing at the Greenbelt housing project. In view of the need for economy, I hope the committee amendment will be rejected.

Mr. LANGER. Mr. President, I should like to have an explanation of the amendment. I do not see why we should build houses at the place designated at \$10,000 apiece.

Mr. RUSSELL. Mr. President, \$35,000 is what the committee allowed of a total of \$125,000 requested for repair and reconditioning of physical facilities at field stations. There have been no re-

pairs made in any of the various field stations of the far-flung experimental organization of the Department of Agriculture since 1941, except emergency repairs. There has been very little painting done. The Government of the United States has an enormous investment in all these operations. We have allowed about 15 to 20 percent of the budget estimates for repairs in each instance. We did not allow the full amount. We allowed just sufficient to make the most emergent repairs and to prevent the deterioration and loss of capital investment.

Now as to the question asked by the distinguished Senator from North Dakota. The \$100,000 was asked for, for the purpose of constructing 10 houses at Beltsville to take care of the labor that is employed at the dairy there. The testimony showed that there were no houses available, and that the men working at the dairy have to get to work very early in the morning, and oftentimes have to work very late at night. The Department could not obtain for the labor wage scale workers, who would have to get up in Washington perhaps at 2:30 or 3 o'clock in the morning and go all the way to Beltsville to reach their place of work.

It is a nonrecurring item, and the houses will be self-liquidating, because rent is charged for them. The rent that is paid for these houses will eventually liquidate this \$100,000 item. I do not think it is going to affect the whole universal scheme of salvation if we refuse to appropriate this \$135,000, but I think it is a good business deal to appropriate it, because there is an enormous turnover in employment at the dairy. The work is very important. The research work carried on there with respect to dairying and livestock is of vital concern to every person in the United States who owns a cow; and a great many people own cows.

Mr. THYE. Mr. President, considerable testimony was heard by the committee as to why the sum in question should be allowed. The able Senator from Georgia has stated the situation very ably. The men employed in the dairy division must be there early and late. A great amount of expense would be incurred by a man who had to drive from his home in Washington to the experiment station, and then home again. Many of the employees, in fact, do not possess automobiles. Therefore, they are under a handicap in going to and from their home in the city. I believe the amount of \$100,000 is reasonable. The cost is only \$10,000 a unit. Much thought and consideration and discussion was given to this item at the time it was considered. It was finally agreed to in committee.

Mr. RUSSELL. I thank the Senator from Minnesota. I wish to reiterate that the amount in question will amortize itself. The houses will pay for themselves from the rents collected.

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

Mr. RUSSELL. I yield.

Mr. FREAR. In order to clarify the situation in my own mind, I should like to ask the Senator from Georgia a ques-

tion. He said the project will amortize itself. If and when the houses are built, will the rentals received from the properties revert to the Treasury or to the Department of Agriculture?

Mr. RUSSELL. I am quite sure the money will go to the Treasury, unless there is an act to the contrary which deals specifically with this particular subject. A cow is occasionally sold at Beltsville, and the proceeds go to the Treasury.

Mr. FREAR. Then the Department of Agriculture would not have the authority to expand the rentals?

Mr. RUSSELL. Oh, no.

Mr. DOUGLAS. Mr. President, may I ask the distinguished Senator from Georgia if it is not true that Beltsville, Md., where the Bureau of Dairy Industry has its station, is just a mile or so from Greenbelt, where a town of 7,400 persons has been built as a housing project?

Mr. RUSSELL. I am not really surprised as to the distance between Greenbelt and Beltsville. I do know that the Department of Agriculture does not own any homes in Greenbelt, and that it is some distance from Beltsville.

Mr. President, the evidence on this subject is very convincing. I may say that I had overlooked the fact that we took testimony on this matter. It shows that prior to the submission of budget estimates the possibilities of obtaining such housing in the surrounding area, including the town of Greenbelt, had been fully explored, but without success.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 182, lines 14 and 15.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, under the subhead "Bureau of Agricultural and Industrial Chemistry," on page 182, line 25, after the word "thereof", to strike out "\$7,750,000" and insert "\$8,500,000."

Mr. DOUGLAS. Mr. President, this is an increase of \$750,000 above the amount appropriated by the House. It is an increase of \$105,000 above the amount Congress appropriated last year. In view of the need for economy, I suggest that it would be much better if we reject the committee amendment and save \$750,000.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had insisted upon its amendments to the bill (S. 2591) to amend the Public Health Service Act to support research and training in arthritis and rheumatism, multiple sclerosis, cerebral palsy, epilepsy and blindness, and other diseases, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PRIEST, Mr. BIEMILLER, Mr. WILSON of Oklahoma, Mr. WOLVERTON, and Mr. HUGH D. SCOTT, Jr., were appointed managers on the part of the House at the conference.

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(At this point Mr. MORSE addressed the Senate on the subject of recent increases in food prices. At his request, and, by unanimous consent, his remarks were ordered to be printed in today's RECORD at the conclusion of the debate on the general appropriation bill.)

GENERAL APPROPRIATIONS, 1951

The Senate resumed the consideration of the bill (H. R. 7786) making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment on page 182, line 25.

The amendment was agreed to.

The VICE PRESIDENT. The Secretary will state the next amendment.

The next amendment was, under the subhead "Bureau of Plant Industry, Soils, and Agricultural Engineering," on page 183, line 24, after the words "crops", to strike out "\$3,400,000" and insert "\$3,475,000."

The amendment was agreed to.

Mr. DOUGLAS. Mr. President, this is an increase of \$125,000 for research in the field of fruits, vegetable, and specialty crops.

May I ask why the increase is to be put into effect?

Mr. RUSSELL. Mr. President, this item includes \$50,000 of the estimated \$190,000 for repairs and reconditioning of physical facilities at field stations to strengthen the research program; \$60,000 for research work on vegetable sources for the new drug, cortisone, and \$15,000 additional to provide a total of \$40,000 for gladiolus research. Those are the three items that go to make up the increase of \$125,000. As I have stated heretofore, there has been no substantial repair work done on these field stations for 8 or 10 years. Certainly no one can challenge the importance of cortisone. It is a drug recently discovered which has proved to be a boon to humanity suffering from rheumatism and arthritis. It now comes from the gall bladders of animals, I believe, and it takes 10,000 cows to supply enough to treat one case. There have been some amazing developments, and it would be worth while to appropriate a much greater sum than the one in question in order to discover additional sources of supply so as to secure adequate quantities of cortisone.

Mr. DOUGLAS. Mr. President, is the distinguished Senator from Georgia giving a justification for the increase in the appropriation referred to at the bottom of page 183? If so, I am afraid that I must oppose it, not because I do not like it, but because of the general need for economy.

Mr. RUSSELL. That is the item which I was discussing and attempting to explain.

The VICE PRESIDENT. The Secretary will state the next amendment.

The next amendment was, on page 184, line 3, after the word "plants", to strike out "\$2,950,000" and insert "\$3,075,000."

Mr. FREAR. Mr. President, I should like to ask the Senator from Georgia a question.

Mr. RUSSELL. I shall be glad to try to answer the question.

Mr. FREAR. I notice that \$40,000 is to be appropriated for research in connection with gladioli. Is the gladioli industry in this country sufficiently large for the Federal Government to appropriate \$40,000 for research?

Mr. RUSSELL. Mr. President, evidence before the committee in the past 2 or 3 years has disclosed some facts in connection with the gladioli industry which were rather amazing to one who is not familiar with it. It is a \$110,000,000 industry. Tens of thousands of small producers who own and operate florist shops produce their own gladioli and sell them in those shops. A new disease has appeared, of which no knowledge had been had heretofore. It threatens to wipe out the only source of livelihood of these thousands of farmers and to seriously impair the opportunity for livelihood of thousands of small operators of flower shops. In my judgment, the appropriation is completely justified. When we have a spectacular attack upon the corn crop by the corn borer, we do not hesitate to appropriate fifteen or twenty million dollars with which to combat it. The amount appropriated here for the gladioli industry is not disproportionate with what we are doing in other lines of agriculture.

Mr. FREAR. I thank the Senator.

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

Mr. RUSSELL. I yield.

Mr. HOLLAND. I should like to observe that the reduction in income tax paid by one producer of gladioli in the State of Florida for last year was a good deal more than the total amount that is involved in this appropriation. That reduction in income-tax payment was caused solely by the attack on the gladioli crop by this new disease which we wish to combat through this experimentation.

Mr. RUSSELL. Some progress has been made, and we hope we may be able to conquer the disease.

The VICE PRESIDENT. The question is on agreeing to the amendment on page 184, line 3.

The amendment was agreed to.

The next amendment was, on page 184, line 6, after the word "control", to strike out "\$450,000" and insert "\$455,000."

The amendment was agreed to.

The next amendment was, on page 184, line 18, after the word "management", to strike out "\$2,680,000" and insert "\$2,767,500."

The amendment was agreed to.

The next amendment was, on page 185, line 6, after the word "products", to strike out "\$1,120,000" and insert "\$1,140,000."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Entomology and Plant Quarantine—Salaries and expenses," on page 186, line 22, after the word "application", to strike out "\$4,100,000" and insert "\$4,165,000"; and on page 187, line 2, after the word "expended", to strike out the colon and the following additional proviso: "Provided further,

That \$50,000 shall be transferred to applicable appropriations of the Public Health Service for investigations and studies of effects of insecticidal and fungicidal residue on human health."

The amendment was agreed to.

The next amendment was, on page 188, line 6, after "(7 U. S. C. 166)", to strike out "\$4,185,900" and insert "\$4,651,000."

The amendment was agreed to.

The next amendment was, on page 189, line 11, after "(7 U. S. C. 147a)", to strike out "\$2,325,000" and insert "\$2,384,400."

The amendment was agreed to.

The next amendment was, under the subhead "Control of emergency outbreaks of insects and plant diseases", on page 189, line 21, after the word "citizens", to strike out "\$850,000" and insert "\$2,350,000"; and in the same line, after the amendment just above stated, to insert "of which \$1,500,000 shall be apportioned for use pursuant to section 3679 of the Revised Statutes for the purposes of said joint resolution only to the extent that the Secretary, with the approval of the Bureau of the Budget, finds necessary to meet emergency conditions."

The amendment was agreed to.

The next amendment was, under the subhead "Control of forest pests," on page 190, line 19, after "(7 U. S. C. 147a)", to strike out "\$539,500" and insert "\$590,000."

The amendment was agreed to.

The next amendment was, on page 190, line 22, after "(16 U. S. C., Supp. I, 594-1—594-5)", to strike out "\$900,000" and insert "\$1,900,000", and in the same line, after the amendment just above stated, to insert "of which \$1,000,000 shall be apportioned for use pursuant to section 3679 of the Revised Statutes for the purposes of said act only to the extent that the Secretary, with the approval of the Bureau of the Budget, finds necessary to meet emergency conditions."

The amendment was agreed to.

The next amendment was, on page 191, line 6, after "(16 U. S. C. 594a)", to strike out "\$3,280,000" and insert "\$3,700,000"; in the same line, after the word "amount", to strike out "\$508,750" and insert "\$565,350"; in line 12, after the word "States", to strike out "\$1,727,800" and insert "\$1,947,150"; and in line 14, after the word "and", to strike out "\$1,043,450" and insert "\$1,187,500."

The amendment was agreed to.

The next amendment was, under the subhead "Forest Service," on page 195, line 1, after the word "forests", to strike out "\$26,890,000" and insert "\$29,320,500."

The amendment was agreed to.

The next amendment was, on page 195, after line 4, to insert:

Cooperative range improvements: For artificial revegetation, construction, and maintenance of range improvements, control of rodents, and eradication of poisonous and noxious plants on national forest lands, pursuant to section 12 of the act of April 24, 1950 (Public Law No. 478), \$750,000, to remain available until expended.

The amendment was agreed to.

The next amendment was, on page 196, line 9, after the figures "\$1,300,000", to insert "of which \$30,000 shall be made available for the establishment of a for-

est utilization service unit in the Southwest."

Mr. BRIDGES. Mr. President, before we reach line 9, I should like to send to the desk an amendment which proposes an insertion on line 6 on page 196.

The VICE PRESIDENT. Apparently the Senator's proposed amendment is an amendment to the text of the bill. Therefore it is not in order at this time.

The question is on agreeing to the amendment on page 196, line 9.

The amendment was agreed to.

The next amendment was, on page 196, line 14, after "section 10", to strike out "\$880,000" and insert "\$1,000,000."

The amendment was agreed to.

The next amendment was, under the subhead "Forest development—Roads and trails," on page 196, line 22, after the words "administration", to strike out "\$10,348,000" and insert "\$12,000,000."

Mr. MURRAY. I send to the desk an amendment to the committee amendment and ask that it be stated.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 196, line 22, it is proposed to strike out "\$12,000,000" and to insert in lieu thereof "\$14,500,000."

Mr. MURRAY. Mr. President, this amendment is necessary because of the construction of Hungry Horse Dam in Montana. The cost of the construction is \$108,000,000. As a result of the construction of this dam, highways, and roads in the forest have been destroyed. Therefore it will be necessary to build new roads to take the place of the roads which have been covered up. The logging and timber industry is the most important industry in the area, and it is absolutely necessary to construct these roads in order to protect the industry. As I understand, the Bureau of Reclamation has authority to construct new roads whenever old roads are destroyed. However, they are limited with respect to the character of roads that may be constructed under such circumstances. The roads which it will be necessary to construct in this case are of a character which will require expensive construction. They are to be constructed on the side of hills.

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

Mr. MURRAY. I yield.

Mr. AIKEN. Is it not customary to include the cost of relocating highways in the cost of the dam itself? I wonder why the cost of relocating highways for a dam should be put in an agricultural appropriation bill. So far as I know they are always put in the appropriation for the dam itself.

Mr. MURRAY. The item now before the Senate is under the title "Forest Development Roads and Trails." The roads to which I refer are forest roads.

Mr. AIKEN. Even if a forest road is destroyed by the construction of a dam, it would have to be replaced by the agency of the Government which constructed the dam.

Mr. MURRAY. The agency of Government is limited in the amount of funds which it can expend in the construction of a road. The specific road I have in

mind is of a character which requires very expensive work, because it is on the side of a mountain. It is a road 52 miles long on the west side of the reservoir, and it must be built in order to make the national forest timber accessible. The timber products from the mills in this area are worth more than one and a half million dollars a year to the local industries. Wages alone amount to about \$1,000,000 a year. In the construction of the Hungry Horse project the Bureau of Reclamation has stated that it may request appropriations to replace roads which will be inundated or damaged by the reservoir, but not for roads of higher standards or involving superior construction not required in connection with construction of the project.

Mr. McKELLAR. May I ask the Senator from Montana whether he came before the committee in connection with this amendment, or whether he got a budget estimate for it?

Mr. MURRAY. Apparently it was—

Mr. McKELLAR. I do not believe it has ever come before the committee. We are reading the appropriation bill for committee amendments, and I hope the Senator will withhold his amendment.

Mr. MURRAY. I am satisfied to withhold it. However, it may be that we could complete its consideration at this time. We have spent some time on it already.

Mr. McKELLAR. Was this proposed amendment laid before the committee?

Mr. RUSSELL. Oh, no.

Mr. MURRAY. This additional amount is necessary because of the special conditions which exist. The special conditions result from the construction of this huge dam, which has cut off the roads which were previously in use. In order to continue the lumber and milling industry it is necessary to construct this road. As I understand, in the construction of the Hungry Horse project the Bureau of Reclamation has stated that it may request appropriations to replace roads, but not for roads of higher standards or involving superior construction not required in connection with the construction of the project. A survey is now under way to determine the location and cost of the road and the amount which the Reclamation Bureau is authorized to finance.

Mr. AIKEN. Mr. President, my reason for questioning the Senator from Montana as I did was because I thought it might be establishing an undesirable precedent if we undertook to charge the costs of work of this nature to the Department of Agriculture, when the cost is really necessitated by the operations of some other Department of Government. I am not questioning the need of the road, because I do not know anything about it. I merely questioned whether this is the part of the appropriation bill where the amendment shall be added.

Mr. MURRAY. The Department of Agriculture has jurisdiction over forest roads and trails.

Mr. AIKEN. Is this a forest road or an access road? The Senator has said there is a million and a half dollars worth of timber a year coming from the forest

in this area. I think provision for access roads is included under some other appropriation.

Mr. MURRAY. This amendment is not for building a new road to give access to the timber. The business involved has been in existence for a number of years, and it is a very important industry in that section, amounting to many million dollars. With the roads now cut off as a result of the construction of the dam, it is necessary speedily to provide a new road.

Mr. AIKEN. I still think it should be charged to the cost of the dam, instead of as an agricultural appropriation.

Mr. MURRAY. The Bureau of Reclamation is assuming that part of the cost which it is able to take under the Bureau of Reclamation law. The cost of the road is now being studied, and it is estimated at \$4,000,000. The share of the Bureau of Reclamation is estimated at from one and a half to two million. To make certain that funds are available to build a road of the necessary standard, two and a half million dollars should be added to the Forest Service appropriations at this point. To the appropriation of \$12,000,000 provided in the bill, we are asking that two and a half million be added to order to make provision for the road.

Mr. AIKEN. Does this request come from the Forest Service?

Mr. MURRAY. I understand it has the approval of the Department. I have not any evidence of it here, but I know they have talked to me and have talked to my office about it, and the amendment was prepared for me by the Department.

Mr. AIKEN. Will the Senator yield, so that I may ask the Senator from Georgia if the Forest Service requested this appropriation?

Mr. RUSSELL. I do not doubt that the Forest Service would like to get all the money it could for roads and trails, but it did not especially request this appropriation, because it could not. It has a limitation on its budget estimates.

I have a brief statement to make in connection with the amendment when the Senator from Montana concludes.

Mr. MURRAY. I submit the matter.

Mr. RUSSELL obtained the floor.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield so that I may address a question to the Senator from Georgia?

Mr. RUSSELL. I have the floor.

Mr. HOLLAND. Can the Senator advise the Senate as to whether the proposed increase of two and one-half million would be supported by the authorization, or whether the \$12,000,000 completely uses up the authorization?

Mr. RUSSELL. I cannot say as to that. I think there is adequate authorization to take care of the two and a half million dollars, but I hope the Senate will not approve the amendment. It is entirely out of line with anything else in the bill, proposing as it does to appropriate two and a half million dollars for one immediate project, for something which sounds almost suspiciously like a superhighway. There is nothing that causes us more trouble than forest roads and trails. There are innumerable forests scattered throughout the United

States, and in all of them roads are desired. I do not doubt we could spend \$20,000,000 on forest roads, to the delectation of the people living in the communities adjacent to them, and those who go into the forests for fishing and recreational purposes.

Mr. President, it is certainly all out of reason to ask two and a half million dollars above the Budget estimate for one road, even though it be one leading to a project so important as is the Hungry Horse Dam. This road ought to be built, if built at all, by funds that come from the same source and are used for the same purposes for which the dam is constructed, and the Forest Development Road and Trail item should not be loaded up with such an item. It is not justified or sustained by any budget estimate.

Mr. YOUNG. Mr. President, I should like to add a word about the amendment. It properly belongs under the appropriation for the Interior Department, Bureau of Reclamation. All States have projects, perhaps on smaller scales than the one referred to by the Senator from Montana. In my own State there are some where there are parks nearby, and roads are needed. The money for the proposed road should come under the appropriation authorized for the dam.

I am opposed to the amendment for another reason. The agricultural bill already contains a vast sum of money, and the public looks upon it as an appropriation for agriculture. If one made an analysis he would find that probably only about one-third of the money appropriated goes to agriculture. If this proposed appropriation is added, for another item which is not at all agricultural in nature, it only increases the amount apparently appropriated for agriculture but looked upon by the public sometimes as a subsidy.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Montana to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. DOUGLAS. Mr. President, I should like to offer an amendment to the committee amendment, striking out the figure "\$12,000,000" on line 22, page 196, and substituting "\$6,000,000"; in other words, to cut the appropriation in half.

Last year we spent a little over \$10,000,000 for the item of forest roads and trails. The House provided the same appropriation for the coming year as was made last year. The Senate committee raised the figure by \$1,600,000.

Mr. President, I have been going back over the history of appropriations and expenditures for roads in national forests and national parks, and I find very large sums spent over the years. In view of the national emergency, it seems to me we should slow up on road construction, and save \$6,000,000 on this item, and that is the effect of my amendment.

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

The amendment to the amendment was rejected.

The VICE PRESIDENT. The question now is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE PRESIDENT. The clerk will state the next amendment of the committee.

The next amendment was, under the subhead "Acquisition of lands for national forests," on page 197, line 14, after "(16 U. S. C. 513-519, 521)", to strike out "\$100,000" and insert "\$401,000."

The amendment was agreed to.

The next amendment was, under the subhead "Farm and other private forestry cooperation," on page 199, line 15, after the word "exceed", to strike out "\$490,382" and insert "\$785,034"; in line 16, after the word "exceed", to strike out "\$671,392" and insert "\$449,200"; and in line 17, after the word "exceed", to strike out "\$138,226" and insert "\$65,766."

The amendment was agreed to.

The next amendment was, under the subhead "Flood control," on page 200, line 3, after the word "expended", to strike out "\$10,750,000" and insert "\$9,880,000."

Mr. DOUGLAS. Mr. President, I wish to congratulate the committee for making a reduction below of approximately a million dollars the amount provided by the House. I am informed, however, that of the final figure of about \$9,900,000, which is being recommended for flood control in the Columbia Basin area, \$1,900,000 is for planning, leaving about \$8,000,000 for construction.

Mr. President, the word "planning" seems to have a mesmeric influence upon Congress, causing us to appropriate very large sums for planning. In view of the national emergency, I hope that the committee will persevere in its good work, and will consent to a reduction in the appropriation to \$8,880,000, which will leave approximately \$8,000,000 for construction, but will reduce the total for planning from \$1,900,000 to nine-tenths of a million dollars. I hope the committee will accept the amendment.

Mr. RUSSELL. Mr. President, I regret very much that I would not feel authorized to accept the amendment. If there is any justification for a reduction in this item, it should be applied to the construction item and not to the planning item.

Mr. President, the planning item involves a Nation-wide plan to prevent the siltation of all of the vast reservoirs we are building at such enormous cost all over the United States. The jurisdiction of the Board of Army Engineers does not extend beyond the immediate watershed on which a dam is located. The Soil Conservation Service undertakes to draw plans for all the tributaries to the main streams so as to prevent the loss of fertile soil from thousands of acres of land to which we look for that which we eat and wear, as well as to prevent impairment of the investment of the United States in the main reservoirs. The truth of the matter is that we are probably 20 years behind now with our planning. The planning is going forward. It is not limited to the Columbia River. Surveys are being made upon thousands of small streams throughout

the entire United States. I do not believe there is any item in the bill which is more inextricably connected with the future welfare of the United States and the sources of our food and fiber and the preservation of our soil resources than this planning item. I hope the Senate will reject the Senator's amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS] to the committee amendment on page 200, line 3.

The amendment to the amendment was rejected.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The VICE PRESIDENT. The next committee amendment will be stated.

The next amendment was, under the subhead "Soil Conservation Service," on page 201, after line 17, to strike out the subhead "Salaries and expenses."

The amendment was agreed to.

The next amendment was, on page 202, line 14, after the word "information", to strike out "\$52,900,000" and insert "\$52,400,000."

Mr. HUMPHREY. Mr. President, I should like to ask the chairman of the subcommittee, the Senator from Georgia [Mr. RUSSELL] to give me an explanation as to why this cut was made, and whether or not the cut will fundamentally affect the soil-conservation programs which are being planned at the present time. I have received a number of letters from persons in Minnesota who are vitally interested in soil-conservation activities, in which they have told me that a cut in the budget amount would jeopardize their plans of operation, including more areas and more counties being brought in under the program of the Soil Conservation Service.

Mr. RUSSELL. Mr. President, I may state that there is no cut in the budget item, because the figure allowed by the Senate committee is approximately one-half million dollars above the Bureau of the Budget estimate. This is the one item where the House allowed the Department \$1,000,000 above the Budget estimate. Since the House had allowed \$1,000,000 above the Budget, it seemed that if there was any place where we could cut the bill by reducing in part of this increase above the Budget estimate, it was here. It is true there have been a number of new soil-conservation districts organized, and they do not have all the technical staff they should have. But splendid progress is being made in the soil-conservation districts.

It is not the kind of thing that can be done overnight. Plans must be drawn, and then the farmers must be induced to accept the plans. Then there may be required a 20-year program on one farm in order to complete the plans. It would be highly desirable, if conditions were not so difficult with respect to public funds, to increase this item about \$4,000,000 and give all the soil conservation districts all the technical help they need. But I believe that by the proper use of the large number of technical soil conservation operators the service has, if it distributes them prop-

erly, this work can be carried out without any damage whatever resulting from this modest cut.

Mr. HUMPHREY. I thank the Senator, because I think the people of Minnesota recognize that the Senator from Georgia is an outstanding expert in this field. I wanted the Record to show exactly what his observations on this subject were.

Mr. RUSSELL. I am not an expert, but I am an ardent advocate of soil conservation.

The VICE PRESIDENT. The question is on agreeing to the amendment on page 202, line 14.

The amendment was agreed to.

The VICE PRESIDENT. The next committee amendment will be stated.

The next amendment was, under the subhead "Land utilization and retirement of submarginal land," on page 203, line 2, after the word "note", to strike out "\$1,490,000" and insert "\$1,665,175."

The amendment was agreed to.

The next amendment was, under the subhead "Water conservation and utilization projects," on page 203, line 10, after the word "expended", to strike out "\$400,000 and insert "\$500,000."

The amendment was agreed to.

The next amendment was, under the subhead "Production and Marketing Administration—Conservation and use of agricultural land resources," on page 203, line 23, after the word "States", to strike out "\$282,500,000" and insert "\$283,000,000"; and on page 206, line 2, after the word "States", to strike out the colon and the following additional proviso: "Provided further, That not to exceed 5 percent of the allocation for the agricultural-conservation program for any county may be allotted to the Soil Conservation Service for services of its technicians in formulating and carrying out the agricultural-conservation program and the funds so allotted shall not be utilized by the Soil Conservation Service for any purpose other than technical and other assistance in such county."

The amendment was agreed to.

The next amendment was, under the subhead "Sugar Act," on page 207, line 23, after "(7 U. S. C. 1001-1160)", to strike out "\$60,000,000" and insert "\$63,750,000."

Mr. DOUGLAS. Mr. President, I assume that the amounts which we appropriate under the sugar act are more or less prescribed by the act itself?

Mr. RUSSELL. The Senator from Illinois is correct. Of course, the Senator knows that these funds are derived from a special processing tax upon sugar, and are set apart as payments to the sugar producers in this country. If the sugar production does not warrant the payment of this amount, which is materially below the budget, I will say the remainder is returned to the Treasury. In no years has there been paid to the producers of cane sugar and beet sugar of this country the entire amount collected from the special processing tax which is imposed for their benefit.

Mr. DOUGLAS. I notice that the House appropriated \$60,000,000, which was the amount appropriated for the last fiscal year. I think that should be sufficient, and I shall oppose the com-

mittee amendment. The Senate committee apparently divided the difference between the appropriation by the House and the recommendation by the Bureau of the Budget.

Mr. RUSSELL. The House appropriated the amount which was appropriated last year. The Bureau of the Budget allowed \$67,500,000. I do not think that much money will be needed, but out of an abundance of precaution we did allow half of the increase in the budget estimate, which is \$3,750,000, which, as I say, is derived from the special processing tax imposed upon sugar for the benefit of the producers of sugar in this country.

Mr. DOUGLAS. It is not within the province of the Appropriations Committee, but does the Senator know if the appropriate committee has considered the possibility of expanding the production of sugar further, in order to meet some of the shortages which have recently occurred in our cities?

Mr. RUSSELL. I am not an expert on sugar. I see present the Senator from Louisiana [Mr. ELLENDER] and the Senator from Florida [Mr. HOLLAND], both of whom represent States which produce large quantities of sugar. I may say that the very purpose of these payments is to increase domestic production of sugar. In the last 50 or 60 years we have never produced more than a small percentage of the sugar consumed in the United States.

Mr. ELLENDER. The Senator from Georgia has referred to the fact that only a small percentage of the sugar consumed in the United States is produced in this country. I may point out that about 28 percent of the sugar consumed in the United States is produced in the continental United States. The remainder is imported from our possessions, and from Cuba and other foreign countries.

As the distinguished Senator from Illinois has correctly stated the amount provided is to pay conditional payments to sugar growers pursuant to existing law.

As the Senator in charge of the pending chapter has stated the appropriation requested is \$3,750,000 under the budget estimate. Should the amount herein appropriated be in excess of the sum required to meet conditional payments to sugar growers such excess will revert to the Treasury.

Mr. President, I trust that the recommended appropriation will not be disturbed.

Mr. RUSSELL. Seventy-two percent of the sugar consumed in the United States is off-shore sugar. The purpose of the tax, as I said, is to increase the domestic production of sugar.

Mr. DOUGLAS. I know that the domestic production is tied in with the international agreements with respect to production of sugar in Cuba, Puerto Rico, and so forth. But I think the needs of consumers should be given due weight in this matter, because the effect of the international sugar cartel, enforced by international agreements and by national law, has been greatly to boost the price of sugar for city consumers.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 207, line 23.

The amendment was agreed to.

Mr. WHERRY. Mr. President, is the amendment which has just been agreed to the one which comes under the heading "Sugar Act"?

Mr. RUSSELL. Yes. As I previously stated, the committee saw fit to approve an increase of \$3,750,000 in the amount available for payments to sugar producers.

Mr. WHERRY. Does the amendment provide for any change in the basic Sugar Act?

Mr. RUSSELL. No; the amendment makes no change in the basic Sugar Act whatever. Such action could not be taken in connection with an appropriation bill. Separate legislation would be required to do so.

Mr. WHERRY. I understood the distinguished Senator from Illinois [Mr. DOUGLAS] to say that the act should be amended so the rights of consumers of sugar could receive greater recognition.

Mr. RUSSELL. What the Senator said was obiter. He merely observed that the law should be changed for the benefit of consumers.

Mr. WHERRY. That would require amendment of the substantive law.

Mr. RUSSELL. Yes.

The VICE PRESIDENT. The next committee amendment will be stated.

The next amendment was, under the subhead "Marketing services," on page 208, line 20, after the word "products", to strike out "\$2,050,000" and insert "\$2,187,000."

The amendment was agreed to.

The next amendment was, on page 211, line 23, after "(7 U. S. C. 135-135k)", to strike out "\$3,550,000" and insert "\$3,495,000."

The amendment was agreed to.

The next amendment was, under the subhead "Federal Crop Insurance Corporation," on page 212, line 6, after the word "expenses", to strike out "\$6,854,000" and insert "\$7,204,000."

The amendment was agreed to.

The next amendment was, under the subhead "Salaries and expenses," on page 212, line 14, after the word "reports", to strike out "\$8,150,000" and insert "\$8,750,000."

The amendment was agreed to.

The next amendment was, under the subhead "Loan authorization," on page 212, line 21, after the word "program", to strike out "\$25,000,000" and insert "\$40,000,000."

Mr. DOUGLAS. This amendment would increase by \$15,000,000 the authorization for rural telephones.

Mr. RUSSELL. Yes. We increased the loan authorization from \$25,000,000 to \$40,000,000 for the rural-telephone program which was authorized by an act of last year. It is still \$10,000,000 below the budget estimate.

The VICE PRESIDENT. The question is on agreeing to the committee amendment, on page 212, line 21.

The amendment was agreed to.

Mr. MYERS subsequently said: Mr. President, I ask unanimous consent to have printed in the body of the Record, in connection with the REA amend-

ment, which I understand appears on page 212, a statement I have prepared.

There being no objection, the statement of Mr. MYERS was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR MYERS

Within the last few weeks, this country has come face to face with a test that may well be as crucial as any in our entire history. In the final analysis—whether the decision is achieved now or some day in the future—it is a test of strength between the free world and the tyrannical world. The success of our cause will depend upon the strength of our free people, the strength of our democratic institutions, and the strength of our economic system. Let us thank God for the opportunities we have had to build that strength and for the enterprise that has impelled us to use our opportunities.

Today, as we give consideration to the appropriation bill before us, I want to bring to the attention of the Senate what the farmers of America are doing through their REA program to build a stronger and more productive agriculture in this country. As a result of the work they have already completed, rural America is infinitely better prepared than ever before to meet whatever emergency may be forced upon us.

If the leaders of our industry should announce that they had just brought into 85 percent of their factories a new kind of low-cost power capable of increasing factory output and efficiency, it would be news that would startle the world. Yet that is exactly what the farmers through the REA are doing right under our very eyes, without fanfare and without headlines.

When REA was established in 1935, only 1 farm in 10 had central station electric service. At the time of Pearl Harbor, 3 farms in 10 had electricity. Despite that relatively small percentage, electricity helped the farmer achieve record after record in production through the years of World War II.

Today, 85 percent of the farms in this country have electric power on them. The REA program that barely had time to get started before the Japs blasted us into the war, has, in the last 5 years, virtually revolutionized American agriculture.

What farmer today would dream of undertaking a dairy farm without electricity? His labor-saving milking machines, his milk-saving refrigeration, his electrically-powered water system—all these and more are essential parts of a well-run, efficient and productive dairy farm.

What has happened on the dairy farm is just one instance. The same thing has been happening on 85 percent of all the farms in America. So multiply these advances by the 5,000,000 farms that have modern electric power today. Then you will begin to appreciate the impact of REA on our agricultural and on our whole economy.

In the electric motor, industrial America has had an efficient source of power for many decades. It has been a significant factor in the development of America as the world's greatest industrial nation. Today the electric motor is also out on the farm, ready to help the farmer grind feed, clean the barn, pump water, dry grain and hay, and in general provide highly essential and low cost power for the farmer.

Consider these things in the light of the crisis that is confronting us today. We have out on the farms of America the equivalent of millions of extra hands that just a few years ago were not available. We have put into our agriculture new power, new efficiency, new productivity. All of it is adding to the strength of this Nation as we go forward in the leadership of the free world.

The progress farmers are making with the help of the REA program is all the more significant when the character of the pro-

gram is taken into account. The REA program is one of the finest expressions of our democracy. It works on the principle of local control, local ownership, and local accomplishment.

Here is a program that helps the people help themselves. REA is only a lending agency. It is the local people, with the help of Government financing, who are building the power systems that are electrifying the farms. It is the local people who operate these power systems and who are paying back the money to the Government—paying it back with interest.

Last October when Congress passed legislation authorizing loans for the improvement and expansion of rural telephone service, it followed this REA pattern of providing the people with the help they need to do the job themselves. Today this new telephone program is beginning the job of modernizing rural communications as the electric program has been modernizing power and light on the farm during the recent past.

I have always been glad to support the rural electrification program—one of the most beneficial and forward-looking measures instituted by the Roosevelt administration.

It has been of benefit to every part of the country. I am happy to point out the achievements of the REA borrowers in my own State. From 23 percent of our farms electrified when the program started, we have since then forged ahead until now the percentage is well over 90 percent.

We have 13 REA-financed systems in Pennsylvania and these privately owned, locally managed, taxpaying business organizations have already invested \$25,000,000 of loan funds in their power systems. They are paying back these loans, in a sound business-like way, while doing a job of building a stronger agriculture in Pennsylvania.

From the time Morris L. Cooke, of my home State of Pennsylvania, as the first Administrator of REA, set the program on its course of progress, this program has built, and built well, the strength of rural America. It is a program in which the people of this country and the free world have a big stake and which must be pressed forward in the achievement of its objective.

It is for that reason that I urge upon you to support the appropriation of the Rural Electrification Administration in the bill before us. This program is making a great contribution to the people of this country at a very minimum of cost, since the loans are being paid back to the Government. This is tremendously important to all of us, whether we are permitted to live in peace or whether we must mobilize our strength for war. REA is an investment that is already paying back dividends many times over in extra power for farmers and for America.

The VICE PRESIDENT. The next committee amendment will be stated.

The next amendment was, under the subhead "Farmers Home Administration—Loan authorization," on page 214, line 6, after "(except grants under 504 (a))", to strike out "\$56,350,000" and insert "\$71,350,000"; in the same line, after the amendment above stated, to insert "of which not to exceed \$3,500,000 of the amount available for the purposes of title I and section 43 of the Bankhead-Jones Farm Tenant Act, as amended, may be distributed to States and Territories without regard to farm population and prevalence of tenancy, in addition to the amount otherwise distributed thereto, for loans in reclamation projects and to entrymen on unpatented public land."

Mr. AIKEN. Mr. President, I wish to ask a question of the Senator from Georgia in regard to the amendment in line

6 on page 214. Will that provision encourage the settlement of the more sparsely populated States where there is a large amount of undeveloped land?

Mr. RUSSELL. No; the amount of \$3,500,000 is supposed to be available for some irrigated projects in some States which have very small populations, but where the veterans have moved in to take up the lands which are subject to irrigation.

Mr. AIKEN. The amendment would apply particularly to a State such as Wyoming, would it?

Mr. RUSSELL. Exactly, and possibly to three or four other States where such irrigation projects are coming into operation.

Mr. HILL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HILL. To what amendment does the Senator from Vermont refer?

The VICE PRESIDENT. To the committee amendment on page 214, beginning in line 6 and ending in line 13.

The question is on agreeing to that amendment.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment of the committee will be stated.

The next amendment was on page 215, line 5, after the word "acts," to insert a colon and the following additional provisos: "Provided further, That for the purpose of making loans pursuant to the foregoing authority, the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act are extended to include such loans to the Secretary: *Provided further*, That repayments to the Secretary of the Treasury on such loans shall be treated as a public-debt transaction."

Mr. BRIDGES. Mr. President, I should like to have an explanation from the Senator from Georgia in regard to the amendment. It seems to me that it is clearly legislation on an appropriation bill, and that the amendment, if adopted, would open wide the door.

The amendment is clearly legislation, Mr. President, and it goes into a field which certainly was not dealt with in the bill as it was passed by the House of Representatives. Certainly the language of the amendment is wide in its implications and scope.

Mr. RUSSELL. Mr. President, I trust that the Senator will withhold any point of order he may intend to propose against this amendment.

I think I would be less than frank if I did not say that the amendment is subject to a point of order. However, identical language has been carried in the appropriation bill for a long time, as a means for the procurement of funds with which to make this type of loans under the Farmers Home Administration. The language of this amendment or similar language was set forth in the budget, just as was the case in last year's bill. It was included in the bill as reported

by the House Appropriations Committee, but on the floor of the House the provision was stricken on a point of order.

There is nothing new so far as this method of borrowing is concerned. It has been used for a number of years. Up until now a very creditable repayment record has been made.

There can be no question that the amendment is legislation; but its enactment into law is necessary in order to implement all of the activities of the Farmers Home Administration.

Mr. BRIDGES. What is the repayment record? From my own impression and the impression of the persons with whom I have talked, this amendment would leave the matter wide open.

Mr. RUSSELL. Of course, the Senator realizes that when rehabilitation loans are made under the Farmers Home Administration, we are not dealing with the very best credit risks, because the basic law provides that no such loan can be made until the prospective borrower is able to submit evidence that the loan is not available from any other source. In that connection, the general practice has been to require such statements from the banks in the community, from the production credit agency, and from other sources of credit.

So far as the tenant loan program is concerned, there has been a perfectly amazing repayment record. Repayments are current; in fact, the collections really are ahead of the repayment schedule in the case of the purchase of farms by means of the funds obtained under this provision of the act. In the case of rehabilitation loans, there have been some losses; there can be no question as to that. Those who were administering this portion of the law inherited a great many loans from the old Rural Resettlement Administration and from the old seed loans, which were made only in cases of dire emergency. So the transactions in the case of such loans are included under this heading. Of course, the loans to which I have just referred occurred away back in 1918 and 1920—almost in the days of antiquity, so far as any modern agricultural program is concerned.

However, generally speaking, a very fine record of collections has been made. For the past 5 years the collections have greatly exceeded the loans. A study of the collections would do a great deal to restore one's faith in the honest purposes of mankind, because some of the loans were made years ago and some of the borrowers meantime have left the farms. Yet when they reached a time when they were able to secure employment, they repaid the loans.

This program has been vital in connection with extending aid to veterans of World War II. As I recall, approximately 50 percent of the loans which have been made were made to veterans, and all the new loans being made are being made to veterans.

Mr. BRIDGES. But is there a limitation? Will not the sky be the limit?

Mr. RUSSELL. Oh, no; a limit is set forth on page 214.

On page 215, this amendment would begin with the words:

Provided further, That for the purpose of making loans pursuant to the foregoing authority—

And the loans are limited by the amount set forth on page 214.

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

Mr. RUSSELL. I yield.

Mr. WILLIAMS. Do I correctly understand the Senator from Georgia to say that the same language was included in the last appropriation bill?

Mr. RUSSELL. Yes; and funds have been available. I do not know that the provision in last year's appropriation bill was in identically the same language as the language of this amendment; but the funds have been available from the Treasury, under the last several appropriation bills.

Mr. WILLIAMS. In view of the fact that it is recognized that such language is essential to the program, why has not enabling legislation been introduced through the normal channels, and enacted?

Mr. RUSSELL. I cannot answer that question, because I am not a member of the standing Committee on Agriculture and Forestry. I really cannot say why such enabling legislation has not been enacted.

Mr. WILLIAMS. Will not the Senator from Georgia agree that that is the manner in which the matter should have been handled?

Mr. RUSSELL. Oh, yes; there should have been legislation in that connection. However, I am sure the Senator from Delaware will agree with me that in the case of the appropriation bills generally, certain language has been carried for years in those bills, although normally it would properly be the subject of proposed legislation introduced by some of the standing committees.

Mr. WILLIAMS. I can understand why the matter might be handled once in this way; but I do not understand why year after year the appropriation bills should carry provisions which are purely legislation.

Mr. RUSSELL. Of course, there is a question as to whether the amendment is legislation. It was regarded as legislation in the House of Representatives. However, there is some question as to whether it is legislation.

This language makes available to the Secretary of the Treasury funds for the purpose of being loaned by him to the Secretary of Agriculture, to be used by the Secretary of Agriculture for this purpose.

Mr. WILLIAMS. Do I correctly understand that this authority is limited by the amount set forth on page 214, in line 6?

Mr. RUSSELL. Oh, yes; there is no question about that. It is absolutely limited by that amount.

Mr. BRIDGES. So in this case, if no point of order is made against the amendment, and if the amendment is adopted and is contained in the bill as finally enacted, the provision thus made

will be similar to the provision which has been made in previous years in the appropriation bill. Is that correct?

Mr. RUSSELL. That is correct.

Mr. BRIDGES. And the amount is limited to the appropriation set forth on page 214, in line 6; is that correct?

Mr. RUSSELL. The Senator from New Hampshire is entirely correct.

Mr. President, I would be the last person to be willing to have this language make available an unlimited amount of money, because, of course, the provision is in the nature of an appropriation.

Mr. BRIDGES. I understand that the Senator from Georgia watches these matters carefully, but, of course, I wish to be sure just what we are doing in this respect.

Mr. RUSSELL. The Senator is correct.

Mr. BRIDGES. Do I correctly understand that the Senator from Georgia has no information about this matter, except as to what has occurred in the past?

Mr. RUSSELL. Yes; I think I can state that, so far as loans for the purchase of land are concerned, the repayments are current, and no losses have occurred. Some losses have occurred on rehabilitation loans, but the funds lost since the Farmers Home Administration was established would be less than 3 percent of the total amount of money made available.

Mr. AIKEN. Is it not a fact that the repayments have been approximately 85 or 90 percent—in short, that the repayments have been good?

Mr. RUSSELL. They have been more than that, under the Farmers Home Administration.

Mr. AIKEN. I think the repayments have been somewhere between 90 and 95 percent in my own State. The repayments to the Farmers Home Administration on loans which were made to the poorest class of agricultural borrowers—

Mr. RUSSELL. The poorest credit risks in the Nation.

Mr. AIKEN. The repayments on those loans have compared very favorably with the repayments to the RFC. I am sure, although the loans made by the RFC were made to what was supposed to be a higher and better class of borrowers—in the case of the RFC, to industrial and financial borrowers.

I am sure a very good record has been made, considering the fact that loans have been made only to persons who could not borrow money anywhere else.

However, I do question the language of the amendment and the continuance of the language year after year in the appropriation bill. It seems to me that there cannot be a clear statement of the Government's financial affairs, in reporting on what our expenditures and our receipts are, until this matter is treated as one related to the expenditures and receipts of the Government, rather than as public debt transaction. I think that point should be cleared up, and that a correction should be made.

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

Mr. RUSSELL. I am glad to yield to the Senator from Minnesota.

Mr. THYE. I should like to raise a question in connection with this matter. Certainly it is never the intention to write off any of these loans unless it becomes a positive fact that the loan cannot be collected. The loan may be carried for a number of years; and it is necessary to review it again and again before a decision finally is reached to write off the loan as being uncollectible.

I think that has been one reason why it has been difficult to write any specific language on this point, because it is the desire not to write off such a loan if it can possibly be collected. For that reason, the language is broad, almost to the point of vagueness, in this case.

However, I would say as the Senator from Georgia has said, that probably there is no other legislative provision which has done more, actually, to take a young man or a young family off the relief rolls or to get them out of a discouraged state of mind, and put them on a self-supporting and self-respecting basis, by providing them with funds, and by doing so at a time when they have neither credit nor proof that they would be good managers, except for the fact that the man may have been a good hired man somewhere in the neighborhood. He may have married a good, sound, reliable young girl, and that was the only asset he had. No banker could loan to a man under those circumstances. Here was an agency from which he could obtain the funds, start farming, and, in due time, pay off the loan.

I could relate three specific cases of young men or young couples who obtained such loans. It was only for a matter of 3 or 4 years. The loans enabled them to carry on. They have made a most remarkable achievement in starting out in life for themselves. I would say it is one of the appropriations which has functioned in a commendable manner. The vagueness of the language results from the lack of knowledge of how to write an act in such a manner that would be applicable to such a situation.

Mr. RUSSELL. I thank the Senator from Minnesota for his contribution. I shall be through, as soon as I give the Senator from New Hampshire the specific figures for the year 1949. In that year, \$91,507,510 was loaned; principal and interest was collected of \$117,114,511.

Mr. BRIDGES. I may say to the Senator that that is a rather unusual Federal accomplishment; but I still say the regular committees of the Congress should provide for this project by law rather than to place the item in a general appropriation bill.

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

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

Mr. RUSSELL. I am glad to yield.

Mr. WHERRY. I was not present when the testimony was adduced on this item. In the table for loan authorizations the loan authorization for 1950 was given as \$40,000,000 for farm tenancy and housing loans. The estimates for 1951 were \$70,000,000. The House bill provided for \$56,350,000, which was an

increase over last year, but which was short about \$13,000,000 of the budget estimate. I have been quoting from the table of loan authorizations found on page 112 of the committee report. The Senate committee has restored the full amount of the budget estimate; in fact, it has gone further than that and added \$1,350,000. A footnote reads:

Includes \$1,350,000 transferred from direct appropriation for enlargement and development loans.

So the appropriation exceeds the estimate by \$1,350,000. What was the evidence adduced which required the Senate to exceed the budget estimate by \$1,350,000? That is my first question. The second question is, Is the \$1,350,000 cash, or is it a loan authorization?

Mr. RUSSELL. The House transferred the \$1,350,000. I will read to the Senator a brief statement from the House report.

Mr. WHERRY. I have read the side slip.

Mr. RUSSELL. I quote from the House report, page 141:

An increase of \$15,000,000 has been authorized for farm tenancy and housing loans, \$1,350,000 has been approved as a transfer from direct appropriation to borrowing authorization for enlargement and development loans under section 504b of the Housing Act of 1949, and an additional \$1,000,000 in borrowing authority has been provided for water facilities loans.

The reason for that, and what has happened, is that instead of appropriating the money directly from the Treasury, it was all put into this loan arrangement, to be borrowed from the Secretary of the Treasury. Last year we made a modest appropriation for the Housing Act, and it was made as a direct appropriation from the Treasury.

Inasmuch as the House had included the \$1,350,000 in the funds authorized to be borrowed from the Secretary of the Treasury, instead of making it as a direct appropriation, we left it in that shape.

Mr. WHERRY. The point I make is, Was there a decrease by \$1,350,000 at some other place in the appropriation bill? This exceeds the budget estimate by \$1,350,000.

Mr. RUSSELL. Oh, no.

Mr. WHERRY. The Budget estimate for 1951 is \$70,000,000, and the Senate committee has recommended \$71,350,000. That is provided through the transfer of funds. What I should like to ask is, If the transfer is made and covers this particular item, where is it deducted in the appropriation bill?

Mr. RUSSELL. The Senator is mistaken about the Budget Bureau's estimate. The total Budget estimate was \$160,000,000.

Mr. WHERRY. We are talking about farm tenancy and housing loans. I refer merely to loans.

Mr. RUSSELL. Very well.

Mr. WHERRY. If the Senator will refer to page 112 of the report of the Committee on Appropriations of the Senate he will find the table of loan authorizations.

Mr. RUSSELL. I understand, but the Budget Bureau's estimate for these items was \$160,000,000.

Mr. WHERRY. That is true, but it is broken down into farm tenancy and housing loans, \$70,000,000; production and subsistence loans, \$85,000,000; water facilities loans, \$5,000,000; a total of \$160,000,000. The House bill provided \$145,350,000. The Senate committee has recommended \$160,350,000. The answer is obtained by the breakdown of farm tenancy and housing loans, which we are talking about. I am asking where the \$1,350,000 comes from, and where it is deducted in the appropriation bill. It states in a footnote that the \$1,350,000 was transferred from direct appropriation for enlargement and development loans.

Mr. RUSSELL. Yes.

Mr. WHERRY. I understand that. But why did the Senate committee add \$1,350,000 to the farm tenancy and housing loans, unless the amount were taken from something else? The Budget estimate is \$70,000,000.

Mr. WILLIAMS. Mr. President, if the Senator will yield, I think he will find that \$1,000,000 of that was taken from water facilities loans.

Mr. WHERRY. I understand that. I have that explanation. But it still runs \$1,350,000 above the budget estimate.

Mr. WILLIAMS. The entire amount recommended by the Senate committee is \$160,350,000, which includes an increase in the farm tenancy and housing loans of \$1,350,000.

Mr. WHERRY. That is the point I am making. Why was that done?

Mr. RUSSELL. I am advised by the clerk of the committee, though he has not absolutely shown it to me yet, that it comes off the appropriation and was transferred to loans.

Mr. WHERRY. Does that mean that it comes off the general appropriation for agricultural purposes?

Mr. RUSSELL. That is correct; and it is put into the loan provision.

Mr. WHERRY. Is it deducted in cash? This is a loan authorization.

Mr. RUSSELL. It is deducted from the item for grants. I have the Budget Bureau's estimate now. The item for grants comes under the Farmers Home Administration, for housing.

Mr. WHERRY. Oh, the amount comes off housing, is that correct?

Mr. RUSSELL. On the item found on page 215, in line 16. Whereas the budget estimate is \$2,000,000, the item of appropriation is \$650,000.

Mr. WHERRY. I thank the Senator. That is the transfer that is made, is it?

Mr. RUSSELL. Yes.

Mr. WHERRY. One more thing: Is this still a loan authorization of \$1,350,000, or is it cash coming from the direct appropriation?

Mr. RUSSELL. It is a loan authorization.

Mr. WHERRY. And are the loans reimbursables?

Mr. RUSSELL. Oh, yes.

Mr. WHERRY. They are reimbursables, the same as the farm tenancy and housing loans?

Mr. RUSSELL. Yes.

The VICE PRESIDENT. The question is on agreeing to the amendment on page 215, line 5.

The amendment was agreed to.

The next amendment was, under the subhead "Salaries and expenses," on page 216, line 1, after the numerals "1949", to strike out "\$27,700,000" and insert "\$29,000,000."

Mr. MAYBANK. Mr. President, I should like to ask the distinguished Senator from Georgia a question in connection with page 95 of the report on the general appropriation bill. It has to do with rural electrification and the Southwestern Power Administration. I attended all the hearings on this subject, which, as I recall, were joint hearings of a subcommittee of the Committee on Interior and Insular Affairs and a subcommittee of the Committee on Agriculture and Forestry. I notice, at the end of the first paragraph under the heading "Rural Electrification Administration," the following:

The committee believes that no loan should be made for construction of such facilities unless in areas where private power companies cannot or will not furnish adequate power at reasonable rates and within a reasonable time.

I thoroughly agree with the report, and I concurred in it as a member of the subcommittee, but it was my understanding that the Administrator had the determination, because there were such great variations in various sections of the country. As I understand, up to the present time the Administrator has studied carefully the needs, and it was rather left to the Administrator as to the loaning of the money.

Mr. RUSSELL. I do not know of anyone who can pass upon that question other than the Administrator of the REA. The funds are made available to him. He is responsible for making loans, and certainly it would be within his jurisdiction to determine the facts and reasons.

Mr. MAYBANK. I thank the Senator from Georgia for his statement.

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

Mr. RUSSELL. I yield.

Mr. HILL. Mr. President, I also desire to thank the Senator from Georgia for his statement, because I agree with him 100 percent that it is the Administrator who has the jurisdiction and the full authority for determining what rates are reasonable. As the Senator knows, in States which have public utility commissions all existing rates, presumably, are reasonable from the standpoint of the utility companies, because they have been found so by the State commissions.

Utility rates may be reasonable in the light of a company's accumulation of investments, including uneconomical and obsolete ones, and still be completely unreasonable from the standpoint of the cooperative's need for lower cost power to extend electric service to farmers and its ability to obtain such low-cost power by constructing its own generating facilities.

So, as the Senator knows, under the basic law and under the intent of the

committee, these are facts within the jurisdiction and the authority of the Administrator of the REA to determine.

Mr. RUSSELL. I never had any other thought with reference to it.

Mr. HILL. I will say to the Senator that as a member of the subcommittee, I did not, either.

Furthermore, even though the rates themselves may be reasonable, other terms and conditions demanded by the power companies may impose intolerable burdens on the cooperatives. Such burdens, appearing in many existing contracts, include restrictions on resale of power, refusal to deliver power to the co-ops' load centers, necessitating costly construction by the co-ops; insistence on ratchet clauses requiring the co-ops to pay for more power than they get; and requirements that the co-ops pay higher rates for power used by consumers in larger amounts.

Of course, the Administrator, in considering whether loans should be made on generating plants or transmission lines, has it fully within his jurisdiction to consider, and he should consider, these questions; is that not correct?

Mr. RUSSELL. They all go to the reasonableness of the rates.

Mr. HILL. For instance, a power company in the State of Alabama, in submitting a proposed contract had in the contract a provision permitting the company to stop serving the cooperatives by reason of war. We know, of course, that in time of war it is very important that farmers have power. We know that during the last war farmers, with less manpower, with less fertilizer, fewer insecticides, and other things which they had in the past, stepped up their crops. One important reason why they were able to do it was because so many of our farms had electricity and the farmers were able to use the electricity to step up war production. So, of course, in determining whether rates are reasonable, the Administrator has it in its jurisdiction and should consider all these questions to which I have adverted.

As the Senator knows, the REA has made loans for generation and transmission facilities only where no adequate source of power was available or where a saving in the cost of wholesale power to the cooperatives could be achieved. The matter is in the discretion and in the judgment and determination of the Administrator, just as the distinguished Senator from Georgia has so well said. The policy of the Administrator as to loans for generating plants and transmission lines is clear. It stands today just as it has in the past.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. JOHNSON of Texas. The able Senator from Alabama has well stated the present policy of the REA, as related in its administrative bulletin which was placed in the hearings. The question I should like to ask the Senator from Georgia is this: Was it the intention of the committee to rewrite the REA law through this paragraph in the report?

Mr. RUSSELL. Not in the slightest degree. We did not undertake to rewrite

the REA law, and we did not propose to do anything which would interfere with getting electric current into farm homes.

Mr. JOHNSON of Texas. And there is nothing in either the bill or the report which would overthrow the present policy of the REA?

Mr. RUSSELL. I do not know that I am completely familiar with all the details of the present policy, but there is nothing in the committee report which, in my judgment, disturbs the power or the discretion which the Administrator has under the present law. There has been a feeling in some quarters—but, speaking for myself, I did not concur—with reference to putting anything at all in the report dealing with the subject. There has been a feeling that the proportion of loans being made for generating and transmitting facilities by the REA was increasing at too great a rate, perhaps to the detriment of the cause of getting power into farm homes. Hearings were had for four or five days in conjunction with the Subcommittee on Interior Appropriations.

I was not sufficiently well qualified in the science of electricity and its distribution to be able to pass upon each and every one of the cases presented to the committee. They were presented, on the one hand, by those who were very much in favor of transmission and generating lines, and they were opposed, on the other hand, by those who were very much opposed to them. I could not pass upon the question. It was necessary for someone in the administrative end of the Government to pass on it. The Rural Electrification Administration has its Administrator, and it is his duty to pass upon these applications. That is his obligation under the law.

Mr. JOHNSON of Texas. In the Senator's judgment, there is nothing in this provision, is there, which would take away from the Administrator his authority or discretion?

Mr. RUSSELL. For my own part, I take this to be an admonition to the Administrator to exercise great care in the making of these loans. As I see it, there is nothing in the bill which changes the law. There is nothing in the report of the committee which could be construed as changing the law.

Mr. ELLENDER. Mr. President, I believe the committee was justified in stating that no loans should be made for the erection of generating plants unless private power companies cannot or will not furnish adequate electric current at reasonable rates and within a reasonable time. The Subcommittee on Interior was presented with evidence to show that REA loans were being considered on the guaranty of SPA agreeing to purchase all the current produced so as to make possible the discharge of the proposed loan. In other words, one Government agency guaranteeing the loans of another Government agency. Such should not be permitted for obvious reasons.

Mr. President, I should like to read the following language from page 95 of the committee's report as indicative of the fact that the committee realizes that it was not within the province of the

Appropriations Committee to change the law on the subject of REA:

In view of the importance of this matter, the committee respectfully suggests that the standing Committee on Agriculture and Forestry review this entire subject to determine whether legislation is necessary.

Mr. RUSSELL. Yes. I agree with that. That is where legislation ought to come from. It cannot come from the subcommittee.

Mr. HILL. If there is to be a change in policy, it ought to come from the Committee on Agriculture and Forestry, the standing legislative committee of this body.

Mr. RUSSELL. I took that position in the subcommittee. I also took it in the full committee, but was not sustained. However, that is my position.

Mr. YOUNG. Would the distinguished chairman of the subcommittee interpret the paragraph to mean that REA has been making loans in the past which were not justified, and that this was a word of admonition to the REA to curtail some of its present loans?

Mr. RUSSELL. I made no such statement, Mr. President. I said that for my own part I was not sufficiently expert nor would I undertake to go into the merits or demerits of these loans. I think it is a matter for the Administrator of the REA and for the standing committees of Congress.

Mr. YOUNG. I had the same idea. I felt that there was nothing in the language of the bill which would change the present program or do injury to it. My understanding is that if they are not able to get current from existing companies at reasonable rates they may build generating plants as they have done in the past. Does the Senator have the same understanding?

Mr. RUSSELL. Oh, yes. There is no question that in compliance with the spirit and letter of the original REA Act the Administrator would have that authority when it is necessary to get current to the farmers.

Mr. MAYBANK. Mr. President, I wish to say that what the Senator from Georgia has stated is also my understanding of the matter.

Mr. RUSSELL. Mr. President, the Senator from North Dakota [Mr. LANGER] received a telegram which deals with the subject under discussion. He had to leave before he was able to present the telegram for insertion in the RECORD. I ask unanimous consent that the telegram be printed in the RECORD, at this point.

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

RUTLAND, N. DAK., July 15, 1950.
United States Senator WILLIAM LANGER:
Have been informed restrictive language in pending Senate report on Interior and Agriculture appropriations could have had effects on future administration of generation and transmission loans. Urge your cooperation in bringing about deletion of any language or items that could be construed or interpreted as restricting administration of Rural Electric Administration in any way. The great value of unrestricted policy is in its competitive strength. The good common sense of our cooperatives and Administrator

will avoid unreasonable or excessive investment in generation or transmission. But if REA ever loses its power to build facilities whenever or wherever found necessary expedient or desirable—then our co-ops and the people they serve will be at the mercy of the commercial private-owned utilities. On the other hand the threat of real competition will make them willing to coordinate and cooperate for the common and public good. We have achieved a considerable degree of coordination and cooperation with the private-owned public utilities here in North Dakota. We could never have done this with a restricted Rural Electric Administration. Strongly urge your complete vigilance in maintaining a strong unfettered REA and a public power policy that puts the good of the people above any special privilege group.

OBED A. WYUM,
President, North Dakota Association
of Rural Electric Cooperatives.

Mr. DOUGLAS. Mr. President, may I inquire which committee amendment is now under consideration?

The VICE PRESIDENT. The amendment on page 216, line 1.

Mr. WILLIAMS. Mr. President, I wish to discuss this amendment.

Mr. DOUGLAS. Mr. President, may I inquire what was the Chair's statement? I could not hear it.

The VICE PRESIDENT. The Chair announced that the amendment under consideration is on page 216, line 1.

Mr. DOUGLAS. I should like to point out that last year this organization spent for administration \$26,149,000. The House increased the figure to \$27,700,000, or an increase of more than a million and a half dollars. The Senate committee has raised this figure still further by \$1,300,000. I am very glad to see that everyone seems to approve of the substantive work of the Farmers Home Administration. I think it is doing a very excellent type of work. However, these appropriations would not help the tenant farmers. These appropriations are intended for the officials in the Farmers Home Administration. I hope very much that the Senate will reconsider the action by which it approved the amendment, and I move such reconsideration.

The VICE PRESIDENT. The amendment has not been approved. The question is on agreeing to the amendment on page 216, lines 1 and 2.

Mr. DOUGLAS. I hope very much that the committee amendment will be rejected and that we may save \$1,300,000. Its rejection would reduce the amount of money to be spent by the officials in the Department of Agriculture. Otherwise they would get a million and a half dollars more than they received for the fiscal year just ended.

Mr. RUSSELL. I merely wish to call attention to the fact that last year we passed a housing bill. The provision for farm housing, when compared with what was provided for urban areas, is somewhat pathetic. We have insured billions of dollars' worth of urban housing. However, when we get \$40,000,000 for farm housing all over the Nation, objection is raised to that small amount. Of the billions which we have provided for housing the farmers would get the so-called magnificent sum of \$40,000,000 under the

provisions of this bill. These are not self-executing loans. Someone must execute them and administer them. The item is \$1,000,000 less than the Budget Bureau allowed. We tried to go just as slowly as we could. I think the amendment should be approved.

Mr. WILLIAMS. It is my understanding that the House of Representatives included \$739,385 to take care of the projects which the Senator from Georgia has described.

Mr. RUSSELL. That is correct.

Mr. WILLIAMS. Therefore even if we reject the Senate amendment of \$29,000,000 and accept the House figure of \$27,700,000, that amount would be available to take care of the project which the Senator has described.

Mr. RUSSELL. But that is not for housing alone. Water facilities are involved also. They are considered to be very important.

Mr. WILLIAMS. It does include housing.

Mr. RUSSELL. Yes.

Mr. WILLIAMS. That was included at the time the House determined the figure of \$27,700,000. It will be found that the House figure was \$26,960,615. They decided to make it the round figure of \$27,700,000, and included in that item are all the expenses which the Senator from Georgia has described. The Senate Appropriation Committee has increased that item by an additional \$1,300,000. As one who voted for the reorganization plans, with the thought that if we would support the President in the reorganization of the Government we would get a lower cost of administration, I now find that under this appropriation bill practically every administrative branch of the Government is calling for an average increase of 8 to 10 percent over and above what was allowed to them last year. I do not understand it. I am beginning to wonder if, as one who supported the Hoover Commission reorganization plans on the basis it would provide greater efficiency, I was not being fooled. Instead of saving 3 or 4 billion dollars a year as was promised if we would accept these reorganization plans, we now find the reorganized departments costing more than the old agencies. I wish the Senator from Georgia would point out why this department should cost the taxpayers approximately 10 percent more than it cost last year, and unless good reasons are given I shall vote against the committee amendment, which increases the amount by \$1,300,000.

Mr. RUSSELL. I shall undertake to explain the matter. The amount which was available last year, as I recall, was \$26,960,615, if the appropriation for the full year reflected the increase in salaries that was allowed by the Congress.

In the 1950 estimate, the Budget Bureau approved the sum of \$618,000 for the expense of making additional farm ownership and water facilities loans to homestead entrymen and others on reclamation projects. I am not altogether familiar with the details of those loans, but members of the committee who are familiar with them, who live in the areas where these projects are now

being developed and opened up, stated that that was most important.

Then for costs of making the additional farm housing loans and grants in 1951, and servicing farm housing loans made in 1950, the budget allowed an increase of \$2,059,300.

For servicing in 1951 insured mortgages made in prior years and the additional production and subsistence loans to be made in 1950, the budget allowed \$362,060.

Then there were the pay adjustment costs, which grew out of the increases in pay given under the Accelerated Pay Increase Act, the Ramspeck Act, and any other acts of Congress, which amounted to \$811,615, which made a total of \$30,000,000 for the 1951 Budget estimates.

Of that amount, the Senate committee has allowed a total of \$29,000,000, which is \$1,000,000 below the Budget estimate.

Mr. WILLIAMS. Mr. President, I point out to the Senator that it may be \$1,000,000 below the Budget estimate, but it is still \$2,000,000 more than the amount under which the same agency operated during the past 12 months.

Mr. RUSSELL. I just undertook to explain that there is \$2,059,300, for the housing loans in the rural areas.

Mr. WILLIAMS. That law was in effect at the time the House gave consideration to the bill, and the House decided that \$26,700,000 was enough.

Mr. RUSSELL. Yes, the House decided that, but I do not agree with the House. I do not think these loans will be self-executing. There is no way the provisions of this act can be carried out other than that we have provided.

Time and again I have seen members of the Committee on Appropriations sitting on the floor when there came before the Senate bills to increase the pay of Federal employees and Senators receiving telegrams from one source and another and would come in and vote "aye" to raise the salaries of employees. Then they would go out and telegraph someone, "I voted for your pay increase," and would telegraph another one, "I voted for your pay increase." They received the plaudits of those whose salaries were increased, but later when the Committee on Appropriations received a budget estimate which raised the appropriation a million dollars more than the agency had had the previous year the Senators would come forward and say, "What do they mean by increasing this estimate a million dollars?" The Budget Bureau did not do it; Congress did it by voting for the increases in pay.

The same thought applies when we pass an act such as the Housing Act. We said we were going to let the farmers get just a little housing. Of course, it was hardly enough for them to smell, \$40,000,000 over the entire United States, as compared with a billion dollars poured out for housing in the cities. But when we passed that bill and some official came in and asked for a little money to administer the Farm Housing Act, he was told, "You are going away up in your appropriation." We cannot add to the duties of a bureau of Government on such an extensive scale, to deal with farm

housing in 3,000 counties in the United States, without allowing for some increase in the appropriation to administer the program.

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

Mr. RUSSELL. I yield to the Senator from Delaware.

Mr. WILLIAMS. I am very glad to hear the Senator from Georgia point that fact out, because it is one of the facts that need to be brought out. I remind him that I emphasized the same thought in 1949 at the time the Congress passed the pay-increase bills. I was one of the few Senators who voted against these increases, and, if I remember correctly, the Senator from Georgia voted for them. If I am in error, the Senator can correct me. I agree with him fully that it is inconsistent for those who vote for every salary increase and every authorization bill to then attack the appropriations bills and try to convince the public that they are great economizers.

The best way to cut Government expenditures is to stop voting for the authorizations.

Perhaps I am in error in thinking the Senator from Georgia voted for the pay bills.

Mr. RUSSELL. The Senator's memory is completely in error on that point. It so happened that the Senator from Georgia, the Senator from Arizona, and the Senator from Colorado, who sit in the same row of seats, got together and framed an amendment to reduce every salary increase that was brought out by the Senator's committee, and we got the amendments approved on the floor of the Senate. Then I voted against the bill, after it was amended. As I recall, it was a viva voce vote.

Mr. WILLIAMS. I stand corrected in my statement then. I do know that there were very few Senators who voted against the salary increases. At that time I took the position Congress should not increase the salaries until we had a balanced budget, and I agree with the Senator from Georgia that it is poor taste for those who have consistently voted for the authorizations to attack the appropriations.

Mr. RUSSELL. I hope the Senator did not understand me to be making a personal statement with respect to him when I was discussing the pay-increase bills, because I will say that the Senator from Delaware has saved the Government millions of dollars by his constant objection to such bills on the calendar and otherwise.

Mr. DOUGLAS. Mr. President, the committee has approved \$27,700,000 for administrative expenses of the Farmers Home Administration, which is an increase of \$1,551,000 over 1950 appropriations. The House committee stated, on page 141 of its report, as follows:

This increase will permit the Department to put the farm-housing program authorized on a part-year basis in 1950 on a full-year basis in 1951, and will cover increased pay costs. In addition, it will provide approximately \$300,000 for servicing insured mortgages made in prior years and for handling the additional farm-tenant and water-facilities loans authorized for 1951.

We are not proposing that we should go back to the appropriation for the year 1949 and 1950. We are perfectly willing to have the appropriation go forward by a million and a half beyond that. The House says that is sufficient to provide for the extra work. We simply do not want to go up \$2,800,000.

I point out that if we approve a \$29,000,000 appropriation for administration, that will represent administrative costs of 18 percent of the moneys disbursed and loaned by the Farmers Home Administration. They are disbursing and lending something over \$166,000,000, and here there is recommended \$29,000,000 for administration, which represents an administrative cost of 18 percent. I submit that is a rather high administrative ratio, particularly when, as the Senator from Georgia has correctly pointed out, at least half of the outlays are for loans, not direct appropriations.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee on page 216, line 2.

Mr. DOUGLAS. I ask for a division.

On a division, the amendment was agreed to.

The VICE PRESIDENT. The clerk will state the next amendment of the committee.

The next amendment was, under the subhead "Extension Service—Payments to States, Hawaii, Alaska, and Puerto Rico," on page 217, line 25, after the word "and," to strike out "section 3 of the act approved June 20, 1936 (7 U. S. C. 343c), extending the benefits of the Capper-Ketcham Act to the Territory of Alaska, \$10,000" and insert "the act approved October 27, 1949 (Public Law 417), extending to the Territory of Alaska the benefits of the Capper-Ketcham Act and sections 21 and 23 of title II of the Bankhead-Jones Act, \$42,150; Puerto Rico, section 3 of the act of March 4, 1931 (7 U. S. C. 386f), authorizing extension of the Capper-Ketcham Act to Puerto Rico, \$31,348"; in line 12, after the figures "\$408,000," to insert "and the act approved October 26, 1949 (Public Law 406), extending the benefits of section 23 of title II of the Bankhead-Jones Act to Puerto Rico, \$40,000"; and in line 17, after the name "Puerto Rico," to strike out "\$27,000,000" and insert "\$27,103,498."

The amendment was agreed to.

The next amendment was, under the subhead "Salaries and expenses," on page 218, line 24, after the word "possessions," to strike out "\$900,000" and insert "\$915,000."

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Secretary," on page 219, line 11, after the word "Agriculture," to strike out "\$2,143,300" and insert "\$2,179,300."

The amendment was agreed to.

The next amendment was under the subhead "Office of the Solicitor," on page 220, line 6, after the word "service," to strike out "\$2,450,000" and insert "\$2,675,000"; and in the same line, after the amendment just above stated, to insert "together with such amounts from other appropriations or authorizations as are provided in the schedules in the budget for the current fiscal year for

such expenses which several amounts not exceeding a total of \$207,000 shall be transferred to and made a part of this appropriation."

Mr. DOUGLAS. This is not an appropriation for persons giving direct service to agriculture. It is an appropriation for lawyers in the Department of Agriculture. In 1950 the appropriations for legal services in the Office of the Solicitor were \$2,364,000. The House upped that to \$2,450,000, an increase of \$86,000. The Senate committee is now proposing an appropriation of \$2,675,000, which is an increase of over \$300,000 compared with the appropriation for the current year. There is the further provision that there shall be added to this sum for legal services other appropriations or authorizations provided for in various other items in the bill.

The legal profession is a very valuable profession, but it seems to me that economy can be made on the legal staffs in virtually every governmental bureau in Washington. Washington is well known for being top heavy with lawyers, and the departments are top heavy with lawyers. This is one place where we can effect a reduction without impairing service in the slightest.

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

Mr. DOUGLAS. I yield.

Mr. SCHOEPEL. Has the Senator from Illinois made investigation to determine how much of this additional \$250,000 or \$300,000 increase is for the use of law libraries? It is inconceivable to me that a request of that kind should be made, because in every section of the United States, in every city of any consequence or in every country of any consequence there are public law libraries.

Mr. DOUGLAS. I do not know. I cannot believe, however, that that is an item which is of any significance in the total. I believe the principal amount must be for the payment of lawyers.

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

Mr. DOUGLAS. I yield.

Mr. AIKEN. The Senator from Illinois understands, does he not, that it takes a great many lawyers to find the proper interpretation for acts of the Congress which will be entirely satisfactory to the head of the Department that employs the lawyers. Being sure of that on my own part, I will gladly support the proposal of the Senator from Illinois to kill this amendment.

Mr. DOUGLAS. The Senator from Vermont has again and again, I think very properly, called the attention of the Senate and the country to the fact that increasingly the heads of departments, instead of asking for legal opinions from the Attorney General, ask for legal opinions from their own legal departments, and then these legal departments solemnly give opinions satisfactory to their chiefs.

The Senator from Vermont has pointed that out again and again, and I quite agree with him in that respect. I am delighted that he reinforces my proposal.

Mr. AIKEN. Mr. President, I think I pointed out that for the year 1948 the

Attorney General's office, which is supposed to interpret laws which are not clear to the agencies which are concerned, gave only 33 formal opinions on laws to all the agencies of the Government. The other interpretations, or "misinterpretations" perhaps would be a better word, for some of them anyway, were made by solicitors in the offices of the various agencies, and, of course, the solicitors and their staffs, being responsible to the heads of the agencies for their jobs, do the best they can to bring forth interpretations which will be satisfactory to the heads of the agencies which employ them.

One of the greatest weaknesses of our Government today is the great amount of employment and money expended on these solicitors' offices, which spend so much time in finding ways of getting around the intent of the Congress.

Mr. RUSSELL. Mr. President, I realize it is always very popular to jump on the lawyers in the Government.

Mr. AIKEN. No, no, Mr. President; I was not jumping on the lawyers. I was jumping on the heads of the departments who insist that the lawyers bring in the interpretations they want.

Mr. RUSSELL. I am impressed by the fact that in every revolution the first persons who are in danger are the lawyers. When Jack Cade delivered his famous address to his men at Cheapside, he told them how he was going to bring it about so that they could buy a 3-penny glass of ale for half a penny, and a 4-penny loaf of bread for 1 penny, and one of his men said, in referring to the revolution, that "the first thing we will do is to kill off all the lawyers." Much of that same spirit seems to have come down from the days of Jack Cade's rebellion.

It is not a question of securing lawyers for the Department of Agriculture. The increase was not put in the bill arbitrarily and capriciously to give Mr. Brannan some high-powered gentleman who could twist the laws around to his liking. It was put in the bill in the hope that we would be able to have a sane lending program in connection with the telephone legislation which was passed last year and the housing legislation which was passed last year, which greatly adds to the legal duties of the Department of Agriculture.

The Department is going to lend a great deal of money under those two bills. It is going to lend \$40,000,000 for housing, and \$30,000,000 is contained in the act dealing with the rural telephone program.

In addition innumerable cases are arising by virtue of the imposition of acreage allotments and marketing quotas in the case of some commodities, and the plans we have been compelled to make for adjustments on other crops next year. Of course, if this war continues I imagine all acreage allotments and marketing quotas will go out the window, because the farmers will be requested to produce a great deal more.

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

Mr. RUSSELL. I yield.

Mr. AIKEN. The Senator from Georgia realizes, does he not, that if

acreage allotments and quotas go out the window probably twice as many lawyers will be required to enforce the price ceilings on farm commodities.

Mr. RUSSELL. That will not be a matter which will be dealt with in the Department of Agriculture. If that must be dealt with we will have a Mr. Henderson or someone else to handle it.

Mr. McKELLAR. Mr. President, will the Senator yield for a moment?

Mr. RUSSELL. I yield.

Mr. McKELLAR. The subcommittee took proof as to all these matters, did it not?

Mr. RUSSELL. The subcommittee did, yes.

Mr. McKELLAR. The bill was reported after the most careful investigation and after extensive proof, and after careful consultation both in the subcommittee and in the full committee. Is it not reasonable to suppose that what was done in the subcommittee and in the full committee is a better way of legislating than simply to take the offhand opinion of one of our own Members on the floor?

Mr. RUSSELL. Mr. President, I merely wish to say that the committee reported this item \$395,000 below the budget. Some Senators have been talking about a 10-percent cut. Here is a case where more than a 10-percent reduction was applied to the budget estimate. I believe it would be a short-sighted policy to defeat this amendment, involving as it does about \$207,000, when the money is absolutely necessary to any sane and sensible administration of the telephone loan program and of the farm-housing program. Senators can strike it out of the bill if they will, but I underhesitatingly predict that in the long run such action will mean much greater losses to the National Treasury in connection with these two important lending programs which were authorized last year.

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

Mr. RUSSELL. I yield.

Mr. FERGUSON. The side slip does not state the number of lawyers that should be hired. Does the Senator know, from the evidence, the number of lawyers proposed to be employed?

Mr. RUSSELL. I can find how many the Department wanted to employ. I do not know how many the Department will hire with this money, because we applied a rule of thumb and hoped this modest increase would be sufficient to enable the Department to avoid great loss in connection with the telephone loan program and the housing program. We have the figures requested by the Department, but it is impossible for me to carry them all in my mind. They requested 125 lawyers. That is the number they would employ if they were allowed the entire six-hundred-thousand-odd dollars requested. I imagine the amount the committee allowed would, on the original basis, probably mean the employment of 35 or 40 lawyers.

Mr. FERGUSON. Does not the Senator feel that such a number of lawyers is altogether too many simply to interpret the provisions of three or four

statutes? Could not such interpretation be made in the local office?

Mr. RUSSELL. This appropriation is for the local office.

Mr. FERGUSON. That is what I understood. Does not the Senator feel that 40 lawyers are too many to be employed simply to interpret three or four laws?

Mr. RUSSELL. I think if they can get by with respect to the Telephone Loan Act with 40 lawyers it will be an achievement to be hailed throughout the country. If a private enterprise were to embark on a program of that kind, which is supposed to expand from year to year and will involve the lending of probably \$2,000,000,000 of Government funds, they would undoubtedly employ more than 40 lawyers, and each lawyer would be paid three times the salary scale provided for the Government lawyers. If some gigantic organization were getting ready to embark on a program of the same kind it would certainly need more lawyers than are proposed to be hired by the Government.

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

Mr. RUSSELL. I yield.

Mr. FERGUSON. I agree that they would be paid more money, but I do not think any firm would hire 40 lawyers.

Mr. RUSSELL. Many a firm would have more than 40 lawyers.

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

Mr. RUSSELL. I yield.

Mr. YOUNG. I, too, was of the impression a few years ago that the lawyers in the Department of Agriculture did not work very much. However, last year and the year before I had many occasions to deal with the Department in connection with the REA program. I then found that the lawyers in the Department of Agriculture are among the hardest-working employees of the Government. I have known them to work Saturdays and Sundays, in order to develop programs for my own State.

Mr. FERGUSON. Were they working on programs or on propaganda?

Mr. YOUNG. They were working on the strictly legal aspects of the REA in my own State. I had a lawyer friend from North Dakota working with them, so I know whereof I speak.

Mr. FERGUSON. I am glad to hear that.

The PRESIDING OFFICER (Mr. KERR in the chair). The question is on agreeing to the committee amendment on page 220, in line 6. [Putting the question.]

The "ayes" appear to have it.

Mr. FERGUSON. I ask for a division. On a division, the amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, under the subhead "Office of Information," on page 221, line 19, after the figures "\$611,128", to insert a colon and the following proviso: "Provided, That when and to the extent that in the judgment of the Secretary agricultural exhibits and motion and sound pictures relating to the authorized programs of the various

agencies of the Department can be more advantageously prepared, displayed, or distributed by the Office of Information, as the central agency of the Department therefor, additional funds not exceeding \$300,000 for these purposes may be transferred to and made a part of this appropriation, from the funds applicable, and shall be available for the objects specified herein."

Mr. AIKEN. Mr. President, may we have an explanation of this amendment? I understand that it provides for an additional \$300,000 for sound pictures which will set forth and propagandize the programs of the various agencies of the Department of Agriculture. I, for one, would like to have an explanation of this amendment, and I should like to know its source.

Mr. RUSSELL. Mr. President, the language to which the Senator adverts, which I believe is to be found on page 221, beginning in line 19—

Mr. AIKEN. That is correct.

Mr. RUSSELL. That language has previously appeared in the appropriation bill. It was submitted by the Bureau of the Budget this year. It was then approved by the House Committee on Appropriations, but was stricken from the bill when the bill was being dealt with on the floor of the House of Representatives. That action was taken on a point of order.

The amendment was voted by the Senate Appropriations Committee to be restored to the bill, in view of the statement to the committee by the Department of Agriculture, which I shall read:

The purpose of this language is to facilitate financing the production and distribution of motion pictures for bureaus in the Department by the existing and authorized facilities in the Office of Information. The authority of the Department to produce motion pictures, in furtherance of the purposes of the Organic Act of 1862 (5 U. S. C. 511) has long been recognized and the Department has provided them since 1912. They are used mainly by the Extension Service as education and demonstrational aids.

The authority to transfer contained in this language was inserted in the Agriculture Appropriation Act of 1943. While essentially the same result can be accomplished under the reimbursement authority of section 601 of the Economy Act, the above provision permits a merger of transferred funds, in the interests of simpler accounting.

Mr. AIKEN. But has the amount been used in other years?

Mr. ANDERSON. Mr. President, will the Senator yield on this point?

Mr. AIKEN. I yield.

Mr. ANDERSON. Let me say that one of the best of all sound motion pictures developed by the Department of Agriculture is one which deals with the preservation of agricultural products in canning work and in the preservation of fruits. I am sure the Senator from Vermont is familiar with some of those motion pictures. Their great advantage is that instead of requiring a home demonstration agent to go from house to house and to set up the demonstration in each house, films are now available to show how these facilities can be used in the deep-freeze units—an extremely fine demonstration of what to do in the home canning of fruits and vegetables.

I think the sound film developed on the canning of fruits and vegetables alone is worth all the money which has been used for this purpose.

Mr. AIKEN. But if there already is a provision of \$1,265,800 for this purpose, is the Secretary of Agriculture to be given authority to exercise his own judgment in the spending of an additional \$300,000 for the production of motion and sound pictures relating to the authorized programs of the various agencies of the Department? Why do we have the appropriation in two places? Why do we provide that the \$300,000 can be taken from some other fund if the Secretary of Agriculture desires to use it in the production of motion and sound pictures which will set forth the work of any agency of the Department which he may choose to have set forth?

The amendment almost gives the Secretary of Agriculture unlimited authority to produce the kind of motion picture or sound picture he wishes to have produced, so long as it has some relationship to the work of one of the agencies of the Department of Agriculture.

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

Mr. AIKEN. Certainly; but first let me say that I am particularly concerned with this amendment, and perhaps the Senator from New Mexico knows why.

Mr. ANDERSON. I can only say to my good friend, the Senator from Vermont, that I do not know why the matter is handled in this fashion. I was only attempting to reply to the question as to whether or not sound films and motion pictures demonstrating the work of the Department have heretofore been used.

I say that in my opinion the expenditure of money for films heretofore prepared has been a very good expenditure.

Mr. AIKEN. The Senator from New Mexico is entirely correct. If properly used, a reasonable amount of money well spent would return good dividends on the investment.

However, I see no restriction on the Secretary of Agriculture in regard to the use of this \$300,000 to produce the kind of film he may wish to have produced, so long as it relates to some phase of the work of the Department of Agriculture.

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

Mr. AIKEN. I yield.

Mr. FERGUSON. Can the Senator say whether any division of the Department of Agriculture which under the agricultural appropriation has any money to spend in relation to authorized programs of the various agencies of the Department, could transfer all that money to this particular agency and have it do all the work and handle all the program?

Mr. AIKEN. I would rather have the Senator from Georgia answer that question. As I read the law, it seems to me that \$300,000 would be taken out of the \$1,265,800. Or could it come from any unused funds of the Department of Agriculture?

Mr. RUSSELL. No; the \$300,000 is very similar to the appropriation for the Office of the Secretary. As the Senator

is aware, there go into the Office of the Secretary various allotments from various bureaus and agencies within the Department of Agriculture, for the purpose of supervision of the work within that agency. I think the \$300,000 is in addition to the appropriation referred to by the Senator, and I think it can be transferred from funds which are appropriated for the various branches of the Department of Agriculture.

Mr. FERGUSON. But not necessarily under the Office of Information? That is the idea, is it not?

Mr. RUSSELL. It has to be spent under the Office of Information.

Mr. FERGUSON. But it can come from any other agency of the Department of Agriculture; can it not?

Mr. RUSSELL. Oh, yes; there is no question about that.

So, as I understand this \$300,000, it comes by transfer from any agency of the Department. For example, I think the Commodity Credit Corporation, if it has any funds available for this purpose, can transfer them so as to have a film made to show farmers how to store corn in home storage; and the money could also be used for the distribution of that film.

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

Mr. AIKEN. I yield.

Mr. FERGUSON. Could the money also be used to show the advantages or disadvantages of the Brannan plan? It could be used for that purpose, could it not?

Mr. RUSSELL. Mr. President, if the Senator from Vermont will permit me to reply, let me say that I do not think the money could be used for that purpose at all. If I thought it could be used for that purpose, I certainly would not approve of this amendment. However, I do not think the money could be used for such a purpose, because the amendment states that the funds may be used for "authorized programs."

Up to this good moment, the Congress of the United States has not authorized the Brannan plan.

Mr. AIKEN. Mr. President, let me say to the Senator from Michigan that I think I agree with the Senator from Georgia that the money could not legally be used to promote a new program. But the money could be used for the production of a sound or motion picture to show how the American farmer in recent years has attained salvation under the programs of the Department of Agriculture.

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

Mr. AIKEN. I yield.

Mr. FERGUSON. Marketing is a part of the Brannan plan, is it not? Distribution is a part of the Brannan plan, and both are recognized in other sections relating to the marketing of farm products. Does not the Senator think that the funds could be used for that purpose, and, therefore, to demonstrate the values of the Brannan plan?

Mr. AIKEN. The Senator from Michigan believes, as I do, that certain funds appropriated to the Department of Agriculture have already been used—or misused—for the promotion of the Brannan plan.

There is no guaranty that, if Commodity Credit or PMA funds have been used for that purpose, this \$300,000 movie or sound film could not also be used at least promote enthusiasm, to show that while we are doing pretty well under the present programs, we might do even better.

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

Mr. AIKEN. I yield.

Mr. FERGUSON. The Senator is familiar with the recent program in Minnesota, under which some \$34,000 or perhaps as much as \$50,000 was used in behalf of the Brannan plan, even though not authorized. The Senator has no doubt as to that fact, has he?

Mr. AIKEN. I also pointed out recently, when the Senator from Michigan was absent from the Senate Chamber, that the Comptroller General never ruled on the point raised by the Senator from Michigan, namely, that the Secretary of Agriculture, at the meeting in Minnesota, violated the law by making a speech in favor of the Brannan plan. The Comptroller General held that it was a matter which would properly come before the Department of Justice, not before the Comptroller General.

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

Mr. AIKEN. I yield to the Senator from Delaware.

Mr. WILLIAMS. Is the Senator from Vermont familiar with the statement I made previously on the floor of the Senate, in which I showed that the Secretary of Agriculture had pointed out to his top PMA men that in his opinion it was more important that they work toward the enactment of his legislative program than that they work to make the existing law function?

Mr. AIKEN. I believe the Senator from Delaware made some such statement.

Mr. WILLIAMS. I quoted a portion of a letter which the Secretary had written to his top officials, in which he had made that statement.

Mr. AIKEN. There is some indication that at least a few of them have borne that admonition in mind. It appears to me that this is definitely legislation on an appropriation bill, and I ask the Chair to rule on it.

The PRESIDING OFFICER. Does the Chair correctly understand that the Senator from Vermont is making the point of order?

Mr. AIKEN. I am making the point of order that it is legislation on an appropriation bill.

Mr. RUSSELL. Mr. President, I should like to be heard on the point of order.

Mr. AIKEN. I may say that I am highly suspicious of this item of \$300,000, which is to be used for the production of a sound or motion picture, as proposed. I make the point of order that it is legislation on an appropriation bill.

Mr. RUSSELL. Mr. President, it is a legislative matter, but it is an amendment to a legislative matter, because the language which precedes it, writing out all the numbers of the yearbooks which can be printed, is itself legislative. So

it is an amendment to a legislative provision which comes to us in the House bill. We certainly have a right to amend a House legislative provision which comes to the Senate. When the House undertakes to write out and prescribe how many of the Yearbooks of Agriculture shall be printed for the use of the House and Senate, and to write in a great deal of legislation in connection with the Office of Information, the Senate has a right to amend it to the extent proposed, because when the House legislates, then the Senate has a right to legislate. The House provision, prescribing the number of yearbooks which can be printed, is purely legislative. That is one form of information. We come forward with another.

While I am about it, the distinguished Senator has talked about a sound film. This provision is not only for a sound film, but for preparing an agricultural exhibit to be taken around to State fairs and gatherings of that kind. It was not placed in the bill with any idea of promoting the Brannan plan—perish the thought, so far as our committee is concerned.

I do not know how the Members feel about it. I did not poll them. But this is a provision which has been in the bills since 1943. It is not a new idea to assist by means of the dissemination of information by way of agricultural exhibits, moving pictures, and otherwise. It has been in progress since 1943, and it is certainly not put in this bill with any idea of propagandizing for the Brannan plan. The Brannan plan was in existence before 1943. It was not called the Brannan plan. It bore the name then of a gentleman from Iowa or Illinois, some doctor from one of the agricultural college experiment stations in that area, who headed the movement as an emergency or a depression measure.

The Secretary of Agriculture, Mr. Brannan, later pinned his name to the program evolved by this professor. But there is nothing about the Brannan plan in this amendment. I hope the Senator will not assail it on those grounds, because it does not relate to the Brannan plan.

Mr. AIKEN. I may say that the Senator from Vermont did not bring up the idea that this might be used for promoting the Brannan Plan. However, the Senator from Vermont is not satisfied with this provision. I should prefer, Mr. President, to make the point of order that the provision is not germane to the bill.

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

Mr. RUSSELL. I yield.

Mr. WHERRY. Is it not a fact that this identical language was stricken from the bill in the House, that a point of order was made against it, and that it was removed from the bill for that reason?

Mr. RUSSELL. That is exactly correct. But the House has an entirely different system from that of the Senate when it comes to dealing with points of order.

Mr. WHERRY. I understand that. But, unless there is something else about

this amendment which is absolutely germane—

Mr. RUSSELL. Of course, it is germane.

Mr. WHERRY. Unless it amends the provision which came to the Senate from the House, it seems to me that it is not germane.

Mr. RUSSELL. It is a proposal to amend what the House sent to the Senate.

Mr. WHERRY. That is correct.

Mr. RUSSELL. What the House sent to the Senate was a provision for information, and this amendment relates to information. It provides for exhibits explaining new agricultural developments of major interest to farmers and is supplied to some 35 large State and interstate fairs which request this material each year. Technical assistance and production facilities are also extended to department agencies for the preparation of small exhibits, for limited use. In addition, the Office of Information provides motion picture, radio, and projection service for the Department and supervises the distribution of films from 72 cooperative State film libraries for the use of extension agencies.

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

Mr. RUSSELL. I yield.

Mr. AIKEN. This amendment goes far beyond the provisions sent to the Senate by the House. In fact, it authorizes the Secretary to use his own judgment as to whether or not \$300,000 worth of sound or motion-picture film would promote the work of the Department.

Mr. RUSSELL. Upon whose judgment are we going to have to depend for information?

Mr. AIKEN. I ask for the judgment of the Senate upon the point of order.

Mr. CHAVEZ and Mr. LUCAS addressed the Chair.

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

Mr. RUSSELL. I yield first to the Senator from New Mexico, after which I shall yield to the Senator from Illinois.

Mr. CHAVEZ. The language sought to be employed is that which has to do with information.

Mr. RUSSELL. That is correct.

Mr. CHAVEZ. It happens that what the House did was to provide for information in the form of yearbooks. The yearbook contains possibly a thousand items of information beneficial to the farmer. Am I correct?

Mr. RUSSELL. Of course.

Mr. CHAVEZ. Besides the items outlined in the yearbook, giving sound information to the farmer, the Senate amendment provides only for additional information, but, nevertheless, information. Is that not correct?

Mr. RUSSELL. That is correct. There can be no question about the germaneness of the amendment. The item is as follows:

For necessary expenses in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, the preparation, distribution, and

display of agricultural motion and sound pictures, and exhibits, and the coordination of informational work in the Department.

It goes on to provide for the publication of 230,850 copies of the yearbook for the use of the House and the Senate, which is certainly legislation. Then comes the amendment which provides for additional information dealing with agriculture, to be furnished by the transfer of \$300,000 from other appropriations. Then follows this legislation:

That in the preparation of motion pictures or exhibits by the Department, not exceeding a total of \$10,000 to be used for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944—

And so forth. That is legislation. The whole section is legislation.

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

Mr. RUSSELL. I yield.

Mr. LUCAS. The Senator from Georgia has just read into the RECORD what I had intended to read, under the general caption of "Office of Information." Everything which he has read, it seems to me, is right in line with what the proviso does. It deals with the same subject matter, and it seems to me it is all absolutely germane.

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

Mr. RUSSELL. I yield.

Mr. WHERRY. The point on which the House sustained the point of order, however, was that the \$300,000 was to be transferred from other bureaus within the Department of Agriculture, in addition to the amount of money allocated for the purposes which the Senator just mentioned. It seems to me it is new legislation, and that the House was correct in striking it out.

Mr. RUSSELL. I do not intend to pass on the rules of the House, because from what little experience I have had I know that they are widely different from the rules of the Senate. Limitations are not out of order in the House. In the Senate it has been held that all limitations are out of order. There is no similarity of rules as between the House and the Senate in dealing with appropriation bills. I claim, and shall continue to insist so long as I am a Member of the Senate, that when the House legislates one line, as it does when it spells out the number of yearbooks to be printed, it has opened the door, and the Senate can legislate on the subject even in an appropriation bill.

Mr. WHERRY. I agree with the distinguished Senator in that respect, but I make the point that that was not the issue in the House. It was not on the question of whether it was germane to the Office of Information; it was that the \$300,000 was to be transferred within the Department for the purposes outlined. It was on that question that the point of order was made. I submit that if the Senate attempts to write it into the bill under the theory that it is amending what the House did, a point of order can properly be made.

Mr. RUSSELL. I do not agree at all with the Senator from Nebraska.

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

Mr. RUSSELL. I yield.

Mr. McKELLAR. Mr. President, the amendment provides that—

Not exceeding \$300,000 for these purposes may be transferred to and made a part of this appropriation, from the funds applicable, and shall be available for the objects specified herein.

The amendment could not be more germane.

Mr. McFARLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McFARLAND. Is a point of order debatable?

The PRESIDING OFFICER. It is not debatable.

Mr. McFARLAND. I insist on the regular order.

The PRESIDING OFFICER. The Senator from Georgia has raised the question of germaneness of the Senate amendment, which has just been discussed, to the bill as passed by the House.

Under rule XVI, paragraph 4, the Chair will submit the question of germaneness to the Senate, which, under the rule, is not debatable.

Mr. WHERRY. Mr. President, if the Senate is anxious to have a vote on this question tonight, the junior Senator from Nebraska will suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Aiken	Hickenlooper	Millikin
Anderson	Hill	Morse
Brewster	Holland	Murray
Bridges	Humphrey	Myers
Butler	Ives	O'Mahoney
Chapman	Jenner	Pepper
Chavez	Johnson, Colo.	Robertson
Connally	Kerr	Russell
Cordon	Kilgore	Saltonstall
Donnell	Langer	Schoeppel
Douglas	Lehman	Smith, Maine
Dworshak	Lodge	Smith, N. J.
Eastland	Lucas	Stennis
Eaton	McFarland	Taft
Ellender	McKellar	Thomas, Okla.
Ferguson	Magnuson	Thye
Fulbright	Malone	Watkins
George	Martin	Wherry
Graham	Maybank	Williams
Hayden		Young

The VICE PRESIDENT. A quorum is present.

The question is, Is the committee amendment before the Senate germane to the House provision? The question is submitted to the Senate.

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

The VICE PRESIDENT. The Senator will state it.

Mr. WHERRY. The rule provides that no further point of order can be made and that the question of germaneness must be settled by a vote.

The VICE PRESIDENT. Two questions are involved. One is the question of new legislation. Where new legislation is proposed by a committee, the Senate may decide that it is germane to the provision in a House bill. In that case the point of order on the ground that it is new legislation no longer lies.

Mr. WHERRY. In other words, if the Senate decides that the language is germane, the point of order is actually settled by the vote on the question of germaneness.

The VICE PRESIDENT. If the Senate decides it is germane, of course it can vote on the question of agreeing to the amendment separately. However, the point of order that it is new legislation is then disposed of.

Mr. TAFT. A point of inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state it.

Mr. TAFT. Germane to what? Germane to the bill? Germane to the provision of the House bill?

The VICE PRESIDENT. Germane to the House language, to which it is an amendment.

The Senator from Georgia, in charge of the bill in reply to the point of order that it was new legislation, contended that it was germane to the provision of the bill to which it is an amendment, which is the House language.

Mr. WHERRY. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WHERRY. Was the point of order raised to the question of germaneness or on the ground of new legislation?

The VICE PRESIDENT. The point of order was made against the amendment on the ground that it was new legislation, and the Senator from Georgia, to counter that point of order, said that it was germane to the legislative provision in the House text.

Mr. WHERRY. I did not hear the Senator from Georgia raise the question of germaneness, and the point of order was not debatable, so how was it raised?

The VICE PRESIDENT. The present occupant of the chair was temporarily called out at the time the point was raised, but the Chair understands that when the point of order was raised against the language on the ground that it was new legislation, the Senator from Georgia contended that it was germane to the House provision, and that raised the question, and the occupant of the chair at that time submitted the question to the Senate, and the point of no quorum was made. That is the present situation.

The question is, Is the amendment germane to the House language?

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

The yeas and nays were ordered.

The VICE PRESIDENT. Those who take the position that the language of the committee amendment is germane to the House language will vote "yea." Those who take the contrary position will vote "nay."

The Secretary will call the roll.

The legislative clerk called the roll.

Mr. MYERS. I announce that the Senators from Connecticut [Mr. BENTON and Mr. McMAHON], the Senator from North Carolina [Mr. HOEY], and the Senator from Maryland [Mr. TYDINGS] are absent on public business.

The Senator from Virginia [Mr. BYRD], the Senator from Delaware [Mr. FREAR],

the Senator from Iowa [Mr. GILLETTE], the Senators from Rhode Island [Mr. GREEN and Mr. LEAHY], the Senator from Wyoming [Mr. HUNT], the Senator from Texas [Mr. JOHNSON], the Senator from Nevada [Mr. McCARRAN], the Senator from Arkansas [Mr. McCLELLAN], the Senator from West Virginia [Mr. NEELY], the Senator from Utah [Mr. THOMAS], the Senator from Maryland [Mr. O'CONOR] are detained on official business.

The Senator from California [Mr. DOWNEY] is absent because of illness.

The Senator from South Carolina [Mr. JOHNSTON], the Senator from Louisiana [Mr. LONG], the Senator from Idaho [Mr. TAYLOR], the Senator from Kentucky [Mr. WITHERS] are absent by leave of the Senate.

The Senator from Tennessee [Mr. KEFAUVER] is absent on official committee business.

The Senator from Alabama [Mr. SPARKMAN] is absent by leave of the Senate on official business.

I announce further that if present and voting, the Senator from Texas [Mr. JOHNSON], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Arkansas [Mr. McCLELLAN], and the Senator from West Virginia [Mr. NEELY] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Washington [Mr. CAIN], the Senator from South Dakota [Mr. MUNDT], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

The Senator from California [Mr. KNOWLAND] is absent because of a death in his family.

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

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The Senator from Ohio [Mr. BRICKER], the Senator from Kansas [Mr. DARBY], the Senator from Vermont [Mr. FLANDERS], the Senator from South Dakota [Mr. GURNEY], the Senator from New Jersey [Mr. HENDRICKSON], and the Senator from Wisconsin [Mr. MCCARTHY] are detained on official business.

The yeas and nays resulted—yeas 35, nays 25, as follows:

YEAS—35

Anderson	Hill	Maybank
Chapman	Holland	Morse
Chavez	Humphrey	Murray
Connally	Johnson, Colo.	Myers
Donnell	Kerr	O'Mahoney
Douglas	Kilgore	Pepper
Eastland	Langer	Robertson
Ellender	Lehman	Russell
Fulbright	Lucas	Stennis
George	McFarland	Thomas, Okla.
Graham	McKellar	Young
Hayden	Magnuson	

NAYS—25

Aiken	Ives	Smith, Maine
Brewster	Jenner	Smith, N. J.
Bridges	Kerr	Taft
Butler	Lodge	Thye
Cordon	Malone	Watkins
Dworshak	Martin	Wherry
Eaton	Millikin	Williams
Ferguson	Saltonstall	
Hickenlooper	Schoeppel	

NOT VOTING—36

Benton	Cain	Downey
Bricker	Capehart	Flanders
Byrd	Darby	Frear

Gillette	Knowland	O'Connor
Green	Leahy	Sparkman
Gurney	Long	Taylor
Hendrickson	McCarran	Thomas, Utah
Hoey	McCarthy	Tobey
Hunt	McClellan	Tydings
Johnson, Tex.	McMahon	Vandenberg
Johnston, S. C.	Mundt	Wiley
Kefauver	Neely	Withers

The VICE PRESIDENT. On this vote the yeas are 35, the nays are 25, the Senate holds the amendment germane, and that settles the point of order on the ground that it is new legislation.

COMMUNISTS IN GOVERNMENT SERVICE—
REPORT OF MAJORITY MEMBERS OF
SUBCOMMITTEE OF FOREIGN RELATIONS COMMITTEE

Mr. LODGE. Mr. President, the report of the majority members of the Tydings subcommittee which is just out, not having gone through the Foreign Relations Committee, asserts that I was absent for 9 of the 31 sessions of the meetings of the subcommittee, that for this reason the subcommittee was "burdened in its work" and that there was significance in most of these absences coming during consideration of the Amerasia case.

The truth is that the Senator from Rhode Island [Mr. GREEN], who is one of the majority signers of the report, missed five meetings—five of the nine—as I did, because we were members of the subcommittee of two which was taking testimony in New York and abroad on the day-to-day policing of the loyalty program pursuant to a unanimous vote of the full subcommittee. This was between the date of May 26 and June 5 when most of the consideration of the Amerasia case occurred. I missed the other four meetings because a young man who was a close friend of my son's, of myself, and of my whole family, was drowned near my home in Massachusetts and I was preoccupied for several days with many things pertaining to the tragedy. This occurred in March just as the subcommittee was beginning its hearings and could have had no possible effect, burdensome or otherwise, on the work of the subcommittee.

It is a pity—and it is foreign to all the usual courtesies between Senators—that I should be criticized by name for being absent on official committee work and, secondly, for being absent because of the death of a close and beloved friend.

Mr. SMITH of New Jersey and Mr. HICKENLOOPER addressed the Chair.

Mr. LODGE. I shall be glad to yield in a moment when I have completed my statement.

It is this type of petty sniping—this attempt to hit below the belt—which has made the work of the subcommittee so difficult. If the other statements in the majority's report are no more accurate than these statements about myself, the report will be chiefly valuable as fiction and as special pleading, rather than as fact. Indeed this makes the whole document suspect.

The majority report also attacks me by name for reading 12 of the 81 loyalty files. Twelve files taken at random and requiring five whole days to read, are a representative cross-section and convinced me that the files were in such an

unfinished, undeveloped state as not to provide a sound basis for reaching conclusions. It is noteworthy that, while the majority criticizes me for refusing to accept these files blindly at their face value, nowhere in the majority report are these files discussed as individual cases, one by one the way I do. There is merely a blanket endorsement, and there is no way of knowing whether the majority read 81 files or none at all. My report goes into specific details.

Mr. President, in my minority views, I purposely made no personal attacks on any members of the subcommittee and, at this serious moment in history, I shall not do so, but it is necessary that I clarify the flagrant misstatements which the majority have seen fit to make about my part personally in this investigation. They must be indeed desperate men to use these personal methods to divert attention from the main issue which, of course, is the total inadequacy of their investigation.

I now yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. Mr. President, I should like to ask the Senator from Massachusetts a question. As I recall the history of this investigation, the resolution adopted by the Senate authorized the Senate Foreign Relations Committee to investigate the matter and to report to the Senate. Am I to understand that the subcommittee, which was designated to investigate and report to the full Foreign Relations Committee, has released a report to the press purporting to be the report of the full committee?

Mr. LODGE. Yes. It is an unusual proceeding, though, since the subcommittee should have reported to the full Foreign Relations Committee.

Mr. SMITH of New Jersey. As a member of the Foreign Relations Committee, I must utter a vigorous protest against that procedure. I have never heard of it before. The subcommittee was appointed to report to the full committee, and the full committee was to consider it before any public report was made.

Mr. LODGE. I think that is correct. I think it is a most unusual procedure. I know of no reason for taking this unusual procedure and ignoring in rather cavalier fashion all the other members of the committee.

I now yield to the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, I wonder if the Senator from Massachusetts would tell me when he managed to obtain a copy of this report of the subcommittee, that is of the majority members of the subcommittee of which I happen to be a minority member. I am curious about that.

Mr. LODGE. I got it this afternoon at about 4 o'clock. I went down into the sort of battle station they have down in the cellar. I went in and asked a young lady there to give me a copy of the report, which she did. Maybe she was not supposed to do so. Maybe I am not supposed to see it until it comes out in the newspapers tomorrow.

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

Mr. LODGE. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. For a considerable period of time, I may say to the Senator from Massachusetts, I have been obtaining my information about the subcommittee from the newspapers. I have been totally unable to secure a copy, galley proof, or otherwise, of this so-called report of the majority party membership on this subcommittee. I understand it was freely handed out to the newspapers this morning, and perhaps yesterday, and on last Friday at least one or two newspapermen, I am told, had access to the galley proof; and yet, as a member of the subcommittee, I was not provided with any such report. I understand that after some considerable inquiry on the part of my office this afternoon two copies were sent over late, after they had been pretty generally scattered around to the public.

I think it is a rather fantastic procedure, and I expect to have something to say about it when I can find out what the majority has said. One or two little things that have been quoted to me by the press certainly will lend themselves to a considerable amount of interesting comment.

Mr. LODGE. Let me say to the Senator from Iowa that we have a well-established procedure in the Senate, which has developed over the years as the result of experience; and whenever a little handful of Senators undertake to violate that procedure and bypass it, naturally and obviously it makes anything they do suspect.

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

Mr. LODGE. I yield.

Mr. HICKENLOOPER. Was it the understanding of the Senator from Massachusetts that this subcommittee, to which he and I both, at least on paper, belong, was to report to the Foreign Relations Committee as a creature of the Foreign Relations Committee, or was the subcommittee to broadcast its own specialized and very difficult-to-understand findings to the world before they were reported to the Foreign Relations Committee?

Mr. LODGE. My understanding is that the usual procedure is for the subcommittee to report to the full committee, and in this case that has been completely violated.

Mr. HICKENLOOPER. Does the Senator from Massachusetts further understand that assistant counsel for the subcommittee, Mr. Morris, who had no part in the preparation of it, not only was refused a copy of this report, but that at least until this morning, so far as I know, there has been a complete refusal on the part of the majority to pay Mr. Morris' expenses or anything else for the very vigorous investigative work he has done for a considerable time, from, as I recall, March or about that time?

Mr. LODGE. I did not know that. If the Senator from Iowa says it is so, of course I believe it.

Mr. HICKENLOOPER. I am informed that it is true; that his investigations were becoming a little bit too detailed and were producing too many

possible witnesses for the subcommittee; that his activities gave offense to the majority, and they therefore decided to cut him off the expense account and refuse to pay his hotel bills and his travel expenses. So in connection with what investigation he did after that, up until now at least, I think he has advanced his own money: I wondered if the Senator from Massachusetts knew that.

Mr. LODGE. I did not happen to know that, but it does not surprise me, I will say.

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

Mr. LODGE. I yield.

Mr. FERGUSON. The Senator has indicated, in what he has had to say to the Senate, that a majority report has been issued.

Mr. LODGE. Yes.

Mr. FERGUSON. Was that report submitted to all the members of the subcommittee so that a vote could be taken on the issue of that particular report?

Mr. LODGE. No. I am glad the Senator from Michigan asked me that question. I never saw the majority report until this afternoon when I went downstairs and asked a young lady to give it to me, and she did. So my statement of individual views, which is contained in the back part of the subcommittee report, was written completely without knowledge of what the majority were going to say, and I never had any chance to see what the majority were going to say until the thing was in print, and I only got it by the back door, it might be said.

Mr. FERGUSON. Mr. President, will the Senator yield for another question?

Mr. LODGE. Yes.

Mr. FERGUSON. Is it not customary when a subcommittee is going to make a report, and call it a majority report, that the subcommittee report is shown to all the members; that a meeting is called, and a vote is had on the report, and then if a majority of the votes are cast in favor of the report, it will be called a majority report? As I understand, that was not done.

Mr. LODGE. That was not done. No; that was never done at all.

Mr. FERGUSON and Mr. IVES addressed the Chair.

Mr. LODGE. I yield first to the Senator from Michigan and then I shall yield to the Senator from New York.

Mr. FERGUSON. How, under any system of procedure followed in the Senate, can this so-called report be called a majority report of a subcommittee, no voting having ever been taken on the particular document?

Mr. LODGE. No vote was taken in the subcommittee, but three of the five members of the subcommittee have put their names to the report, and I imagine it will be called the majority report. But, of course, there never has been a vote in the subcommittee on this report, because the Senator from Iowa [Mr. HICKENLOOPER] has never seen it at all, and I saw it just this afternoon at 2 o'clock.

Mr. HICKENLOOPER. Mr. President, in order to clear the record, let me say

that I saw it in the hands of a newspaperman in the President's room for a moment, about 30 minutes ago; but otherwise I have not seen it.

Mr. LODGE. The Senator from New York has a copy of it, but I shall not ask him how he got it.

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

Mr. LODGE. I yield.

Mr. FERGUSON. Does the Senator know by what authority the report has been printed at public expense as a majority report of the subcommittee, if it has never been voted upon?

Mr. LODGE. I am at a loss about that; I am puzzled to know how it happened.

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

Mr. LODGE. I yield.

Mr. IVES. I should like to ask my distinguished friend the Senator from Massachusetts whether he feels that the report, by any construction which might be placed upon it, is a direct violation of the resolution by which the investigation is taking place.

I should like to read the resolution again, so the Senate can see just what has happened.

The resolution reads as follows:

Resolved, That the Senate Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete study and investigation as to whether persons who are disloyal to the United States are or have been employed by the Department of State. The committee—

It refers only to the full Senate Committee on Foreign Relations, not to the subcommittee—

shall report to the Senate at the earliest practicable date the results of its investigation, together with such recommendations as it may deem desirable, and if said recommendations are to include formal charges of disloyalty against any individual, then the committee, before making said recommendations, shall give said individual open hearings for the purpose of taking evidence or testimony on said charges. In the conduct of this study and investigation, the committee is directed to procure, by subpoena, and examine the complete loyalty and employment files and records of all the Government employees in the Department of State and such other agencies against whom charges have been heard.

That is the end of the resolution; but again I inquire of the Senator from Massachusetts whether he feels that the intent and purpose of the direction contained in that resolution have been carried out in this instance.

Mr. LODGE. I make it a big point in my statement of individual views; I categorically demonstrate that the subcommittee has not done the job the Senate assigned to it.

Of course I agree wholeheartedly with those who contend that the subcommittee should come first to the full committee, as the prime figure in this whole matter.

Mr. CONNALLY. Mr. President—

Mr. LODGE. I yield to the Senator from Texas.

Mr. CONNALLY. I wish to speak in my own time, Mr. President.

Mr. LODGE. Mr. President, that is all I care to say about this matter. I wish to set the RECORD straight in regard to the point about me.

Mr. CONNALLY. Mr. President, I wish to say that of course I was not a member of the subcommittee, and I took no part in its deliberations.

The Committee on Foreign Relations meets tomorrow at 10 o'clock to hear the subcommittee as to this report. The chairman of the subcommittee, the Senator from Maryland [Mr. TYBINGS] does not happen to be on the floor of the Senate at the moment; but he has stated to me that tomorrow morning at 10 o'clock—and I hope the Senator from Massachusetts will be there; he is a member of the subcommittee—the subcommittee will submit its report to the full committee.

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

Mr. CONNALLY. I yield.

Mr. LODGE. Is the Senator aware of the fact that this report has been released to the press or to a newspaper to be issued tomorrow morning?

Mr. CONNALLY. I have been informed of that. I did not release it to the press.

Mr. LODGE. No; I did not suppose the Senator from Texas had done so.

Mr. CONNALLY. But I have been informed that the release has been made.

Of course, Mr. President, we know that oftentimes releases are made several days ahead of time in order to get news coverage about a matter.

However, I do not think the Senator from Massachusetts had anything to do with releasing the report. I think he is entirely opposed to such practice.

Regardless of all that, let me say that tomorrow the full committee is to meet at 10 o'clock. As I construe the resolution, it means that the full committee will report to the Senate, and that is what the full committee intends to do.

Mr. President, that is a statement of the facts, without any denial of mine in regard to anything that has been said in this connection.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. SMITH of New Jersey. I never heard of this report until an hour or two ago; and then I asked about it, and a copy of the report was sent to my office, as I am informed.

Let me inquire how the subcommittee can make a report until the full committee has met.

Mr. CONNALLY. The full committee has met.

Mr. SMITH of New Jersey. But the subcommittee has not met—

Mr. CONNALLY. Yes; it has.

Mr. SMITH of New Jersey. I am told that not the entire subcommittee has met.

Mr. CONNALLY. Oh, yes; it did meet.

Mr. SMITH of New Jersey. But I have never seen the report until now.

Mr. CONNALLY. The Senator from New Jersey says he has a copy of the report now.

Mr. SMITH of New Jersey. No. I say that I am told that a copy of the report is in my office. I asked for it about 2 hours ago. I insisted upon having it before it went to the press.

Mr. CONNALLY. The clerk of the committee states that copies have been sent to all the members—

Mr. SMITH of New Jersey. Because I requested that it be done, 2 hours ago, because I knew it would have to come to the full committee, for the committee to pass on it.

Mr. CONNALLY. The Senator from New Jersey has a copy of the report now; does he not?

Mr. SMITH of New Jersey. Yes—in my office.

Mr. CONNALLY. Then I hope the Senator will be at ease about it, for he has it.

Mr. SMITH of New Jersey. I have not read it.

Mr. CONNALLY. I have not either.

Mr. SMITH of New Jersey. But I do not understand how the report could be made, unless the full subcommittee acted on it.

Mr. CONNALLY. The subcommittee must have knowledge of it, because the Senator from Massachusetts has individual views of his own which are printed in this pamphlet.

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

Mr. CONNALLY. I yield.

Mr. LODGE. I never saw the report—

Mr. CONNALLY. The Senator from Massachusetts saw the one he signed; did he not?

Mr. LODGE. Of course I did; that almost goes without saying.

Mr. CONNALLY. That is what I am talking about.

Mr. LODGE. But until this afternoon I did not see the report signed by the three majority subcommittee members. That is the point the Senator from New Jersey is trying to make, and I think it is a very good point. I do not see why we are trying to debate it.

Mr. CONNALLY. According to my mathematics, three constitute a majority of five. That is my understanding of arithmetic. The Senator from New Jersey, who is a professor, certainly should know that three is more than two.

Mr. SMITH of New Jersey. I agree with the Senator as to that; but I wish to say that when I am on a committee which is to receive a report from a subcommittee of five, all five of the members of the subcommittee should be present at the meeting with the full subcommittee to make the report. I point out that the two other members of the subcommittee were not consulted. Furthermore, I have been advised that the press was informed of this report before I had seen it.

Mr. CONNALLY. The Senator from New Jersey says he is a member of the full committee. I am not complaining of that; we are glad to have him on the committee.

Mr. SMITH of New Jersey. However, my point is that as a member of the committee, I should have seen the report before it was given to the press.

Mr. CONNALLY. Mr. President, at any rate, I have stated the facts. Senators can draw their own conclusions.

I have stated that the committee will meet tomorrow at 10 o'clock. I hope the Senator from New Jersey will be there, with his usual perceptive ability and with a smile on his face.

Mr. SMITH of New Jersey. I will be there.

Mr. CONNALLY. I hope so.

Mr. LUCAS. Mr. President, the Senator from Massachusetts has said that he filed a separate report, in the nature of individual views. I wonder whether he submitted it to the other members of the full committee, before it was issued, so that the members of the full committee had a chance to see it first.

Mr. LODGE. The other members of the subcommittee had a chance to see it.

Mr. LUCAS. However, my point is that the Senator from New Jersey is complaining because the report of the majority of the subcommittee was not submitted to the full committee before it was issued to the press. I wonder whether the Senator from Massachusetts submitted his individual views to the full committee or to the subcommittee. I am wondering whether the Senator from Massachusetts, in filing his individual report, submitted it to a committee of five, in a special session called for that purpose?

Mr. LODGE. We never have had a vote in the subcommittee on either the report which is signed by the three Senators or on the views which I submitted. Neither of those documents was ever presented for a vote. The three Senators said, "We are going to make our report." I said, "I will make my report." I then turned in my report. I have been wondering for a long time whether the Members of the majority had a chance to see my report before they finished their report; I do not know. I never had a chance to see their report; that, I can assure the Senator.

Mr. LUCAS. I understand.

Mr. LODGE. Whether their report has been altered in the light of my report is something I do not know.

Mr. LUCAS. I am not talking about that. But, in view of the questions propounded by the Senator from New Jersey, who seems to be very much wrought up about the fact that the report was not submitted to the full committee, I was trying to ascertain whether the Senator's report was submitted to the full committee for action, or whether the report made by the Senator from Iowa was submitted to the full committee—or has he made a report?

Mr. HICKENLOOPER. Mr. President—

Mr. LODGE. If I may say to the Senator from Illinois, the subcommittee did not come to a head, the way most subcommittees do, by having a meeting at which a document is presented, which is voted up or voted down. Of course, three is a larger number than two; I agree with the Senator from Texas about that.

Mr. LUCAS. I am glad the Senator agrees with that.

Mr. LODGE. But it is impossible to have a vote larger than two, unless there

is a vote. The proceeding, in a way, began to peter out, to disintegrate. That is where we are now. All I could do was to make my own statement, and my statement is in the document, away in the back; but it is there. I wish the Senator from Illinois would agree with it. I think he would agree with a large part of it.

Mr. LUCAS. I am going to read it. I want to say the proceeding did not disintegrate, so far as the Senator from Massachusetts is concerned.

Mr. LODGE. No.

Mr. LUCAS. Because he filed a separate report. He apparently never asked the full committee to consider his own report, submitted for the purpose of overturning the action of the full committee.

Mr. LODGE. I argued my views for 5 months, every time there was a chance of doing so. I submitted my report early to the Senator from Maryland and the other members of the committee had plenty of time to see it if they wanted to, and could very well have signed their names to it had they wanted to. They did not want to. When the Senator from Illinois reads it he will see why they did not want to.

Mr. LUCAS. I understand. The Senator does not altogether disagree with a number of things which are in the majority report. It is my understanding that the Senator definitely found, for instance, that Lattimore was not a Communist. He also found that Service was not a Communist.

Mr. LODGE. No.

Mr. LUCAS. I think that is in the report.

Mr. LODGE. No. I think the Senator had better read what I had to say about those cases. It is not quite so simple as that.

Mr. LUCAS. The Senator agrees with the majority of the subcommittee as to two of the alleged chief Communists does he not?

Mr. LODGE. No; that is not correct. If the Senator from Illinois wants to undertake to discuss what I think about this whole case, though it is a bit late, I shall be delighted to do so.

Mr. LUCAS. Please do not do that now.

Mr. LODGE. The Senator should certainly let me comment on what he said my views were. I know he is fair.

Mr. LUCAS. The report speaks for itself. I have merely been told that by someone. Perhaps I should not even have mentioned it. If it misinterprets in any way the Senator's attitude, I will simply withdraw it, to keep him from entering upon a long discussion, because the three majority members of the subcommittee, the Senator from Maryland [Mr. TYDINGS], the Senator from Connecticut [Mr. McMAHON], and the Senator from Rhode Island [Mr. GREEN], are not present. Frankly, perhaps, I should not have said that.

Mr. LODGE. I wonder where they are. [Laughter.]

GENERAL APPROPRIATIONS, 1951

The Senate resumed the consideration of the bill (H. R. 7786) making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes.

The VICE PRESIDENT. The question is on the amendment on page 221, beginning in line 19.

Mr. TAFT. Mr. President, this amendment had not been called to my attention until now. It is a quarter of seven. I should like further opportunity to examine it and study it. I wonder whether the distinguished chairman of the subcommittee, the Senator from Georgia, would be willing to postpone the vote until tomorrow. The amendment reads:

Provided, That when and to the extent that in the judgment of the Secretary agricultural exhibits and motion and sound pictures relating to the authorized programs of the various agencies of the Department can be more advantageously prepared . . . by the Office of Information, . . . additional funds not exceeding \$300,000 for these purposes may be transferred to and made a part of this appropriation, from the funds applicable, and shall be available for the objects specified herein:

The distinguished Senator from Georgia says that that is not an increase in the funds available for information, and that the amount can be used by the different departments. He has other arguments, including the argument that this amendment has been in the bill before. Nevertheless, Mr. President, the way it is framed, it seems to me that it can be used very well for a program like the Brannan plan. I have seen Department of Agriculture bulletins which are distinctly propaganda for the Brannan plan, and whether "authorized programs of the various agencies" includes programs simply authorized by Mr. Brannan and not authorized by Congress, I have no particular means of checking, without further investigation.

If the Senator is willing to defer action on the amendment, if after I examine all the Senator's arguments I find them sound I shall make no further request for delay tomorrow morning, and shall say nothing on the subject. But I should like the opportunity, if the Senator is willing, to go over the evidence until the first thing tomorrow morning.

Mr. RUSSELL. Mr. President, I am always agreeable to any reasonable request, and it may be there is nothing unreasonable about the request of the Senator from Ohio. I am a little amazed that my distinguished friend from Ohio should have been 7 years discovering this horrible bugaboo under the bed. This language has been in agricultural appropriation bills for 7 years. It has been renewed. It has been before the Senate time and time again. It is not merely getting read now to jump forth, seize the Senate, and force the Brannan plan through. It has been in the bill for all these many years. I do not believe there is any reason for delaying action on the amendment.

Mr. TAFT. Possibly it is the language under which the Brannan plan has been printed and issued in booklet form by the Secretary of Agriculture. If so, then I want it to come out of the bill. That may not be true. I can only say to the Senator that it is now 10 minutes of 7. I should like, if he will grant me the privilege, to have the opportunity of looking into it somewhat further. It may be

that I shall find that I am wrong. If so, I will yield fully to the Senator's views, the first thing in the morning.

Mr. RUSSELL. I should be willing to agree to any language which would protect us from an avalanche of propaganda for the Brannan plan. I should be perfectly willing to include a provision that the programs must be authorized by Congress. I think that that is the only logical construction that could be placed on the language. But if the Senator from Ohio wishes to study the matter through, tonight, and peruse it, I shall not object to letting it go over until tomorrow.

Mr. TAFT. I thank the Senator.

Mr. RUSSELL. I hope his good, sound judgment will bring him to the conclusion that he should vote for the amendment, and that he was in error in thinking the amendment was not germane.

Mr. TAFT. That was based on the fact that I had not thoroughly examined it. But it seemed to me that in the way the authorization was framed, it permitted the use of money for particular agricultural programs not primarily informational, but to be used as informational programs. The Senator assures me that that is not so; so possibly my thought as to its germaneness was wrong. But it seems to me that if the amendment does what has been indicated, then I shall not think it germane to a general appropriation of money for programs of information.

Mr. RUSSELL. Mr. President, in view of the fact that this amendment is going over until tomorrow, I think I should read this further paragraph from the testimony before the committee:

The authority to transfer, contained in this language, was inserted in the Agricultural Appropriation Act of 1943, and while essentially the same result can be accomplished under the reimbursement authority of section 601 of the Economy Act, the economy measure permits the transfer of funds in the interest of simplified accounting.

Really, there is authority under other laws for the transfer of these funds. This provision makes it simply a matter of bookkeeping. But I am perfectly willing to let the vote go over until tomorrow morning. I should like to have action on the other amendments completed.

The VICE PRESIDENT. Without objection, the amendment will go over until tomorrow.

The clerk will state the next amendment.

The next amendment was, under the subhead "Library," on page 222, after line 19, to strike out:

Not to exceed \$12,000,000 of the funds appropriated in this title shall be available for travel expenses. Amounts available from appropriations contained in this title are hereby reduced by the total sum of \$645,496, such amount to be carried to the surplus fund and covered into the Treasury immediately upon approval of this chapter.

The amendment was agreed to.

The next amendment was, under the heading "Title II—Corporations," on page 223, line 17, after the word "exceed," to strike out "\$16,000,000" and insert "\$16,350,000."

The amendment was agreed to.

The next amendment was, on page 224, line 3, after the word "discharge," to strike out "\$170,515,131" and insert "\$66,698,457."

Mr. AIKEN. Mr. President, may we have an explanation of that amendment? It seems to me to revert to the old method of keeping the Commodity Credit Corporation funds intact by canceling notes which the Corporation has given the Treasury. I recall that the General Accounting Office protested very vigorously against that kind of book-keeping, because the losses of the Commodity Credit Corporation never appeared as a Government expenditure under such a method. While I realize that the Senate committee has cut the amount which the House had canceled from approximately \$170,000,000, to approximately \$66,000,000, and for that I am very grateful, I wonder if the Senator—

Mr. RUSSELL. Mr. President, I am sure the Senator will rejoice and be exceedingly glad when he hears the explanation. The reason the sum was cut from \$170,515,131 to \$66,698,457 was because upon a reaudit it was found that the losses were that much less than the figure of \$170,515,131. Therefore, the Government is really \$103,816,674 better off than we thought it was as a result of the transactions of the Commodity Credit Corporation.

Mr. AIKEN. Is it the plan to wipe out losses of the Commodity Credit Corporation simply by canceling notes given to the Treasury?

Mr. RUSSELL. That is the only way in which we have ever handled it.

Mr. AIKEN. I know. As I pointed out, the General Accounting Office vigorously protested such methods. I shall not oppose the amendment tonight. I think I shall concentrate on the other amendment which has been under discussion and which is much more vulnerable.

Mr. RUSSELL. It has been found that approximately \$103,000,000 worth of notes will be paid to the Treasury which we did not think would be paid, and the Government is \$103,000,000 better off than appeared by the figures submitted.

Mr. AIKEN. The Senator from Vermont is very happy to learn that. He is almost ready to think the Commodity Credit Corporation did not need the \$2,000,000,000 which we appropriated a while ago.

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

Mr. RUSSELL. I yield.

Mr. ANDERSON. Is it not a fact that at the price at which cotton was selling it looked as if there might be losses on the 1948 crop, but with the increase in the price of cotton all the losses were wiped out by the realization that the Commodity Credit Corporation could sell its stocks at more than they cost, and if they closed the pool and took in some cotton they would actually sustain a profit instead of a loss? That applies to corn, wheat, and many other commodities. These stocks are not nearly so extensive as some people calculated. I think some of the money recently appropriated will not be used. I made a calculation and figured that probably the

Corporation will not need all of the \$2,000,000,000. But the wise thing was to appropriate it, but the desire would be that it would never require that amount of money.

Mr. AIKEN. If we find the Commodity Credit Corporation does not require the \$2,000,000,000, the impression made on the public with regard to the farm program would be much better if we rescinded that authorization.

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

Mr. RUSSELL. I yield.

Mr. WILLIAMS. I agree with the Senator from Georgia that from the standpoint of the taxpayers it makes no difference whether we pay for this program through cancellation of notes or through appropriations, but I think the Senator will agree with me that this cancellation of notes in appropriation bills does have the effect of hiding from the American people the true cost of the program.

Mr. RUSSELL. I cannot see that it does. An appropriation would be more widely publicized than would the cancellation, but I do not think it hides the facts from anyone who wishes to get the facts.

Mr. WILLIAMS. I agree that it does not exactly hide them, but it does not give the publicity to the cost of the program that would be given through a direct appropriation by Congress.

Mr. RUSSELL. I do not think the use of the word "hide" was fortunate. If the appropriation were made for that purpose it probably would be a little more evident to the reader of a newspaper, but any person who went into the subject would find that on the cancellation theory it would be more widely recognized.

Mr. WILLIAMS. The reason I raised the point is because in one of the recent reports of the Secretary of Agriculture he pointed out the amount of money which Congress had appropriated for the Corporation since its inception in 1933. While he emphasized the amount of money which the Corporation had paid back into the Treasury, he failed to mention the \$1,500,000,000 of note cancellations, nor did he mention the \$2,000,000,000 which had automatically accrued to this Corporation under section 32 during the past 15 years, both of which were taxpayers' money. The inclusion of these items would make quite a difference in the ultimate answer as to the results of the program.

Mr. RUSSELL. That would make a difference, of course.

Mr. WILLIAMS. The so-called surpluses about which the Secretary of Agriculture has been boasting have been false and misleading. The Commodity Credit Corporation was never established with the thought of making money. No one thought it would make money. But the taxpayers have a right to know what losses are involved and that information has not been given them. I think the Senate should abandon this note-cancellation procedure and make direct appropriations. In that way the cost of the program would be evident to everyone.

Mr. ANDERSON. Mr. President, did I understand the Senator to say "several billions of dollars"?

Mr. WILLIAMS. Yes.

Mr. ANDERSON. I do not think it is a false profit. When the ECA has to buy cotton and buys it from the Commodity Credit Corporation at the market price, it does not cost the Treasury of the United States a penny more than it would if it went on the open market and bought the cotton. That transaction resulted in a profit of more than \$200,000,000.

Mr. WILLIAMS. I am not questioning the merits or demerits of the individual transaction. I directed a letter to the Director of the Bureau of the Budget and asked him if he would review the operations of the Corporation for the past 13 years and give me the net result, from the standpoint of the taxpayer, of the operations of the Commodity Credit Corporation since its inception. In his reply, which I have here, he said:

In answer to your letter of February 1, 1949, the net loss sustained by the Commodity Credit Corporation from its organization on October 17, 1933, through December 31, 1948, was \$2,145,930,367 plus the around \$2,000,000,000 which it had received under section 32.

He went on to point out—

Mr. ANDERSON. A portion of that is for the subsidization of food, and has nothing to do with the farm program.

Mr. WILLIAMS. I am not breaking it down, but I am saying that the Corporation has not shown a profit. On the contrary, its loss is nearly \$4,000,000,000 total.

Mr. ANDERSON. Mr. President, I think it is as wrong as it can be to say that the Corporation has lost several billions of dollars, when we realize that the Congress of the United States voted that, instead of paying the full price of something, it could be taken, for convenience, from the funds of the Commodity Credit Corporation—

Mr. WILLIAMS. I am not questioning here the merits or the demerits of the program authorized by Congress, nor am I questioning the program. But I do question the statement of the Secretary of Agriculture in a bulletin, from which I quote, when he said:

Incidentally, Commodity Credit Corporation shows a lifetime profit rather than a loss.

That statement is not true. There is no use of our trying to conceal the fact that these support programs do cost money, and I think the true facts should be made known to the American taxpayers.

I shall not oppose the amendment, because it is immaterial whether we cancel the notes or whether we authorize an appropriation, but I do think the true picture should be presented in the report by the Secretary of Agriculture, and I think legislation should be enacted to correct this unsound procedure.

Mr. ANDERSON. I subscribe to that statement fully. I think one of the tragedies of the whole system of reporting is that the Comptroller General can issue a report and say the loss has been \$2,000,000,000 on this program. If that is saddled on the farmer, it is a serious

thing. I agree with the Senator from Delaware that if we could segregate those things which were subsidy programs in furtherance of the decision of the Congress itself to handle it that way we would be better off.

A great deal of money was used in the campaign against the foot-and-mouth disease in Mexico. The Government could have done that by direct appropriation by Congress, or it could have done it by the use of Commodity Credit Corporation funds. The amounts which were used from Commodity Credit Corporation funds should not be charged to the farm program.

I agree with the Senator that it would be desirable to have a complete and well-rounded picture of the Commodity Credit Corporation. I think it would show that the cost of the farm program has been extremely low. I think that a great many things which have been charged against the Commodity Credit Corporation make it look as though the farm program has been extremely costly. Whatever the figure is, we ought to have it.

Mr. WILLIAMS. I merely say that the Commodity Credit Corporation as a corporation under the supervision of the Secretary of Agriculture has cost the taxpayers around \$4,000,000,000, according to the Director of the Bureau of the Budget. Perhaps that should not all be charged against the agricultural program. However, we do not have a breakdown of these items in view of the fact that we have never been able to get the books of the Commodity Credit Corporation. Without the books we do not know how we should assess these charges. The point I am raising is that the true cost of these programs would be clearer if Congress would get around to making a direct appropriation. The Secretary of Agriculture should come in and justify appropriations on the basis of the merits or demerits of the question involved. Then there would be no question in the mind of the committee, Congress, or the country as to what it is costing. Furthermore, I say that when the Secretary of Agriculture puts out a bulletin in which he says this Corporation, the Commodity Credit Corporation, has shown a lifetime profit, rather than a loss, that statement is not true.

The VICE PRESIDENT. The question is on agreeing to the amendment on page 224, line 3.

The amendment was agreed to.

The next amendment was, under the heading "Title IV—General provisions," on page 229, after line 5, to insert a new section as follows:

Sec. 411. Of the funds appropriated in this chapter for travel expenses, \$791,888 shall be carried to the surplus fund and covered into the Treasury on or before August 1, 1950; but such amount shall be credited toward any other reduction in amounts available for such travel expenses resulting from decreases in appropriations made by this act below the budget estimates.

The amendment was agreed to.

Mr. MAGNUSON. Mr. President, I have heretofore sent an amendment to the desk relating to the Meat Inspection Service. I ask unanimous consent to withdraw the amendment.

The VICE PRESIDENT. The amendment has not been offered. The Senator does not need to request unanimous consent to withdraw it.

Mr. LUCAS. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. WHERRY. Mr. President, will the Senator withhold that motion so that I may ask a question of the Senator from Washington?

Mr. LUCAS. Very well.

Mr. WHERRY. I did not have an opportunity to read the Senator's amendment.

Mr. MAGNUSON. I submitted an amendment which would have provided \$2,500 for a part-time veterinarian to inspect meat at the Seattle stockyards. I have the assurance of those who are familiar with this program that out of the three-thousand-two-hundred-some-odd inspectors we ought to be entitled to at least one inspector at the union stockyards in Seattle.

Mr. ANDERSON. I am not sure that the Senator should withdraw his amendment. I am of the opinion that if his amendment is a good amendment it should be carried to conference. The Seattle Union Stockyards deal primarily, so far as the inspection of cattle is concerned, with cattle on the hoof. It is not a question of meat grading. The city of Seattle takes care of that by ordinance. It has to do with this cattle which come into the country from Canada. Shipments from Canada into the United States are not covered by the interstate commerce provisions. It is upon that basis that the Department of Agriculture has refused to place an inspector in the union stockyards at Seattle. I do not think it would be wholly out of order for the Senator from Washington to press his amendment and, if successful, to have the Senate conferees carry it to conference. If that is desirable to the Senator from Washington, I think the provision for \$2,500 should be voted on by the Senate.

The VICE PRESIDENT. The amendment is not in order at this time. The amendment was ordered to be printed and lie on the table.

Mr. MAGNUSON. I do not want to embarrass the subcommittee, because the chairman assured me that there would be sufficient meat inspectors to provide one for Seattle. I make the point that this involves an international program.

Mr. RUSSELL. I do not know that there will be a sufficient number of meat inspectors to take care of all demands from all over the country. Certainly if there is a slaughtering proposition involved, or if it involves a packing house, the Senator from Washington is entitled to an inspector. It would not make any difference whether the cow came from Canada or from the moon. The Government would be responsible, of course. If it is a question of inspecting cattle on the hoof, it is an entirely different proposition. Certainly we are inspecting cattle which comes into the country from Mexico, and certainly the rule which applies to the border of Mexico should apply to the border at Canada.

Mr. MAGNUSON. Would the Senator be willing to take the amendment to conference?

Mr. RUSSELL. I would have no objection to taking it to conference.

The VICE PRESIDENT. The Senator from Washington cannot offer his amendment now. It is not in order until all committee amendments have been disposed of.

UNJUSTIFIED INCREASES IN THE PRICE LEVEL

Mr. MORSE. Mr. President, I wish to take 3 or 4 minutes on an extraneous subject matter. I ask unanimous consent to have the remarks I shall now make printed in the RECORD at the conclusion of the debate today on the appropriation bill.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MORSE. Mr. President, I hold in my hand a cartoon which appeared in this morning's Washington Post. The cartoon is by Herblock; and in a very real sense I think it constitutes the finest, most penetrating "speech" I have observed thus far on the entire economic problem which confronts the country. Even though the "speech" is in cartoon form, it says a great deal; it says something to which the American people and, particularly, the administration, should give heed.

I understand from newspaper reports that the President of the United States perhaps will make a statement later this week in regard to our economic problems. If the President does, I am sure the speech he makes will demonstrate very careful study and thought in regard to what in my opinion is a current economic crisis.

The cartoon to which I have referred shows Uncle Sam in the process of being fitted to a new pair of shoes. The salesman, however, has gotten his boxes mixed, obviously, because he is presenting to Uncle Sam one shoe which is marked "War footing"—and that is shown as a high shoe—and another shoe marked "Partial mobilization"—and that shoe is shown in the cartoon as an Oxford, whereas the shoe that Uncle Sam is shown to have taken off is marked "Business as usual."

Mr. President, I wish to present very briefly to the Senate a price problem which is becoming a great emergency in the United States as the hours go by. Over the week end and during most of today I have been gathering information in regard to what is happening to the price structure in the United States. Certainly there is no scarcity of foodstuffs. For that matter, there is no scarcity of a large quantity of the items which the fear of a spreading war have caused to rise to a price level which can honestly be characterized as a profiteering price level.

I happen to be one who thinks it too bad that in a period of hysteria which is sweeping our country, caused by fears which apparently many consumers entertain as to the possible scarcity of goods, once again great economic forces are collecting blood money from the American people; yet that is what they

are doing because of the great inflationary changes in the price level which are occurring in the United States.

For instance, Mr. President, let us consider meat. There is no scarcity of meat. There is ample meat in the storage houses of the United States today. Let the great meat packers justify if they can—but they cannot—the increases in meat prices which the meat packers are guilty of imposing upon the American people in the last few days. Mr. President, it is profiteering. It is the collection of blood money. It is a tariff imposed upon the American consumers because the fear of a spreading war is creeping into the minds of many American consumers.

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

Mr. MORSE. I yield for a question.

Mr. MAYBANK. I was going to ask the Senator whether in his judgment there is any scarcity of eggs, either. Yet only recently the price of eggs has been raised 3 cents a dozen.

Mr. MORSE. There is no scarcity, so far as I can determine from such research as I have been able to conduct; and I intend to continue it on a personal basis until the Congress does what I think it should do.

So far as I can determine, there is no scarcity in the case of any of the foodstuffs which have been subjected to the unconscionable price increases which have occurred in the past few days.

Again, Mr. President, the explanation is simply that certain economic forces are taking advantage of the American consumers. In my judgment it is time we took action to stop the profiteering which already is characterizing the price structure.

I think the meat packers have something to answer for in connection with the increases in meat prices which are occurring in the United States. I hope the President will have something to say about that, if it is true—as I judge from the ticker—that he is going to make a statement on the over-all policy of the administration in regard to economic controls during this period of time.

Mr. President, in my judgment we have no right to sit here as a Congress and see the American consumers suffer the losses that this inflationary spiral, represented by the unconscionable increases in food prices during the last few days, is causing them at the present time. I think it is already a little late for the administration to be talking about imposing some reasonable checks which will have some power of restraint over the sources of supply of food. I think it is a little late for the administration to be taking such steps, but perhaps it is better to have it done late rather than not at all.

Mr. President, I do not like controls; but let us face the fact that we had better do some checking with respect to some of the basic commodities which determine the standard of living of our people. Let us realize that we must put in the stop now on the basic commodities—such as meat, for example. I think it is simply outrageous that the average housewife has been subjected to such price increases. For instance,

this morning I received from my own State a report in regard to meat prices in Oregon. If we go into the matter, I think we shall find that there is a uniform national pattern, a jiggling up of the price structure on some of the basic food commodities. I think we must face the fact that we should establish some checks on a few of the basic commodities in the field of food.

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

Mr. MORSE. Yes, in a moment. After I yield to the Senator from South Carolina, I wish to say something about some other commodities, commodities outside the field of food.

I simply wish to say that it is no answer to talk about voluntary controls in the case of the basic commodities, Mr. President. Voluntary controls constitute a nice theory; but where are the voluntary controls? The meat packers certainly have it within their power to put some voluntary controls into operation. However, they have not done so. Perhaps after they get the prices up to an even more unconscionable level than the present price level, the meat packers may wish to try to stop us from doing what we should do in the interest of the people; at that time the meat packers may try to prevent such action by suggesting some voluntary controls. However, by that time we shall have to deal with a roll-back on prices, rather than a stabilization of the prices then existing—prices which, for example, the meat packers already will have gotten up.

Now I yield to the Senator from South Carolina.

Mr. MAYBANK. Mr. President, the Senator from Oregon has said he does not like controls. Let me say that I do not like controls, either. Certainly I hope it will not be necessary to have a system of rationing.

I wish to say that I expect the Banking and Currency Committee to begin an investigation of price increases. As the Senator from Oregon knows, that committee is charged with the duty of making studies of all matters relating to prices. I have asked the committee to meet on Thursday, following the President's address on Wednesday to the Congress, and following his address on Wednesday night to the people. So our committee will be studying the price increases which have occurred in the last few days.

I hope it will not be necessary to have rationing. I have always been opposed to rationing.

However, I hope the American people will keep their heads clear and their feet on the ground, and will not be stampeded into hoarding sugar or other commodities—as has been reported recently in the newspapers—and I hope the producers of the various commodities will not attempt because of the tragedy occurring in Korea, to take advantage in the way the Senator from Oregon has discussed.

Mr. MORSE. Mr. President, I have great confidence in the Senator from South Carolina and in the Banking and Currency Committee, and I am sure they will do what is desirable to be done on the basis of the facts presented to the committee. It is good news to hear that

the Senator from South Carolina intends in his committee to proceed to investigate this matter, beginning next Thursday. However, I think it is time that a few of us on the floor of the Senate issued some warnings to the business forces in the United States which are taking advantage of the war situation by jacking up to unconscionable levels the prices of commodities which are not even scarce.

Mr. MAYBANK. The Senator is quite correct.

Mr. MORSE. Certain business forces are attempting to take that step because they have control over the distribution of such commodities. For instance, this morning I talked to three butchers in Washington, D. C. They informed me that they cannot tell what their meat will cost them next week. One of them told me of the increases in the wholesale price of hams cited to him by his wholesaler since last week. Yet, as the Senator from South Carolina knows, there has been nothing to produce any scarcity in hams, nothing which would justify an increase in the price of hams in less than a week. There is only one word by which to describe that action, and it is a nasty word: It is the word "profiteering."

Mr. MAYBANK. The Senator is quite correct.

Mr. MORSE. It is profiteering at the expense of the fears of American mothers and fathers, and it is profiteering at the expense of the blood which is being shed by American boys in Korea.

Believe me, Mr. President, I am going to make my voice heard for a few minutes today on the floor of the Senate in opposition to that kind of unconscionable economic conduct on the part of any group within our citizenry—whether it be the meat packers or any others.

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

Mr. MORSE. I yield.

Mr. MAYBANK. Let me point out that even the price of bread has been raised 1 cent.

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

Mr. MORSE. I yield.

Mr. YOUNG. It is good news to me that the increase in prices is not charged to the price-support program. In fact, if we had had a price-support program in regard to meat, I think we would not be faced with the situation confronting us today as far as meat is concerned.

There is not a surplus of meat today. In fact, the reason we have a scarcity of meat now is that there has been no assurance to the producers that they would be protected against extreme losses. As a result, many livestock producers, and particularly feeders, have either cut down their operations or gone out of business, fearing there would be an extreme price collapse. So we now have many who are out of business who ought to be in business. I think this is a case where lack of a support-price program is more responsible for this price increase than if we have had one.

Mr. MORSE. I should like to say, to my good friend from North Dakota that there is no scarcity in meat, as between last week and this week, which would justify the tremendous increase in the price of meat. That is, the over-all sup-

ply of meat to which the Senator from North Dakota has directed attention in no way justifies the increase in the price of meat on the part of wholesalers as compared with the prices last week and the prices being quoted this week. That cannot be justified, and it can be explained only by the fact that those who have control over the channels of distribution of meat are taking a profiteering advantage of the Korean war. I do not like it. I am glad to hear the Senator from South Carolina point out that as chairman of the Senate Committee on Banking and Currency, he does not like it, and that he proposes to find out the causes for it.

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

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from North Dakota?

Mr. MORSE. I yield.

Mr. YOUNG. I think the question of unreasonable price rises is quite as objectionable to the producer, to the farmer, and to the feeder as it is to consumers. I think it is uncalled for and very objectionable from a long-range farmer viewpoint. Producers are always hurt by extreme price fluctuations.

Mr. MORSE. The Senator from North Dakota is absolutely right. If a poll were taken of the cattlemen, sheepmen, hog raisers, and other producers of livestock, they would express the same sort of resentment which the Senators from North Dakota, South Carolina, and Oregon are expressing this afternoon on the floor of the Senate.

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

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from New York?

Mr. MORSE. I yield.

Mr. LEHMAN. Mr. President, I desire to associate myself very strongly and sincerely with the remarks of the distinguished Senator from Oregon. I can see no justification whatever for the increase which has taken place in the price of meat and of certain other commodities. There certainly has been no substantial increase in the number of men and women in Armed Forces, or in the number of men and women in the consuming public who are interested in the purchase of meat. To me is a clear case of a desire to take advantage of a situation, which should be the last thing to commend itself to patriotic Americans at this time.

Last Saturday, in two radio programs over many of the stations in New York I gave warning of the situation to which the distinguished Senator from Oregon has so clearly and appropriately referred, and I intend to continue to raise my voice until some remedy is found.

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

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

Mr. MORSE. I will yield in a moment. I appreciate the supporting remarks of the Senator from New York. They do not surprise me at all, because his record of placing the interests of the average families of America uppermost

speaks for itself, and what we are pleading for here this afternoon is deserved protection for the great consuming public of America.

I now yield to the senior Senator from Nebraska.

Mr. BUTLER. Mr. President, to some extent I wish to agree with the remarks which have been made by the distinguished Senator from Oregon. But I am wondering whether he has taken into consideration the psychology which has a great influence on the market, especially regarding such commodities as meat, which are so essential to our livelihood. In my State there are, of course, a great many farmers who buy cattle, who raise hogs, sheep, and so forth, for the market, from which we get our daily supplies. When those animals are ready for market, they must go to market; they cannot be held because the price does not suit the man who has prepared them for market. He must take what the market offers. The market has been rather high, not only lately, but all along, going back to a period during the war. For a long time we have not seen a low-price meat year. The continual flow which takes care of the markets in New York City, Chicago, and other great centers must come from the feed lots of America. I should like to ask the Senator from Oregon whether he can give the farmers or feeders of my State any assurance that if they should sell the supply which is prepared for the market today, they could replace their stock at a price which would enable them to operate at a profit, when they sell it.

Mr. MORSE. Let me say to the Senator from Nebraska that the economic principles for which the junior Senator from Oregon is pleading, if adopted, could not possibly hurt the cattle producers, because, when I am simply asking for a check on profiteering prices, I am certainly not hurting the cattle producers but really proposing an economic principle which must be put into operation if they are going to be able even to stay in business. If profiteering prices are allowed to continue to soar, I know of nothing that can give greater assurance to depleting the plains of America of cattle on foot.

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

Mr. MORSE. In a moment. I desire to make clear that the first principle I have laid down—and I have three I wish to lay down, Mr. President—the first principle I have laid down is that in the field of foodstuffs there is no scarcity which would justify the great increases in prices of the past few days. The reason of the increases, in my judgment, must be attributed to the selfishness and greed of those who are responsible for that type of profiteering.

Before I lay down the second proposition, I yield to the Senator from North Dakota.

Mr. LANGER. Mr. President, we have here what I believe to be a perfect example of not having the Brannan law in effect. If we had had it, prices would be down. If we had it, the farmer would get at least the cost of production plus a reasonable profit. It is all right to stand here and complain, as some Sena-

tors are doing today, but when the Department of Agriculture tried to solve the problem, all we heard was scorn and ridicule. Today, the country is simply reaping the whirlwind of that situation.

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

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Kansas?

Mr. MORSE. I yield.

Mr. SCHOEPPPEL. Mr. President, I desire to apologize to the Senator from Oregon by reason of the fact that I was called from the Senate Chamber and did not hear the beginning of his speech. But I am wondering whether the Senator is now limiting his discussion solely to profiteering and the advance in prices of foodstuffs?

Mr. MORSE. No. That was merely my first proposition.

Mr. SCHOEPPPEL. Then I should like to ask the Senator from Oregon a question. I am sure he is aware of what has been taking place in the cotton market and the finished goods market, including sheets and pillow cases and children's clothing. Will the Senator have something to say about the advance of prices in that field?

Mr. MORSE. Very briefly; but I shall surely have something to say about it.

The second proposition I desire to lay down, Mr. President, is that free competition will not operate to solve this price problem in a period of such national emergency as is now upon us, when such large sums of money are going to be spent necessarily for the purpose of diverting from the normal economic stream a large portion of our economic goods for war uses. Let me put it in this way: The moment a national emergency, such as this arises, it is impossible to have the ordinary economic laws of competition, supply, and demand operate successfully, because the conduct of the Government itself in purchasing for war purposes vast stores of economic goods for the prosecution of war places certain business interests in a position where, if they are not subjected to reasonable checks, they can profiteer and the consumer has to pay the bill. That goes to the type of goods, particularly, to which the Senator from Kansas [Mr. SCHOEPPPEL] has referred, such as cotton goods, but more particularly housing goods, steel goods. Already we find, so I have been told by four contractors within the past few hours, that certain house fixtures and most steel products are already in the gray market, and many of them are in the black market. Already, in order to purchase some of these goods to complete housing projects, there must be a little bonus paid to get delivery, because the holders of those goods are already saying to contractors, "Well, we think all this is going to be needed by the Government, and we can make no promises on delivery." The conversation then indicates that if the contractor has a little "do-re-mi" to pay by way of a bonus—and it constitutes nothing more nor less than an economic bribe—he can get his steel products.

Again, Mr. President, let me say I am glad to know that the Senate Committee on Banking and Currency will go

into this subject, because if it does it will find, I am satisfied, that what I have said is true, that in the clearly scare goods there is already a gray-market situation, and, in some places, a black-market situation.

The last premise I desire to lay down, Mr. President, is that the Congress itself has a great public duty to perform to proceed with speed in protecting our economic system from the type of damage that is being done by those who want to profiteer as the result of the Korean war situation. Their conduct is the best ammunition that could be supplied to the Communist forces the world around. I think one of the best evidences we could give as to the strength of self-government, as to the strength of our democratic processes, is for the Congress to proceed without delay to determine the minimum steps we need to take in order to check the rising spiral of inflation, and to eliminate the abuses of profiteering, as our answer to the Communist forces in the world, to show that democracy can protect, as we all know it can if we do our job, the free-enterprise system from the type of unconscionable license to exploit that is being made use of by forces which at the present time are seeking to gain greedy, selfish advantage from the Korean war.

In closing, Mr. President, let me say that I realize that these remarks will be misinterpreted by some persons who will say "Morse is for a return of all the wartime controls." That is not correct. I believe we should profit from the lessons of World War II in regard to controls. I believe we should recognize the fact that, while we do not need to go so far as we went in World War II, yet, if we are to check the profiteers, half a dozen or 8 or 10, at the least, of the basic products which are vital to maintaining a stabilized economy will have to be put under some reasonable Government regulation until this crisis is over. If we do not do that, Mr. President—and I am not one given to predictions—if we let this inflationary spiral climb higher, it will be a matter of only a few weeks at the most until the workers of the United States will demand a Nationwide wage increase. A Nationwide wage increase will cheapen further the American dollar and leave the workers not with more real money in their pockets, but with less real value. That is why I think we have a job to do on the home front to support the boys on the war front.

It was a great thing for General Cates to say, when bidding good-by to the shipload of marines which left San Francisco a few days ago, "You have a job to do"—I am not quoting his exact words, but his meaning—"and I am sending you over there to do that job as quickly as possible." We have a job here at home to do, Mr. President, to support those boys by seeing to it, in the first place, that they get the war matériel needed so that there may be saved lives which are being unnecessarily lost in Korea because of a lack of equipment. We have a job to do to keep our economy a sound free-enterprise economy. We shall have no sound free-enterprise

economy if we cheapen the dollar further by unnecessary inflation and if we permit greedy and selfish interests to profiteer out of the Korean war.

EXECUTIVE SESSION

Mr. LUCAS. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The whole Executive Calendar has been gone over heretofore.

Mr. LUCAS. With respect to the nomination of the United States marshal for the northern district of California, I inquire what Senator is objecting to that?

Mr. WHERRY. The Senator from California asked that that nomination go over until he returned from California, and the Senator well knows why he is absent.

NOMINATIONS TO BOARD OF DIRECTORS OF EXPORT-IMPORT BANK

Mr. LUCAS. Very well. With respect to the Export-Import Bank nominations, there are four members, and the members of the Board of Directors are now serving, I understand, without pay. When can we get to the consideration of those nominations?

Mr. WHERRY. I have been asking unanimous consent that those nominations go over for the convenience of the distinguished junior Senator from Oregon [Mr. MORSE]. I have already talked with him, and have informed him that the nominations have been on the calendar since June 27 and that other Senators on this side of the aisle have come to me and said they would like to have the nominations considered and voted either up or down.

Mr. MORSE. Mr. President, from now on the junior Senator from Oregon will protect all his rights on the floor of the Senate, and he wants to make a statement in regard to the pending matter, so that there can be no misunderstanding as to his position.

Mr. LUCAS. Before the Senator starts, may I inquire as to how long he wishes to discuss the question?

Mr. MORSE. If I can have the Senator's attention 5 minutes—

Mr. LUCAS. I shall be glad to listen to the Senator longer than that.

Mr. MORSE. That is a great compliment.

Mr. LUCAS. I hope the Senator will limit himself to 5 minutes.

Mr. MORSE. I shall do my very best.

The VICE PRESIDENT. The Senator from Oregon is recognized.

Mr. MORSE. I wish to state my position on the parliamentary situation, because when I get to the substance of the matter—

Mr. MAYBANK. Mr. President, may we have order? I am very much interested in these nominations.

The VICE PRESIDENT. The Chair is attempting to get order. The Senate will be in order.

The Senator from Oregon may proceed.

Mr. MORSE. When I reach the discussion of the merits and demerits of the nominations, that will take quite a while, but for tonight I wish to say that these names have gone over, not for the accommodation of the junior Senator from Oregon, but for the accommodation of the committee. He thought that was the only fair thing to do for the committee, and he is very glad that the Senator from South Carolina [Mr. MAYBANK] is on the floor, so that the record can be made perfectly straight in regard to this matter. I shall tell my side of the story, and then the Senator from South Carolina can correct me if he thinks correction is needed, or supplement my statement if he desires to give more information.

Mr. President, I did not know that these names were before the Senate Committee on Banking and Currency. I take full responsibility for that lack of knowledge, because I think it must be presumed, although we know it is a physical impossibility, that each Member of the Senate is always on notice as to any nominations before any committee of the Senate. I did not know that these nominations were before the Committee on Banking and Currency until the day the Senator from South Carolina [Mr. MAYBANK] reported them to the Senate.

It so happened, as coincidences will, that it was not until the morning of the day when the Senator from South Carolina reported the nominations to the Senate as having the approval of the Senate Committee on Banking and Currency that the Senator from Oregon received what he considers to be sufficient information about the Export-Import Bank to raise in his mind a serious question as to whether these nominations should be confirmed. Therefore the very day the Senator from South Carolina reported the nominations the Senator from Oregon went to the Senator from South Carolina, who was then getting ready to leave that evening, as I recall, for South Carolina, and told him that he would like to have a hearing before his committee on these nominations, and he would prefer to have it in executive session because he thought that until he had completed his investigation of what he considered to be some very questionable practices on the part of the Export-Import Bank discussion should be held in executive session.

The Senator from South Carolina was exceedingly kind and gracious to the Senator from Oregon, as he always is, and said, "Wayne, it is pretty much out of my hands. I am leaving for South Carolina tonight. If I had known about this, you may be certain you would have had a hearing before the committee. But when I get back from South Carolina I shall be glad to talk to you about it further in regard to any question you want to raise concerning these men, or the Export-Import Bank, but so far as their nominations being reported to the Senate is concerned, I do not see that there is anything improper about that at the present time."

I think the Senator will recall that my reply was to the effect that "I am not going to let these nominations go

through the Senate without presenting what I believe to be the facts concerning them, and I would like to have the matter discussed in committee."

I then thought of the matter further, and prepared a resolution, which that day I submitted in the Senate in order to put the full committee on notice as to my intentions about this matter. That resolution I understand has been referred to the Committee on Banking and Currency. It calls for an investigation on the part of the committee in regard to these nominations, and the practices and policies of the Export-Import Bank. I think the time to lock the stable door is before the horse gets out. I think the time for investigation is in advance of the confirmation of the nominations.

I have been exceedingly busy, the Senator from South Carolina has been busy, and the majority leader has been busy. I think I have been derelict in not immediately, on the return of the Senator from South Carolina, pressing him then for further inquiry into the matter. I did not until today. I went to the Senator from South Carolina today and told him that I would like to have these men brought before the Senate committee in executive session because I had some questions I wanted to ask them before I thought I would be in a position to vote for their confirmation.

There is one other fact, to make the record complete. While the Senator from South Carolina was away, the Senator from Illinois and I had a conversation in which I expressed my desire not to have these nominations come for consideration until the Senator from South Carolina could return and a hearing could be held. We had a little misunderstanding about it, which was completely the fault of the Senator from Oregon.

I received information on one occasion from clerks on this side of the Senate that the Senator from Illinois had brought the nominations up. I was advised by the Chair that I was mistaken about that, that they had come up in a routine manner. The Senator from Illinois will recall that at that time I told him I was in error, and apologized to him for it, but I still wanted a hearing on these nominations before they were presented to the Senate for confirmation.

Today the Senator from South Carolina told me—and I am sure he will not object to my recalling the conversation—that last Saturday the Secretary of the Treasury, Mr. Snyder, called him and urged upon him early action on these nominations, because these men had not been paid, as he said, for the past few weeks. I think that is right. I do not think they should be paid for any time at least until this matter is cleared up. I do not think they should be confirmed, on the basis of my present information.

This afternoon the minority leader, in a conversation with me, exactly as he has reported to the Senate, said that one of these nominations involved a man from Nebraska, and that he had accommodated me in regard to the matter, that henceforth however, on this matter, he would call for a quorum, that I

would have to be here to protect my own interests, because he thought he was in a position where he might find it necessary to make a motion to consider the nominations. I told him that was perfectly all right, though I had hoped to carry on the discussion first in executive session in the committee.

The Senator from South Carolina advises me today that he must press for action on the nominations, I assume by motion, because it will not be done by unanimous consent unless I am caught napping off the floor. If they are brought up on motion, of course I shall vote against the motion, but if the motion is agreed to, I shall proceed to discuss the nominations in some detail.

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

Mr. MORSE. I yield, or I will yield the floor.

Mr. MAYBANK. I merely want the record to show that when these nominations were reported on June 27, the Senator from Oregon spoke about the matter, and did make a statement. Insofar as Secretary Snyder is concerned, he called me last week and asked me about the nominations. I told him the Committee on Banking and Currency had reported them, that their consideration was a question for the majority leader to take up.

I wish to say, Mr. President, that these nominations were sent here on June 16, and I gave notice that Mr. Gaston's name had been sent to the Senate. I wrote to the junior Senator from New York [Mr. LEHMAN], and he talked to me, and I wrote to the senior Senator from New York [Mr. IVES], and I talked to him, and they spoke most highly of Mr. Gaston.

The next name was that of Mr. Hawthorne Arey, of Nebraska. The senior Senator from Nebraska [Mr. BUTLER] and the junior Senator from Nebraska [Mr. WHERRY] are present. They spoke highly of Mr. Arey, and they were satisfied with his nomination.

The next name was that of Mr. Lynn U. Stambaugh, of North Dakota. The senior Senator from North Dakota [Mr. LANGER] and the junior Senator from North Dakota [Mr. YOUNG] approved the nomination as being that of an excellent man.

The next name was that of Clarence E. Gauss, of Connecticut. I conferred with the senior Senator from Connecticut [Mr. McMAHON] and the junior Senator from Connecticut [Mr. BENTON], and they spoke highly of Mr. Gauss.

From the 16th of June to the 27th not one letter, the clerk of the committee reported to me, was received against any of the nominees, nor was a hearing asked, or any protest made.

I am not here to defend these gentlemen, except as chairman of the committee to say that I took the nominations up with the Senators from the States from which they came, and there was not one unkind word said by the Senators from Nebraska [Mr. BUTLER and Mr. WHERRY] or the Senator from North Dakota [Mr. LANGER]. The junior Senator from New York [Mr. LEHMAN] told me he expected to make a speech on the Gaston nomination, and the senior Senator from New York [Mr. IVES] said he

was impressed with Mr. Gaston. So I reported the nominations. I told the Senator from Oregon [Mr. MORSE] that we had received no protests against the nominations. I did go home for a few days.

I did not have any right to promise anything, but when I came back my attention was called to the fact that there was a great deal of business waiting in the Export-Import Bank which could not be attended to. My attention was called to the fact that the members had not been paid, but I do not think the question of pay makes much difference. I told Secretary Snyder that the nominations had been reported, and that there was no objection before the committee when we had them before us. The Senator from Oregon [Mr. MORSE] said he would object, and he stated so on the Senate floor.

Mr. President, that is the status in which I find myself, I have been trying only to aid the business of the bank. It is up to the Senator from Illinois [Mr. LUCAS], the majority leader, as to what he wants done. I have carried out my part. I would have held the hearings, but no one wanted to protest.

Mr. WHERRY. Mr. President, 2 minutes will be sufficient for me to state my position. I thought I made it clear in the first place. It is merely the mechanics of this matter in which I am interested. I know that on more than one occasion I asked that the nominations go over, because I had been informed that the junior Senator from Oregon wanted them to go over until his resolution was acted on.

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

Mr. WHERRY. I yield.

Mr. MAYBANK. As chairman of the Committee on Banking and Currency I may say that if an investigation of the Export-Import Bank is desired, since everything else is being investigated, I am willing that the investigation be held. I think, however, that the holding up of consideration of these nominations is a serious matter for the reason that the bank cannot, while the nominations are held up, transact business.

Mr. WHERRY. Mr. President, if the distinguished Senator from Oregon would like to have the nominations sent back to the committee, and he can work out an arrangement in that respect with the distinguished Senator from South Carolina, that is perfectly agreeable to the Senator from Nebraska.

Mr. MAYBANK. The Senator from Nebraska knows that I cannot very well ask that the four nominations be recommended to the committee.

Mr. WHERRY. I am simply commenting on some observations which were made. I am not at all averse if the Senate wants to take any further action with respect to these men. I simply went to the distinguished Senator from Oregon and told him I could no longer ask unanimous consent that the nominations be passed over; that I felt the issue ought to be reached, and that if no other Senator would make the motion, I would do so myself.

I know Mr. Arey. He is a very fine gentleman. If it is believed that an in-

vestigation will reveal anything pertinent I would be the first Senator to agree to such an investigation. If there is anything wrong about any of his activities it is all right with me to have an investigation, if Senators want it. But the nominations of these four gentlemen are on the Executive Calendar. The nominations should either be returned to the committee or there ought to be some action taken on them on the floor of the Senate.

The nominations have been before us since June 27. The time has come when we should either confirm them or reject them. I only hope the junior Senator from Oregon and the majority leader can agree on a date on which the question can be raised and the matter can be ironed out on the floor of the Senate. I hope action can be taken at an early date. By that I do not mean today or tomorrow, but I hope the two Senators can get together and arrange for a date soon when some action can be taken by the Senate with respect to the nominations.

Mr. LANGER. Mr. President, I am interested in the nomination of Mr. Lynn U. Stambaugh, because he comes from North Dakota. I wish to say to my distinguished friend from Oregon that Mr. Stambaugh would, in my opinion, want an investigation with respect to any kind or character of charge that might be made against him. I think he would ask for an investigation if a charge were made against him. If there were the slightest doubt raised as to his capacity, his honesty or his integrity I do not think he would want to be confirmed. I have known Mr. Stambaugh for 30 years. I endorsed him. I endorse him now. I do not believe any evidence of any derogatory kind or character can be produced against Mr. Stambaugh. I will say in Mr. Stambaugh's behalf that I am sure he would want an investigation if any charges against him were presented. He is just that sort of a man.

Mr. BUTLER. Mr. President, in view of the fact that one of the nominees comes from Nebraska I wish to join with my colleague in the remarks he has made with respect to Hawthorne Arey. He has an excellent reputation in the State of Nebraska. I think he has a splendid record as a member of the Board of the Export-Import Bank. I hope that those who want to have something in the Record in connection with the confirmation of these gentlemen can make an arrangement so that it can be handled at an early date without any undue delay.

Mr. MAYBANK. Mr. President, I ask unanimous consent that biographical sketches of the four nominees may be printed in the Record at this point as a part of my remarks.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Without objection, it is so ordered.

The biographical sketches are as follows:

NOMINATIONS OF DIRECTORS OF EXPORT-IMPORT BANK

Nominations of the four Directors of the Export-Import Bank were reported by Chairman MAYBANK, of the Senate Committee on Banking and Currency, on June 27, with the statement that a quorum of the committee

was not present at its meeting on that date, but that the members had been polled and a majority approved the nominations. The chairman further stated that both Senators from the respective States of the nominees approved the nominations (p. 9236, CONGRESSIONAL RECORD, June 27, 1950).

Biographical sketches of the nominees are attached.

(Submitted June 16)

NOMINATIONS OF MEMBERS OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK

Mr. MAYBANK. Mr. President, as in executive session, I report favorably the nominations of four members of the Board of Directors of the Export-Import Bank. I may say, Mr. President, that we did not have a quorum present at the committee meeting this morning, but I have had the clerk of the committee poll the members of the committee and find that a majority of them have approved of the nominations of the four members of the Board of Directors.

I conferred with the Senators from the States from which each of the nominees comes. Mr. Arey's nomination was approved by the Senators from Nebraska [Mr. BUTLER and Mr. WHERRY], Mr. Gaston's nomination was approved by the Senators from New York [Mr. Ives and Mr. LEHMAN], the nomination of Mr. Gauss was approved by the Senators from Connecticut [Mr. McMAHON and Mr. BENTON], and the nomination of Mr. Stambaugh was approved by the Senators from North Dakota [Mr. LANGER and Mr. YOUNG].

The reason I am reporting the nominations today is that the terms of these gentlemen expire on the 30th day of June. If these nominations are not approved before that date, the bank will have no Directors. Furthermore, under the rules of the Senate the names of nominees must lie over until the following day. I merely wished to make that explanation at this time. I regret that the committee could not have a quorum present this morning. Some members had to attend a meeting of the Committee on Appropriations. As I said, the Senators representing the States from which these men come have approved the nominations, and I trust that when the nominations are reached on the calendar the Senate will confirm them.

The PRESIDING OFFICER. The nominations will be received and placed on the Executive Calendar.

The nominations ordered to be placed on the Executive Calendar are as follows: Hawthorne Arey, of Nebraska; Herbert E. Gaston, of New York; Clarence E. Gauss, of Connecticut; and Lynn U. Stambaugh, of North Dakota, to be members of the Board of Directors of the Export-Import Bank of Washington for terms of 5 years each, expiring June 30, 1955.

HERBERT E. GASTON

Herbert E. Gaston, Chairman of the Board of Directors of the Export-Import Bank, was born in Oregon. He was educated at the University of Washington and the University of Chicago. He has had extensive experience in newspaper work and served in an editorial capacity on various western and New York papers, including the Spokane Chronicle, Fargo Courier News, Minneapolis Star, and New York World. He became secretary of the New York State Conservation Department in March 1931 and was later deputy commissioner. In March 1933 he became Secretary of the Federal Farm Board and later was Deputy Governor of the United States Farm Credit Administration. He was an assistant to the Secretary of the Treasury from 1934 to 1939 and became Assistant Secretary of the Treasury in 1939, to continue through the war years until his association with the Export-Import Bank. During his time in the Treasury, Mr. Gaston partici-

pated as an adviser to the Secretary of the Treasury in conferences involving international financial problems, as well as problems concerning the domestic economy. He was the Treasury representative on the Interdepartmental Committee on Cooperation with American Republics and was a member and Secretary of the Board of War Communications. He was the United States representative at the first conference of Finance Ministers of the American Republics at Guatemala City in 1939. In November 1945 he was appointed by President Truman to the Board of Directors of the Export-Import Bank where he served as Vice Chairman. In November 1946 he attended discussions with the British in London as the Secretary of the Treasury's alternate on the President's Cabinet Committee on Palestine and Related Problems. On February 8, 1949, he was designated by President Truman as Chairman of the Board of Directors of the Export-Import Bank of Washington.

HAWTHORNE AREY

Born in Omaha, Nebr., October 31, 1905; attended Grinnell College, 1924-26; University of Nebraska, 1926-27; L. L. B. cum laude, Creighton University, 1930. Married Ruth Gordon August 21, 1929; has one daughter and one son.

Mr. Arey was engaged in the general practice of law in Omaha from 1930 to November 1933. From 1933 to December 1934 he was on the legal staff of the Reconstruction Finance Corporation. From December 1934 to July 1938, he was a member of the legal staff of the Home Owners Loan Corporation, regional office in Omaha and subsequently, the Washington office. He joined the staff of the Export-Import Bank of Washington in July 1938 as secretary and counsel. In 1943 he was promoted to the position of vice president and assistant general counsel in which capacity he served until 1945. He was also a member of the board of trustees of the Export-Import Bank of Washington from 1943 to 1945 and vice president and general counsel from 1945 to November 1947. From November 1947 to April 1949 he served as executive vice president of the Export-Import Bank. He was nominated by the President of the United States and confirmed by the Senate in April 1949 to be a member of the board of directors of the Bank to fill an unexpired term. He is vice chairman of the board of directors.

Mr. Arey also served as technical adviser to United States delegation, United Nations Monetary and Financial Conference, Bretton Woods, N. H., in 1944.

He is a member of the Nebraska State Bar Association and the University Club in Washington, D. C. He is a Presbyterian and presently lives at 112 Franklin Street, Kensington, Md.

LYNN U. STAMBAUGH

Lynn U. Stambaugh was born in Abilene, Kans., July 4, 1890; has lived in Fargo, N. Dak., since 1898; attended public schools, Fargo College, and the University of North Dakota; graduation from the University of North Dakota in 1913 with degree of bachelor of laws, and admitted to North Dakota Bar the same year. Served as deputy clerk of the district court in Fargo, N. Dak., 1913-15. Practiced law at Hazen, N. Dak., 1915-17. Served with the Field Artillery in World War I, 1917-19. Returned to Fargo in 1919. From 1919 to 1945 practiced law in Fargo, N. Dak., as a member of the firm of Cupler, Stambaugh & Tenneson, engaged in general civil practice. In 1941 and 1942 served as national commander of the American Legion. Mr. Stambaugh is a Republican, Episcopalian, and Mason. Fraternities: Order of the GOLF, Sigma Chi, Phi Delta Phi. He is a member of the American Bar Association, North Dakota Bar Association, and the District of Columbia Bar Association. He was appointed by President Truman as a member

of the Board of Directors of the Export-Import Bank of Washington on December 15, 1945, and has served in that capacity continuously since that date.

CLARENCE E. GAUSS

Clarence E. Gauss, a member of the Board of Directors of the Export-Import Bank of Washington, was born January 12, 1887, in Washington, D. C. He was educated in public and private schools of Washington and by private tutors. On August 2, 1906, he entered the Department of State and served in that Department and in the Foreign Service of the United States until May 31, 1945. Over these years Mr. Gauss held various career, consular, and diplomatic posts, principally in China, serving in Shanghai, Tientsin, Mukden, Tsinan, Amoy, Peking, Nanking, and Chungking as vice consul, consul, consul general, counselor of the Embassy, and chargé d'affaires. He served as consul general and counselor of the Embassy in Paris during 1935 and as the first American Minister to Australia in 1940. In February 1941 he was appointed Ambassador to China and served in that post until December 1944. During his period of service at consular posts in China he was elected by his colleagues to several international positions, including Chairman, Hai Ho Conservancy Commission, and member, Hai Ho Improvement Commission at Tientsin, and at Shanghai as a member, and later President, of the Court of Consuls (having jurisdiction in actions against the International Municipal Council). Mr. Gauss was appointed by President Truman as a Republican member of the Board of Directors of the Export-Import Bank on December 20, 1945.

Mr. LUCAS. Mr. President, on tomorrow afternoon at 5 o'clock, after we have debated the appropriation bill, I am going to move that the Senate proceed to the consideration of executive business, and at that time we are going to discuss these nominations to the Export-Import Bank with a view to having them confirmed or rejected. We shall try to stay in session long enough to give every Senator who is interested an opportunity to discuss the nominations.

Mr. MORSE. Mr. President, I think the majority leader and I should exchange views as to the procedure tomorrow afternoon, so that he will have advance notice of what I propose to do at that time. I shall move at that time that the nominations be recommitted to the committee for an investigation of the policies the nominees have initiated and carried out as members of the board of directors of the Export-Import Bank. I may say to Members of the Senate who are very much interested in the investigation of the State Department, that there is a very direct relationship between the policies of the Export-Import Bank and certain policies of the State Department, which I do not think are in the public interest.

Mr. President, I ask unanimous consent to have inserted in the RECORD at this point in my remarks a letter I sent to the Chairman of the Export-Import Bank on June 8, a copy of his reply of June 14, another letter from him to me under date of June 28, and a copy of my reply on the same date, June 28.

Mr. LANGER. Mr. President, reserving the right to object, may I see those letters?

Mr. MORSE. I am very glad to hand them to the Senator from North Dakota.

Mr. LANGER. Mr. President, I have examined the letters and I have no objection.

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

JUNE 8, 1950.

HON. HERBERT E. GASTON,
Office of the Chairman,
Export-Import Bank of Washington,
Washington, D. C.

DEAR CHAIRMAN GASTON: There is a great deal of interest among some of us in the Senate in regard to the recently announced loan to Argentina.

As far as I am concerned, before I pass final judgment on the policy involved in the loan, I wish to find out certain facts. Therefore, I shall appreciate it very much if you will have prepared and submitted to me a memorandum on that loan answering the following questions:

3. What were the terms and conditions of the loan?
4. Who were the direct beneficiaries of the loan?

5. Who were the lawyers or representatives who represented the beneficiaries in any of the negotiations connected with the loan?

I shall appreciate the earliest possible reply to this request because I am very much interested in certain questions of public policy as they affect our country's international program, particularly in respect to the future of our four-point program.

Sincerely yours,

WAYNE MORSE,
United States Senator.

JUNE 14, 1950.

The Honorable WAYNE MORSE,
United States Senate.

MY DEAR SENATOR MORSE: My delay in answering your letter of June 8 was due to my absence from Washington for several days.

Following a settlement by Argentina of several controversial commercial policy matters involving United States firms, Argentina approached the Export-Import Bank with a request for financial aid. The Argentine request, at least informally, was for credit of upward of \$300,000,000, which would be available for purchase of new machinery, equipment, and supplies for importation into Argentina. After extended and thorough analyses of the economic and financial situation of Argentina, the Board of Directors of the bank authorized a commitment to the following effect:

1. A credit of \$125,000,000 would be established in favor of a consortium of Argentine commercial banks having adequate resources in the opinion of the Export-Import Bank. The credit would be unconditionally guaranteed by the Central Bank of Argentina.

2. The credit would be available solely to aid Argentina to liquidate its past-due dollar obligations on private and governmental account.

3. The principal of the credit would be repayable in 20 semiannual installments beginning in June 1954, and would bear interest at the rate of 3½ percent per annum payable semiannually. The two principal conditions of the credit would be: (1) In the event the credit should be insufficient to pay in full all past-due dollar obligations on private and governmental account, the Argentine banks would furnish sufficient dollars to liquidate the obligations in excess of the amount of the credit, and (2) the Government of Argentina would agree with the bank to use its best efforts to work out within its financial possibilities a settlement of arrearages on financial account mutually satisfactory to Argentina and the creditors.

4. The direct beneficiaries of the loan would be those United States firms which have shipped goods to Argentina and have not been paid therefor and those commercial banks, principally United States banks, which have discounted commercial dollar drafts for their customers and have not been reimbursed therefor by the drawee banks in Argentina. We do not have at this time a list of the names of the firms and banks nor the respective amounts due such creditors. This information, of course, would be furnished us prior to the time we were to make disbursement of the credit. Indeed, we have in mind disbursement directly by this bank in dollars in New York to the various creditors upon application and certification to us by Argentina of the names and amounts due the various creditors.

5. The negotiations were carried on with this bank by Ramon A. Cereijo, Minister of Treasury of Argentina, and several technical advisers of the Government and the Central Bank of Argentina who accompanied Mr. Cereijo to this country. No United States nationals were involved in conducting the negotiations on behalf of Argentina.

The decision of the Board of Directors of the bank to extend a credit on the terms and conditions indicated above was conveyed by letter dated May 19, 1950, which I addressed to Mr. Cereijo. In that letter I stated to Mr. Cereijo that the Bank was prepared to receive a duly authorized representative or representatives of the commercial banks and of the Central Bank of Argentina to work out the provisions of the necessary agreement for the establishment of the credit, the form of the promissory notes which will be given to evidence the credit, and other details of the operation of the credit. We have not as yet been advised by Argentina as to when representatives of the Argentine banks will come to the United States to work out the details for the establishment of the credit.

Sincerely yours,

HERBERT E. GASTON,
Chairman.

JUNE 28, 1940.

HON. HERBERT E. GASTON,
Chairman, Export-Import Bank
of Washington, Washington, D. C.

DEAR MR. GASTON: Thank you very much for your letter of June 28. I think my letter of June 8 was perfectly clear and that your reply to it was unsatisfactory. I shall be glad to discuss the matter further with you before the Senate Banking and Currency Committee when the hearing I have requested is held.

Very truly yours,

WAYNE MORSE,
United States Senator.

EXPORT-IMPORT BANK OF WASHINGTON,
Washington, D. C., June 28, 1950.

The Honorable WAYNE MORSE,
United States Senate.

MY DEAR SENATOR: You addressed to me, on June 8, certain inquiries with respect to the recently announced loan to Argentina. On June 14, I replied answering your questions as I understood them.

I now learn, by reading the report in the CONGRESSIONAL RECORD of yesterday of a speech by you on the Senate floor, that the question to which you desired answer from me is quite different from any you addressed to me in your letter of June 8. In your letter of June 8 you asked "Who were the lawyers or representatives who represented the beneficiaries in any of the negotiations connected with the loan?" My answer was "The negotiations were carried on with this bank by Ramon A. Cereijo, Minister of Treasury of Argentina, and several technical advisers of the Government and the Central Bank of Argentina who accompanied Mr. Cereijo to this country. No United States nationals

were involved in conducting the negotiations on behalf of Argentina."

This I believe to be an explicit answer to your question listed as No. 5 in your letter of June 8.

The question which you propounded on the floor of the Senate yesterday as was follows: "If Mr. Gaston did not understand my meaning when he read my letter, let me tell him from this desk today what I meant when I asked him some of the questions contained in my letter to him. I want to learn from him, as Chairman of the Export-Import Bank, the extent to which some of the powerful United States corporations with certain economic interests in Latin America bring strong representations to bear upon the Export-Import Bank in connection with the determination of the loaning policy of that bank."

After rereading your letter of June 8 I think you will agree with me that no such question was either asked or intimated in your letter. The answer to it is, however, quite simple. I know of no representations by powerful United States corporations with economic interests in Latin America which have been brought to bear upon the Export-Import Bank in connection with the determination of the lending policy of this Bank. Certainly no such representations were brought to bear upon this bank in connection with the Argentine credit.

Our discussions were solely with representatives of the Argentine Government and I know of no attempt by any corporation or individual having interests in Latin America to exercise any influence whatever upon this Bank in connection with the credit.

I would not want this answer to be broadened to include attempts to influence legislation before the Congress since I know that representatives of some corporations having important interests in Latin America have been very actively in opposition to the proposal now pending before the Senate to empower the Export-Import Bank to guarantee productive investments in foreign countries against the risks of inconvertibility and expropriation without prompt compensation. Nor would I want to imply that United States manufacturing corporations desiring to sell their products in Latin-American countries have not been active in attempting to obtain loans for financing goods purchased from them. They have; but this is, of course, a mere matter of salesmanship. One of the major activities of the bank has been the making of exporter credits benefiting American manufacturers and exporters.

The Argentine credit, like other foreign credits, was of course discussed with various representatives of the State Department as well as with other agencies of this Government. The Secretary of State is a member of the Board of Directors of the Export-Import Bank and the bank is required by law to submit all its proposals for lending to the National Advisory Council on International Monetary and Financial Problems for advice and coordination. This organization consists of the Secretary of the Treasury, as Chairman, the Secretary of State, the Secretary of Commerce, the Chairman of the Board of Governors of the Federal Reserve System, the Administrator of the Economic Cooperation Administration, and the Chairman of the Export-Import Bank.

I regret that you did not ask me the question or questions you had in mind in your letter of June 8 so that I could have replied to them. If there are other questions with respect to the policies or activities of the bank to which you would like to have answers I should be glad to have you write to me freely or to talk to you about them at any time.

Yours very truly,

HERBERT E. GASTON,
Chairman.

RECESS

Mr. LUCAS. As in legislative session, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 27 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, July 18, 1950, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate July 17 (legislative day of July 1), 1950:

DEPARTMENT OF LABOR

COMMISSIONER OF LABOR STATISTICS

Ewan Clague, of Pennsylvania, to be Commissioner of Labor Statistics for a term of 4 years, expiring August 20, 1954. (Reappointment.)

HOUSE OF REPRESENTATIVES

MONDAY, JULY 17, 1950

The House met at 12 o'clock noon.

Rev. S. M. Yancey, Methodist minister, Fayetteville, Ark., offered the following prayer:

Almighty God, father of us all, we stand today with bowed heads and heavy hearts, facing an upset world situation that can be settled only with Thy help and guidance. Thou hast been good to this country and its people; may we show our worthiness by helping others to see and know the Christ who has done so much for us.

We pray today for our President and our Congress, whose duty it is to govern this land. Give them, Father, the strength, wisdom, and moral courage that these trying times demand. Grant them the faith to safely lead this Nation and the world to an enduring peace, for the benefit of man and the glory of God.

These things we humbly ask in the name of Almighty God. Amen.

The Journal of the proceedings of Thursday, July 13, 1950, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McDaniel, its enrolling clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8568) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1951, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate numbered 28 to the above-entitled bill.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 441. An act to redefine the units and establish the standards of electrical and photometric measurements;

S. 2046. An act to provide authority for certain functions and activities of the National Bureau of Standards, and for other purposes;

S. 2201. An act amending section 2 of the act of March 3, 1901 (31 Stat. 1449), to provide basic authority for the performance of certain functions and activities of the National Bureau of Standards, and for other purposes; and

S. 2507. An act to authorize the United States Maritime Commission to grant to the East Bay Municipal Utility District, an agency of the State of California, an easement for the construction and operation of an interceptor sewer pipe line in and under certain Government-owned lands comprising a part of the Maritime Alameda Shipyard, Alameda, Calif.

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 amendments of the Senate to the bill (H. R. 7477) entitled "An act providing for the conveyance to the town of Nahant, Mass., of the Fort Ruckman Military Reservation."

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. LANGER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 51-1.

SENDING OF TROOPS TO KOREA BY MEMBERS OF THE UNITED NATIONS

Mr. RICH. 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 Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, "What shall it profit a man if he gain the whole world and lose his own soul?"

Why are we fighting in Korea? To test the United Nations, in my judgment, as to whether they are a unit in determining world brotherhood. If they are, then they should all join forces to defend brotherhood. Are they sincere? If so, at once send troops to Korea to defend the United Nations in proportion to their manpower. This means Great Britain, France, Canada, Belgium, Holland, Australia, Norway, and all the other United Nations member countries.

I request the President of the United States give Congress a weekly accounting of the help we get from the United Nations, singly and jointly. If they do not send men immediately, I ask, Why should we send over to the Orient our men to be murdered for their protection? This is serious. It means all-out war. It means drafting; it means rationing; it means men, money and munitions. It means much for other countries, and ruination to us if we go it alone. David Lawrence says, "What we see today is a need for world-wide conscription."

Mr. President, this is not a one-man war. Why not take Congress into your confidence, before you do the wrong thing and before it is too late to save

ourselves from our leaders in government? Mr. President, you say we are not at war. Well, it does not look that way to me.

The following little poem by Edgar Guest, *We Haven't Learned*, seems to me particularly appropriate at this time:

JUST FOLKS

(By Edgar A. Guest)

WE HAVEN'T LEARNED

With all the wisdom taught in schools
There shouldn't be so many fools,
So many, stupid, blundering men
Who want to go to war again.
By now 'tis strange we haven't learned
That peace from war is never earned;
That never long are cannons still
Since war breeds war and always will.
We must be fools to think that we
Must battle when we disagree
And give to fearful weapons new
The problems sense would better do.
Oh, sorry men so much to know
And yet to learn one truth so slow:
That reason, if we dared to try,
Would save the boys war calls to die!

GUNS OR BUTTER?

Mr. HUGH D. SCOTT, JR. 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 Pennsylvania?

There was no objection.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, the Agriculture Department has 1 pound of butter in cold storage for every person in the United States. I wonder how many tanks that butter would buy? We have \$90,000,000 worth of butter and no 60-ton tanks in or out of cold storage.

Maybe we had better stop living so high up on the hog while our good soldiers are dying down in the Korean mud.

It is time for business to forego big profits, labor to pledge a wage freeze in return, the farmer to accept sacrifices in his support program, and the taxpayer to support a pay-as-you-go war to avoid further inflation.

This is no mere police action. It is everybody's war. It is time to stop this milling around.

This great country can, through voluntary cooperation, strengthen our economy. It depends upon the vision and capacity of our national leaders.

SPECIAL ORDER GRANTED

Mr. SIKES asked and was given permission to address the House for 10 minutes today, following the legislative program and any special orders heretofore entered.

GREAT SMOKY MOUNTAINS NATIONAL PARK

Mr. PETERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5866) to adjust and define the boundary between Great Smoky Mountains National Park and the Cherokee-Pisgah-Nantahala National Forests, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 5, strike out "Pisgah-Nantahala-Cherokee" and insert "Cherokee-Pisgah-Nantahala."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EKLUTNA PROJECT, ALASKA

Mr. PETERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 940) to authorize construction of the Eklutna project, hydroelectric generating plant, and transmission facilities in connection therewith, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That in order to encourage and promote the economic development of the Territory of Alaska, to foster the establishment of essential industries in said Territory, and to further the self-sufficiency of national defense installations located therein, the Secretary of the Interior (hereinafter referred to as the 'Secretary') is authorized to construct, operate, and maintain the Eklutna project in the vicinity of Anchorage, Alaska, consisting of a low dam at Lake Eklutna, a diversion tunnel and penstock a power plant with an installed capacity of 30,000 kilowatts, transmission lines to Anchorage and other load centers, and related works (except recreational facilities) substantially in accordance with the plans and recommendations in the report adopted by the Secretary of the Interior on January 18, 1949, on file with the Committee on Public Lands of the House of Representatives and the Committee on Interior and Insular Affairs of the Senate at an estimated cost of \$20,365,400. The capital investment properly allocable to each unit of said project, as determined by the Federal Power Commission, shall be amortized over a reasonable period of years, and interest shall be charged on the unamortized balance of the full capital investment in said project at a rate of 2½ percent per annum and shall be covered into the Treasury of the United States to the credit of miscellaneous receipts. All minerals discovered in the course of constructing the Eklutna project are hereby reserved to the United States and may be sold or otherwise disposed of in such manner as may be prescribed by the Secretary, if he finds and so reports to the Congress in writing that the only economically practicable method of recovering the ore so reserved is to provide for the salvage of any minerals that may be contained in the excavated materials removed from the tunnel during the normal process of construction. The net proceeds from any such sale or other disposition shall be covered into the Treasury of the United States to the credit of miscellaneous receipts. The waters of Eklutna Lake and its tributaries which are required for the operation of the Eklutna project are hereby reserved for that purpose.

"Sec. 2. Electric power and energy generated at the Eklutna project, except that portion required in the operation of such project, shall be disposed of in such a manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles and the maintenance of adequate electric service, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Such rate schedules shall be drawn having regard to

the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of the project) of the cost of producing and transmitting the power and energy, including the amortization of the capital investment as provided in section 1 hereof. Preference in the sale of such power and energy shall be given to all public bodies and cooperatives on the same terms, and to Federal agencies. It shall be a condition of every contract made under this act for the sale of power and energy that the purchaser, if it be a purchaser for resale, will deliver power and energy to Federal agencies or facilities thereof within its transmission area at a reasonable charge for the use of its transmission facilities. All receipts from the transmission and sale of electric power and energy generated at said project shall be covered into the Treasury of the United States to the credit of miscellaneous receipts, save and except that the Treasury shall set up and maintain from the receipts for said project a continuing fund of \$200,000 to the credit of the Secretary and subject to expenditure by him, to defray emergency expenses and to insure continuous operation.

"Sec. 3. The Secretary is authorized to perform any and all acts and enter into such agreements as may be appropriate for the purpose of carrying the provisions of this act into full force and effect, including the acquisition of rights and property, and the Secretary, when an appropriation shall have been made for the commencement of construction or for operation and maintenance of said project, may, in connection with the construction or operation and maintenance of such project, enter into contracts for miscellaneous services for materials and supplies, as well as for construction, which may cover such periods of time as the Secretary may consider necessary but in which the liability of the United States shall be contingent upon appropriations being made therefor.

"Sec. 4. Upon completion of amortization of the capital investment allocated to power, the Secretary is authorized and directed to report to the Congress upon the feasibility and desirability of transferring the Eklutna project to public ownership and control in Alaska.

"Sec. 5. Wherever in this act authority is vested in, or functions are to be performed by, the Secretary, such authority may be exercised, and functions performed, through such agencies of the Department of the Interior as he may designate.

"Sec. 6. There are authorized to be appropriated the sum of \$20,365,400 for the construction of the Eklutna project, and, in addition, such sums as may be necessary for the operation and maintenance of such project."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ALLOCATION OF STEEL BY VOLUNTARY AGREEMENT

Mr. MACY. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD an explanation of a bill that I am introducing relating to the allocation of steel by voluntary agreement.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MACY. As you all know, a thriving gray market in steel is with us again. In many areas, sheet steel is bringing two

to three times the regular mill price. Steel scrap prices have skyrocketed and the so-called conversion deals which help inflate our economy are on the increase. It now appears that the present Korean situation will serve to worsen this condition.

I fear that all these factors will shortly be used as arguments for the imposition of governmental controls and regulations on business. This is something which I feel can and should be avoided, except when absolutely necessary in case a national emergency is such as to compel.

As you recall, there was a severe steel shortage following World War II and in some quarters consideration was given to the reimposition of wartime controls. As chairman of the Committee to Investigate Questionable Trade Practices, I found that a serious condition did exist, but I also reached the conclusion that this problem could be better handled by industry itself, with governmental cooperation rather than arbitrary regulation. This confidence does not appear to have been misplaced, for the record of the Office of Industry Cooperation under the guidance of Secretary Sawyer is a fine example of the way in which industry can solve its own problem of supply and distribution. I am, therefore, preparing a bill which will authorize the President or the Secretary of Commerce to again call upon industry for the formation of such a group so that voluntary allocation may obviate the necessity for mandatory controls.

BRITISH OIL SALES TO CHINA

Mr. MEYER. 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 Kansas?

There was no objection.

Mr. MEYER. Mr. Speaker, under the heading "British oil sales to China boom," the New York Times of July 14 reports that the British Asiatic Petroleum Co., a member of the giant Shell family, is moving into the gap left in the supply of oil to Communist China.

What caused the gap? It was the wholly commendable action of the Sacy and Caltex companies, of United States origin, which have stopped supplying the petroleum market on the China mainland. The report says that the two companies which with the British Asiatic formed the "Big three" of the Far East oil business, shut down on supply to China at the request of the State Department.

Mr. Speaker, no amount of explaining can make the conduct of the British Asiatic add up to anything except a deliberate obstruction to our Korean campaign. The air is filled with speculation that Chinese Communists will soon be fighting as part of the North Korean Army and there have been reports that they already are. Now that the two American companies have stopped supplying the China mainland, the only visible source of supply, in any important quantity, is the British Asiatic.

The Shell interests have long enjoyed our hospitality. They were admitted on

equal terms with our own citizens to do business in the United States. The assets of the Shell companies in this country amount to hundreds of millions of dollars. I know many of their employees—fine, upstanding men whose anger at the action of the British Asiatic must be equal to my own.

Mr. Speaker, Government action here cannot reach the British Asiatic company but a protest should be made. Probably of greater importance is the fact that we have ways of making our individual protests.

SPECIAL ORDER GRANTED

Mr. GORE asked and was given permission to address the House for 20 minutes today, following the legislative program and any special orders heretofore entered.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

AMENDING NATIONAL SERVICE LIFE INSURANCE ACT TO PROVIDE ADDITIONAL DISABILITY BENEFITS

The Clerk called the bill (H. R. 6560) to amend the National Service Life Insurance Act of 1940, as amended, to authorize provisions in national service life insurance policies for increased monthly disability benefits.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

Mr. RANKIN. Mr. Speaker, I must object to that.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I object.

The SPEAKER. Three objections are necessary.

Mr. RICH. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That so much of section 602 (v) (1) of the National Service Life Insurance Act of 1940, as amended, as precedes the first proviso is hereby amended to read as follows:

"(v) (1) The Administrator is hereby authorized and directed, upon application by the insured and proof of good health satisfactory to the Administrator and payment of such extra premium as the Administrator shall prescribe, to include in any national service life insurance policy on the life of the insured provisions whereby an insured who is shown to have become totally disabled for a period of six consecutive months or more commencing after the date of such application and before attaining the age of 60 and while the payment of any premium is not in default, shall be paid monthly disability benefits from the first day of the seventh consecutive month of and during the continuance of such total disability of not less than \$5 nor more than \$10 (in multiples of \$1) for each \$1,000 of such insurance in effect when such benefits become payable."

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include a letter from the Administrator of Veterans' Affairs to the committee.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

VETERANS' ADMINISTRATION,
Washington, D. C., January 19, 1950.
HON. JOHN E. RANKIN,
Chairman, Committee on Veterans' Affairs,
House of Representatives,
Washington, D. C.

DEAR MR. RANKIN: This is in reply to your letter dated January 7, 1950, requesting a report on H. R. 6560, Eighty-first Congress, a bill to amend the National Service Life Insurance Act of 1940, as amended, to authorize provisions in national service life insurance policies for increased monthly disability benefits.

The purpose of the bill is to amend section 602 (v) (1) of the National Service Life Insurance Act of 1940, as amended, to increase the amount of total disability income benefits which may be underwritten from \$5 to \$10 per month (in multiples of \$1) for each \$1,000 of insurance.

Up to about 18 years ago commercial companies underwrote disability income benefits which generally provided for a monthly income of \$10 for each \$1,000 of the face amount of life insurance in force, limiting the coverage to age 55, 60, or 65. The experience under this type of coverage turned out to be quite unfavorable, and the companies either stopped underwriting such coverage entirely or restricted the coverage in various ways so as to eliminate as much as possible the elements responsible for this unfavorable experience. At the present time there are 37 companies which are writing disability income insurance in this country. Of the 37, there are 20 which limit the monthly income to \$5 per \$1,000, and 4 which issue policies providing for \$10 per \$1,000. The other 13 companies provide for modifications such as the choice in amount of monthly income as \$5 or \$10, or with benefits commencing at \$10 upon disablement and reducing to \$5 after a specified period or specified age, or with total termination of payments at maturity or at some specified age. Thus, the companies as a whole have taken a conservative rather than a liberal attitude with respect to the issuing of this type of coverage.

Unlike private insurance companies, there are no restrictions in the National Service Life Insurance Act of 1940, as amended, authorizing the Veterans' Administration to make a selection of applicants for the total disability income provision because of occupational hazards, moral or other elements which might unduly affect the disability experience. Also, a uniform premium is charged for the disability provision without any increase in premiums being made in individual cases. It is appreciated that some individuals would very much desire to carry a disability provision paying them \$10 for each \$1,000 of insurance as a benefit payment in the event of total disability. This is especially true of veterans engaged in a hazardous occupation. To double the amount of income available from this provision would increase its attractiveness to persons whose duties or occupations are of a hazardous nature. Such an increase in these cases may result in adverse selection against the national service life insurance fund.

The present disability income rate of \$5 per \$1,000 of insurance is in line with the limitation placed on disability income provision by private insurance companies and with the total disability provision available on United States Government life insurance. It should be remembered that the increased disability

income provision, if authorized, will continue over a long period of time. In times of unemployment or depression, experience has shown that such provisions for income become particularly attractive and that some individuals are inclined to continue as long as possible a disability status providing benefits. The present limitations on the amount of income to be paid in the event of total disability appear to be reasonable.

Under the provisions of the bill, individuals suffering identical disabilities would receive varying amounts of income with the least favored economically receiving a smaller share due to their inability to carry the maximum amount of insurance and the maximum amount of total disability income protection. Thus, the bill would benefit most those individuals who are able to purchase the maximum amount of insurance and coverage under the total disability income provision.

Under the provisions of the National Service Life Insurance Act of 1940, as amended, the Government pays all administrative costs and assumes the liability for payment of the total disability income benefit for all disabilities resulting from the extra hazard of military or naval service. The provisions of the bill would increase the liability to be borne by the appropriation of public funds. It is important to consider the probability that the proposed benefit may prove so attractive, especially in periods of economic stress, as to greatly increase the cost of such benefits to the national service life insurance fund which would adversely affect the interests of other policyholders. As indicated above, the experience of private insurers, who underwrote disability income provision of \$10 per month for each \$1,000 of insurance, forced them to reduce the benefit provision so as to lessen any economic inducement to continued idleness. The likelihood of similar unfavorable experience under our system seems unavoidable because of the rather generous payments already provided under the pension and compensation laws administered by the Veterans' Administration.

From the Government's standpoint, the bill would also involve a cost because claims determined to be due to the extra hazard of military or naval service would be borne by the national service life insurance appropriation. Should the United States become involved in a future war, the cost of the increased total disability provision may be tremendous. The provisions of the bill might tend to increase administrative costs, but such increase cannot be estimated.

Because of the adverse effect which the provisions of the bill might have upon the national service life insurance fund, it is my belief that enactment of the bill would not serve the best interests of the policyholders for whom such fund is maintained.

Advice has been received from the Bureau of the Budget that there would be no objection to the presentation of this report to your committee.

Sincerely yours,

CARL R. GRAY, Jr.,
Administrator.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PREMIUMS ON NATIONAL SERVICE LIFE INSURANCE

The Clerk called the bill (H. R. 8236) to provide that on and after January 1, 1951, dividends on national service life insurance shall be applied in payment of premiums unless the insured has requested payment of dividends in cash.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 602 (f) of the National Service Life Insurance Act of 1940, as amended, is hereby amended by substituting a colon for the period at the end thereof and adding the following: "Provided further, That until and unless the Veterans' Administration has received from the insured a request in writing for payment in cash, any dividend accumulations and unpaid dividends shall be applied in payment of premiums becoming due on insurance subsequent to the date the dividend is payable after January 1, 1951."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENTS TO NATIONAL SERVICE LIFE INSURANCE ACT

The Clerk called the bill (H. R. 8235) to amend further the National Service Life Insurance Act of 1940, as amended.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PREPARATORY COMMISSION FOR INTERNATIONAL REFUGEE ORGANIZATION

The Clerk called the bill (H. R. 5863) for refund of customs duties to the Preparatory Commission for the International Refugee Organization.

Mr. CUNNINGHAM. Mr. Speaker, it is my understanding this bill is scheduled to be called up under suspension of the rules today. Therefore, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

GRANTING OF LAND TO CITY OF ALBUQUERQUE

The Clerk called the bill (H. R. 8678) granting land to the city of Albuquerque for public purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, reserving the right to object, I have been informed by people in New Mexico, following the discussion we had at last week's session, that this land is not to be used for college dormitory buildings, and the chances are it will be sold at a profit by some speculators who may reap the benefits and for that reason, Mr. Speaker, I object to the consideration of the bill.

Mr. FERNANDEZ. I do not think the gentleman is fully informed about the matter. This land was purchased by the State of New Mexico in 1906. There were originally 640 acres purchased. Half of it has been lying idle and not used for any purpose whatever. The State paid for it, and has had its money invested in it for all these years. After 44 years they have decided that it ought to be sold and the money used, not for dormitories but to build an auditorium. I do not think the gentleman should object to the bill.

Mr. RICH. Here is what this letter says:

You are doing well to look into this deal. No auditorium is contemplated for the remaining 320 acres. In fact, the city has a dog pound there. The area is good speculative land.

Mr. FERNANDEZ. Yes. It can be sold for the people to use; instead of a dog pound it should be put to beneficial use.

Mr. RICH. He says further:

But the area is good speculative land. Someone will get it for a "song" and make a good profit. By continuing to object you might not be saving the people anything but you will prevent a local deal which will probably "smell." Check on it closely.

Mr. FERNANDEZ. The city of Albuquerque is not going to sell it for a "song." It will sell it for the best price it can get so that the funds may be used for an auditorium. I do not think the gentleman should object to it. The land is owned by the city and it cannot be used by the Federal Government. To object to it is to take a dog-in-the-manger attitude. The Federal Government cannot use it, and we ought not to keep the city from selling it and having it developed.

Mr. RICH. If this property was sold by the Government to the city for \$1.50 an acre and now you are going to dispose of it and make a large profit out of it, why do you not give that money back to the United States Treasury, the people of the United States, and let everybody benefit accordingly? And then the city can do what they please with the land. That is what I want you to do with it.

Mr. FERNANDEZ. Would the gentleman say that we should figure the interest on the money that we have invested on that land ever since 1906?

Mr. RICH. It never cost you much of anything. You only paid a dollar and a half an acre for it. I am willing that you get interest on your money. However, you had the use of this land for these years.

Mr. FERNANDEZ. That is all it was worth at that time. It was more than it was worth. Does the gentleman mean if he buys a piece of property and, after 40 years if he can sell it for more, he should turn the difference back to the seller? His attitude is picayunish.

Mr. RICH. If you got something for nothing, to be used for public use, and you are not going to use it, then it is your duty to turn it back to the Treasury of the United States, the place you received it and where it belongs, if you have no use for it.

Mr. Speaker, I object.

PURCHASE OF BONDS TO COVER OFFICERS AND EMPLOYEES OF THE GOVERNMENT

The Clerk called the bill (H. R. 8706) to provide for the purchase of bonds to cover officers and employees of the Government.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, this bill is also on the calendar to be called up under suspension of the rules. I therefore ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

DEPARTMENT OF MEDICINE AND SURGERY IN THE VETERANS' ADMINISTRATION

The Clerk called the bill (H. R. 8619) to amend the act entitled "An act to establish a Department of Medicine and Surgery in the Veterans' Administration," approved January 3, 1946, to provide for the appointment of dental specialists, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 8, 10 (a), and 12 of the act entitled "An act to establish a Department of Medicine and Surgery in the Veterans' Administration," approved January 3, 1946, are amended to read as follows:

"Sec. 8. (a) Within the restrictions herein imposed, the Chief Medical Director may rate any doctor appointed under subsection (a) of section 4 of this act as a medical or surgical specialist, and, upon the recommendation of the Assistant Chief Medical Director for the Dental Services, may rate any doctor of dental surgery or dental medicine, appointed under subsection (a) of section 4 of this act, as a dental specialist: *Provided*, That no person shall at any one time hold more than one such rating.

"(b) No person may be rated as a medical, surgical, or dental specialist unless he is certified as a specialist by an American specialty board, recognized by the Administrator where such boards exist; or if no such boards exist, he has been examined and found qualified by a board appointed by the Chief Medical Director from specialists of the Department of Medicine and Surgery holding ratings in the specialty to which the candidate aspires: *Provided*, That whenever there are insufficient specialists, rated in the proper specialty, who are readily available to constitute such a board, the Chief Medical Director may substitute consultants with comparable qualifications employed under section 14 of this act.

"(c) Any person, rated as a medical, surgical, or dental specialist under the provisions of this section shall retain such rating until it shall be withdrawn by the Chief Medical Director: *Provided*, That the Chief Medical Director shall not withdraw any such rating until it shall have been determined by a board of specialists that the person holding such rating is no longer qualified in his specialty.

"(d) Any person, rated as a medical, surgical, or dental specialist under the provision of this section, shall receive, in addition to his basic pay, an allowance equal to 25 percent of such pay: *Provided*, That in no event shall the pay plus the allowance authorized by this subsection exceed \$12,000 per annum."

Sec. 2. Section 10 (a) of said act is amended to read as follows:

"Sec. 10. (a) The Chief Medical Director, under such regulations as the Administrator shall prescribe, shall from time to time appoint boards to be known as disciplinary boards, each such board to consist of not less than three nor more than five employees, senior in grade, or the Department of Medicine and Surgery, to determine, upon notice

and fair hearing, charges of inaptitude, inefficiency, or misconduct of any person employed in a position provided in subsection (a) of section 4 of this act: *Provided*, That when such charges concern a dentist, the majority of employees on the disciplinary board shall be dentists."

SEC. 3. Section 12 of said act is amended to read as follows:

"SEC. 12. The Administrator shall establish a special medical advisory group composed of members of the medical, dental, and allied scientific professions, nominated by the Chief Medical Director, whose duties shall be to advise the Administrator, through the Chief Medical Director, and the Chief Medical Director direct, relative to the care and treatment of disabled veterans, and other matters pertinent to the Department of Medicine and Surgery. The special advisory group shall conduct regular calendar quarterly meetings. The number, terms of service, compensation, and allowances to members of such advisory group shall be in accord with existing law and regulations."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECEIPT OF COMMISSIONS OR GIFTS FOR PROCURING LOANS

The Clerk called the bill (H. R. 4192) to amend title 18, United States Code, section 220, relating to receipt of commissions or gifts for procuring loans.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

COMPENSATION AND LEAVE BENEFITS FOR POST OFFICE CUSTODIAL EMPLOYEES

The Clerk called the bill (H. R. 8711) relating to the compensation and leave benefits of officers and employees in the custodial service of the Post Office Department transferred to the General Services Administration under Reorganization Plan No. 18 of 1950.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

AMENDING TRADING WITH THE ENEMY ACT

The Clerk called the bill (S. 603) to amend the Trading With the Enemy Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. O'HARA of Minnesota and Mr. PATTEN objected.

DISSEMINATION OF TECHNOLOGICAL, SCIENTIFIC, AND ENGINEERING INFORMATION

The Clerk called the bill (S. 868) to provide for the dissemination of technological, scientific, and engineering information to American business and industry, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CREATING A NATIONAL CEMETERY COMMISSION

The Clerk called the bill (H. R. 7059) to create a National Cemetery Commission for the consolidation of national cemetery activities within one civilian commission, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PLUMLEY, Mr. MASON, and Mr. GAVIN objected, and the bill was stricken from the calendar.

BOISE BARRACKS, BOISE, IDAHO

The Clerk called the bill (H. R. 7667) directing the transfer to the Department of the Interior by the General Services Administration of certain property in Boise Barracks, Boise, Idaho.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the General Services Administration shall transfer to the Department of the Interior, without reimbursement or exchange of funds, that portion of Boise Barracks at Boise, Idaho, described as follows:

Beginning at a point on the westerly boundary of the cemetery access road, which point bears north four degrees thirty-two minutes east six hundred and twenty-seven feet from the intersection of the north line of Reserve Street and the west line of said cemetery access road; thence along the line of lands proposed to be conveyed to the city of Boise the following courses and distances: South eighty-seven degrees eight minutes west six hundred ninety-six and five-tenths feet; thence north twenty-one degrees two minutes west five hundred and thirty-two feet; thence south sixty-nine degrees four minutes west twenty-one and nine-tenths feet, to a corner of the land proposed to be conveyed to the Boise Independent School District; thence along said school district land north twenty-two degrees forty minutes west eighty-six and three-tenths feet, to a corner of the lands of the Veterans' Administration; thence along said Veterans' Administration land north eighty-four degrees fifty minutes east nine hundred ninety-three and six-tenths feet to the westerly line of the cemetery access road; thence south four degrees thirty-two minutes west, along the westerly line of the said cemetery access road, six hundred twenty-four and ninety-five one-hundredths feet to the point of beginning; containing eleven and fifty-three one-hundredths acres, more or less; together with the improvements and buildings thereon located, and such of the furnishings, equipment, and other personal property situated at Boise Barracks and under the jurisdiction of the General Services Administration which has been declared as surplus, and which the Secretary of the Interior may designate as needed for the maintenance, operation, and protection of the area described and improvements thereon, and for purposes incidental to the use of such property by the Department of the Interior.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMINISTRATIVE PRACTITIONERS ACT

The Clerk called the bill (H. R. 8201) to protect the public with respect to practitioners before administrative agencies.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

FOREST-FIRE CONTROL HEADQUARTERS

The Clerk called the bill (H. R. 7257) to provide for the acquisition of land and the construction thereon of buildings and appurtenances essential for forest-fire control operations of the Forest Service, United States Department of Agriculture, at or near Missoula, Mont., and for other purposes.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized to acquire by donation, purchase, and/or condemnation such tract or tracts of land, at or near Missoula, Mont., as in his judgment may be suitable for the construction thereon of fire-control smoke jumper headquarters, air cargo supply base, a storage garage and other facilities, and said land upon acceptance of title to be subject to all laws and regulations applicable to lands acquired under the act of March 1, 1911, as amended (16 U. S. C. 515, 516).

SEC. 2. The Secretary of Agriculture is hereby authorized, by contract or otherwise, to cause to be planned, designed, and constructed on said land, such buildings as in his judgment may be suitable as fire-control smoke jumper headquarters, air cargo supply base, storage garage, and other facilities, and including the purchase and installation of necessary equipment, the making of sewer, water, gas, electrical and other connections, and the construction of such roadways, sidewalks, landscaping, and approaches as may be required.

SEC. 3. For the purpose of carrying out the provisions of this act, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,160,000: *Provided*, That the Secretary may, prior to July 1, 1951, enter into contracts for the acquisition of the land and for the construction of the buildings and other installations herein authorized, to an amount not in excess of \$500,000.

With the following committee amendment:

Strike out beginning with line 7 on page 1, down through line 3 on page 3, and insert the following:

"SEC. 2. Section 409 of the Interstate Commerce Act, as amended, is hereby amended to read as follows."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREIGHT FORWARDERS

The Clerk called the bill (H. R. 5967) to amend the Interstate Commerce Act, as amended, to clarify the status of freight forwarders and their relationship with motor common carriers.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

BURIAL BENEFITS FOR PHILIPPINE VETERANS

The Clerk called the bill (H. R. 8576) to provide reimbursement of expenses incurred in connection with the burial of those who served in the military forces of the Commonwealth of the Philippines while such forces were in the armed forces of the United States pursuant to the military order of the President of the United States, dated July 26, 1941.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, the information on this bill is that it will cost approximately \$26,000,000, which is \$25,000,000 more than we are supposed to allow to pass by unanimous consent. I therefore ask unanimous consent that the bill may be passed over without prejudice.

Mr. RANKIN. Mr. Speaker, if the gentleman will yield, I call his attention to the fact that the cost of the bill does not exceed \$1,000,000 a year. The \$26,000,000 is the average for the life of the bill.

Mr. CUNNINGHAM. It is still a total of \$26,000,000. The gentleman could get it up under suspension. It should never have been placed on the Consent Calendar in the first place.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

PROVIDING FOR THE HOLDING OF UNITED STATES DISTRICT COURT AT ROCK ISLAND, ILL.

The Clerk called the bill (H. R. 7260) to provide for the holding of court and the furnishing of quarters at Rock Island for the United States District Court for the Southern District, Northern Division of Illinois.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the second sentence of section 93 (b) (1) of title 28 of the United States Code is hereby amended to read as follows: "Court for the northern division shall be held at Peoria and Rock Island."

Sec. 2. That, notwithstanding the provisions of section 142, title 28, United States Code, quarters and accommodations for holding court for the United States district court for the southern district, northern division of Illinois, may be furnished in Rock Island, Ill., in any proposed Federal building construction project.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORT RUCKMAN MILITARY RESERVATION, NAHANT, MASS.

Mr. BONNER submitted a conference report and statement on the bill (H. R. 7477) providing for the conveyance to the town of Nahant, Mass., of the Fort Ruckman Military Reservation.

CONSTITUTIONAL AMENDMENT PROVIDING FOR METHOD OF ELECTING PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

Mr. GOSSETT. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S. J. Res. 2) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That an amendment is hereby proposed to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution when ratified by three-fourths of the legislatures of the several States. Said amendment shall be as follows:

"ARTICLE —

"SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of 4 years, and together with the Vice President, chosen for the same term, be elected as provided in this Constitution.

"The electoral college system of electing the President and Vice President of the United States is hereby abolished. The President and Vice President shall be elected by the people of the several States. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. Congress shall determine the time of such election, which shall be the same throughout the United States. Until otherwise determined by the Congress, such election shall be held on the Tuesday next after the first Monday in November of the year preceding the year in which the regular term of the President is to begin. Each State shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress.

"Within 45 days after such election, or at such time as the Congress shall direct, the official custodian of the election returns of each State shall make distinct lists of all persons for whom votes were cast for President and the number of votes for each, and the total vote of the electors of the State for all persons for President, which lists he shall sign and certify and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. On the 6th day of January following the election, unless the Congress by law appoints a different day not earlier than the 4th day of January and not later than the 10th day of January, the President of the Senate shall in the presence of the Senate and House of Representatives open all certificates and the votes shall then be counted. Each person for whom votes were cast for President in each State shall be credited with such proportion of the electoral votes thereof as he received of the total vote of the electors therein for President. In making the computations fractional numbers less than one one-thousandth shall be disregarded. The person having the greatest number of electoral votes for President shall be President if such number be at least 40 percent of the whole number of such electoral votes. If no person have at least 40 percent of the whole number of electoral votes, then from the persons having the two highest numbers of electoral votes for President the Senate and the House of Representatives sitting in joint session shall choose immediately by ballot the President. A majority of the votes of the combined authorized membership of the Senate and the House of Representatives shall be necessary for a choice.

"The Vice President shall be likewise elected at the same time and in the same manner and subject to the same provisions as the President, but no person constitutionally ineligible for the office of President shall be eligible to that of Vice President of the United States.

"The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a Vice President whenever the right of choice shall have devolved upon them.

"Sec. 2. Paragraphs 1, 2, and 3 of section 1, article II, of the Constitution, the twelfth article of amendment to the Constitution, and section 4 of the twentieth article of amendment to the Constitution, are hereby repealed.

"Sec. 3. This article shall take effect on the 10th day of February following its ratification.

"Sec. 4. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within 7 years from the date of its submission to the States by the Congress."

Mr. CASE of New Jersey. Mr. Speaker, I demand a second.

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CALL OF THE HOUSE

Mr. CASE of New Jersey. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. GOSSETT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 203]

Allen, Ill.	Hall,	Murray, Tenn.
Allen, La.	Edwin Arthur Nelson	
Andrews	Hare	Norton
Angell	Harris	Pace
Barrett, Wyo.	Hébert	Passman
Biemiller	Hedrick	Patman
Blackney	Hill	Perkins
Boggs, La.	Hinshaw	Pfeiffer
Breen	Hobbs	William L.
Brooks	Hoffman, Ill.	Phillips, Tenn.
Bulwinkle	Irving	Pickett
Carroll	Jackson, Calif.	Powell
Case, S. Dak.	Jennings	Quinn
Cavalcante	Johnson	Regan
Chatham	Jonas	Rivers
Christopher	Kearns	Sabath
Chudoff	Keefe	Sadowski
Cole, Kans.	Kennedy	Sasser
Cole, N. Y.	Kilday	Scott, Hardie
Combs	Kirwan	Shelley
Cooper	Lichtenwalter	Sims
Cox	Love	Smathers
Davis, Tenn.	Lyle	Smith, Ohio
Dawson	McCarthy	Smith, Va.
Dingell	McConnell	Spence
Engel, Mich.	McMillen, Ill.	Thompson
Frazier	Miller, Md.	Towe
Gillette	Mitchell	Weich
Gilmer	Monroney	White, Idaho
Gregory	Morrison	Willis

The SPEAKER. On this roll call 329 Members have answered to their names; a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

ELECTION OF PRESIDENT AND VICE PRESIDENT

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent that the time for debate be extended for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. NICHOLSON. Mr. Speaker, I object.

Mr. GOSSETT. Mr. Speaker, I yield myself such time as I may use, not to exceed 5 minutes.

Mr. Speaker, we have under consideration Senate Joint Resolution No. 2. I regret exceedingly that the limited time will permit only a general outline of the resolution and a somewhat dogmatic statement of the propositions in support thereof, without adequate time for documentation or elucidation.

Senate Joint Resolution 2 passed the Senate on February 1 by a vote of 64 to 23. Briefly, it does this. It abolishes the electoral college; it abolishes electors; it provides for direct voting for President and Vice President. It retains the electoral vote in each State, but provides that the electoral vote of each State shall be divided in exact ratio with the popular vote.

In Senate Joint Resolution 2 is the Lucas amendment. Under the Lucas amendment, unless one of the candidates gets as much as 40 percent of the total electoral vote, the election is thrown into the Congress, where the Senate and the House, sitting jointly, select a President from the two high candidates. I wish I had time to explain the many advantages of this method of congressional action over the old method.

Some evils of the present system are—

First. Existing provisions as to the choosing of electors, the manner in which their votes are cast and counted, and the deciding of elections in the Congress is an open invitation to fraud and chicanery and unless changed will some day result in disaster.

Second. The electoral college confines and largely restricts national campaigns to a half dozen pivotal States. The national campaign committees and the political strategists of both parties sit down with a map of the Nation and decide where to do their work and where to spend their money.

Third. The electoral college greatly restricts the field of presidential possibilities.

Fourth. The electoral college permits and invites irresponsible control and domination by small organized minority groups within the large pivotal States. It aggravates and accentuates the building up and solidification within these States of religious, economic, and racial blocs.

Fifth. The electoral college deprives great masses of our citizens of the educational benefits of national campaigns and lessens their concern in national affairs.

Sixth. The electoral college places unconscionable burdens and temptations upon a President elected by it.

Some benefits of the proposed reform are—

First. We will have absolutely democratic elections; everybody's vote counts for the person for whom cast.

Second. There will be little opportunity for fraud or pressure-group action.

Third. There will be no tie votes; the high man wins.

Fourth. Sectionalism will be largely abated.

The Government of the United States is by all odds the biggest and most important business in the world. When a young Nation, we could muddle through more easily and make mistakes with less injury than we can today. We have now come of age. Our domestic and foreign responsibilities are staggering. Unless we make democracy work at home, we have little chance of teaching it abroad. There is an old facetious and vulgar saying that, "God looks after sailors, drunks, and the United States of America." God has been good to us, indeed, but He may not always smile upon us. In the matter of reform, we are often like the Irishman who refused to repair his roof when the sun was shining. There is at least one major repair job that should be made before our structure of government is seriously impaired—before some storm blows our house down. This job is to abolish electors and the electoral college and to substitute an honest and democratic method of electing Presidents.

This subject is by no means new. In fact, it is as old as the Government itself. Many resolutions to this effect have been introduced in the Congress from time to time. In the Seventy-second and Seventy-third Congresses, House committees unanimously reported such resolutions, of which Congressman Lea, of California, was the author. In 1934, the Senate twice voted on a proposal by Senator Norris to do away with electors. The first vote was 42 yeas to 24 nays, and the next vote was 52 yeas to 29 nays. In both cases the necessary two-thirds vote was lacking. In the Eightieth Congress this resolution was reported by the Judiciary Committee of the House without a dissenting vote, and by the Judiciary Committee of the Senate with but one dissenting vote.

Under the existing system, as you know, no citizen has ever been permitted to vote directly for a President. In fact, under our present system the votes of millions of our citizens do not count in the final tally. We elect the most important officer of our Government through a hocus-pocus method called the electoral college. We vote for electors, who in turn through a dubious, confused, and technical procedure vote for one of the candidates for President. The candidate who receives the greatest number of popular votes in a particular State gets all of the electoral votes of that particular State, each State having a number of electoral votes equal to the number of its members in the Congress. If no candidate gets a majority of the electoral votes of the Nation the issue is then thrown into the Congress to be decided among the high three candidates.

Several resolutions now pending before our Judiciary Committee would do

simply this: Abolish electors and the electoral college and provide that one vote directly for the candidate of his choice for President and Vice President. We retain the electoral vote, however. Under the proposed reform New York would still have 47 electoral votes, Pennsylvania 35, Texas 23, and so forth. We would not tamper with or change the relative voting strength of the States, or the States' absolute control of the franchise and of elections. These matters would be left to local State sovereignty and responsibility. However, a candidate would get a proportion of the electoral vote of each State in the exact ratio with his popular vote. In other words, if the Republican candidate received 33½ percent of the popular vote in Texas, he would get 33½ percent of our 23 electoral votes. You would have a direct vote on the President in terms of electoral votes. The count becomes a matter of exact mathematics. The high man wins.

Let us examine a little history of the electoral-college system and see how badly it has worked. The men who wrote the Constitution, while being good and great men as a rule, and men of wisdom, were by no means commoners. There were no farmers or small artisans among them. They were the aristocracy of the day. They distrusted, and some even despised the popular will. How to select a President was perhaps the most confusing issue to be decided by them. A dozen different plans were proposed and several plans agreed upon at one time or another, then changed. In the Virginia plan, the Pinckney plan, and the New Jersey plan, provision was made for the election of a President by the national legislature. No one seriously suggested a direct vote for President. George Mason even said that such a thing would be "as unnatural as it would be to refer a trial of colors to a blind man." Some suggestions were made that the Chief Executive be elected by the governors of the States. Finally, it was Hamilton's compromise plan that was written into the finished document. Our eighteenth century elders envisioned electors as men of great wisdom and intelligence who would meet together and select the best fitted individuals in the country to be the President and the Vice President; the man receiving the greatest number of electoral votes was to be President, the one running second high to be Vice President. They did not anticipate the creation and growth of political parties nor did they foresee any of the procedures to which resort was subsequently made.

Almost immediately the idea backfired. In the Presidential contest in 1800, Jefferson, the man intended for President, and Burr, the man intended for Vice President, turned up with a tie vote in the electoral college. The matter was then thrown into the House of Representatives for a decision. Bickering and bitterness resulted, and had Burr exerted himself in the premises he doubtless would have been selected President. Almost immediately the Congress submitted to the States, and the States ratified, the twelfth amendment to the Constitution which provided that electors should vote for a President and a Vice President. This

cured one fatal defect in the original scheme but it left all of the others.

Three Presidents have been seated who had a lesser vote than did their leading opponents, that is, Adams in 1824, Hayes in 1876, and Harrison in 1888. In 1824, Andrew Jackson led his nearest opponent, John Quincy Adams, by a substantial popular vote and by a substantial electoral vote. However, lacking a majority over his three opponents, the election was thrown into the House of Representatives. As a result of the manipulations of Mr. Henry Clay, John Quincy Adams, the minority choice, was selected over Andrew Jackson for President. In 1876, Mr. Tilden had a plurality of over 250,000 and a natural majority of more than 78,000 over Mr. Hayes. Again the selection was left up to Congress and again through political manipulation, if not fraud, the popular will was defeated and the minority choice, Mr. Hayes, became President. In 1888, Grover Cleveland with a plurality of more than 100,000 votes and with an actual majority over Mr. Harrison was defeated. The entire career of Mr. Cleveland illustrates the foibles of the electoral college. In 1884, in the State of New York, Cleveland got 563,084 popular votes while Blaine got 562,001; with barely more than 1,000 popular votes Mr. Cleveland got all of the electoral votes of the State of New York. A change of 600 votes in New York would have elected Blaine President. In 1892 in the State of Ohio more than 1,000 voters cast their ballots for Mr. Cleveland's elector No. 1, while not voting for the remaining Cleveland electors as they intended. The result was the success of one Cleveland elector, the Republicans winning the rest. Had the 1,000 Democratic voters registered their choice correctly Mr. Cleveland instead of Mr. Harrison would have carried the State of Ohio. Every election illustrates the incongruity of the electoral college. In the 1944 campaign Governor Dewey received 2,663,484 votes in 10 States from which he received 62 electoral votes. In New York, however, he received 2,997,586 votes, considerably more than in the aforesaid 10 States combined, yet for these he received no electoral votes. In effect, nearly 3,000,000 New York Republicans had their votes counted for Mr. Roosevelt. Out of 47,000,000 popular votes, President Roosevelt received 3,000,000 more than did Governor Dewey, yet received 432 electoral votes to the Governor's 89. With 54 percent of the popular vote, Mr. Roosevelt received 81 percent of the electoral vote. In the last election Mr. Truman with 49.5 percent of the popular vote received 57 percent of the electoral vote.

Back in the first Lincoln campaign, Douglas, while receiving 74 percent of Lincoln's popular vote, received only 6½ percent of his electoral vote. Douglas also received three times as many votes as did Bell, yet got only one-third as many electoral votes. In the 1912 campaign, Woodrow Wilson received only 42 percent of the popular vote of the Nation, yet received 82 percent of the electoral vote. Mr. Wilson received one electoral vote for each 14,500 popular

votes; while for each electoral vote received Mr. Taft got 435,000 popular votes—31 times as many popular votes per electoral vote as in the case of Mr. Wilson. In 1924, Mr. John W. Davis received 6,000,000 popular votes for which no electoral votes were received.

Now let us make some specific charges against our present system of electing Presidents, all of which would be removed under our proposed amendment.

First, existing provisions as to the choosing of electors, the manner in which their votes are cast and counted, and the deciding of elections in the Congress is an open invitation to fraud and chicanery and unless changed will some day result in disaster: While electors are morally bound to vote for certain nominees they are not legally so bound. In the very first contested election in the Nation's history, in 1796, electors who were supposed to vote for Thomas Jefferson voted instead for John Adams. As a result, Adams received 71 electoral votes to 68 for Jefferson. Jefferson might have been elected except for this abuse of discretion by said three electors. There are other instances where electors have not followed the instructions of their electorate. In the last Presidential campaign serious difficulties arose in Louisiana, Mississippi, and Texas over the selection and duties of electors. If and when a Presidential election is hotly contested and is close between leading candidates we are likely to have serious upheavals and defections within and between parties. Congress itself may even throw out legal votes or count illegal ones.

Some of the record on this point is of interest. In 1857, the Wisconsin electors were prevented by a violent snowstorm from meeting at the State capitol on the appointed day to cast their votes. Had these votes been decisive in the election the majority in Congress might have counted or have thrown them out as suited political expediency. In 1837, 6 persons who lacked the constitutional qualifications for electors had their votes counted on the grounds that they were de facto officials. In 1818, the votes of Indiana, in 1821, the votes of Missouri, in 1837, the votes of Wisconsin, were thrown out on technical grounds, involving the electoral college. In 1869, and again in 1881, Georgia's electors voted on the wrong day and their votes were not permitted to be counted. In 1873 only half of the electors of Texas ever reached the State capitol. In 1873 also, the electoral vote of the State of Arkansas was rejected by the Congress and the State disfranchised because the return certificate bore the seal of the secretary of state instead of the great seal—an article which the State did not possess at that time.

In recent campaigns we have witnessed near civil strife in several States over the manner in which electors were chosen. In some instances we have seen electors cast their votes contrary to the wishes of those selecting them. We have been lucky that no electors have died, or gone insane, or that an election was not changed by one or more electors switching their votes arbitrarily.

Thus from the bottom to the top this archaic vehicle is fraught with peril. Under the proposed method all these controversies would be avoided, because the States would have no electors to choose, and the Congress would have no election contests to decide.

Second. The electoral college confines and largely restricts national campaigns to a half dozen pivotal States: The national campaign committee and the political strategists of both parties sit down with a map of the Nation and decide where to do their work and where to spend their money. Their job is to elect Presidents. If modern scientific techniques of sampling public opinion are handled properly and with the history of past campaigns to go by, their problem is relatively simple. The seven largest States in the Union, with their electoral vote, are as follows: New York, 47; Pennsylvania, 35; Illinois, 28; Ohio, 25; California, 25; Texas, 23; and Michigan, 19. Texas, being in the solid South, counts for little. Neither party would spend any money or make any effort of consequence there, so Texas is checked off. The same is true of other States of the so-called solid South. These States are solid largely because of the electoral college. California sometimes becomes a battleground. However, by and large, it is safe to say that 75 percent of all the political efforts by both parties is concentrated in five big pivotal States, to wit: New York, Pennsylvania, Ohio, Illinois, and Michigan. Any party carrying all of these States has a cinch to elect a President; any party carrying a majority of them has almost a cinch. We do not say that any election has been bought, but the present system has great possibilities along those lines.

Third. The electoral college greatly restricts the field of Presidential possibilities: Certainly so important an office should have the whole Nation as a field from which to select potential Presidents. The electoral college, however, narrows the field of Presidential hopefuls almost exclusively to the aforesaid pivotal States. Since the Civil War, no President has come from the South. With the exception of Herbert Hoover, none has ever come from the West. In the last 60 years, we have had three Presidents from Ohio and three from New York. In fact, to be a governor or an ex-governor of the great State of New York, gives one the inside track of the Presidential derby. Why? The answer is obvious. The change of a comparatively few votes in the State of New York will ordinarily give to a candidate 47 electoral votes and usually the election. Only twice in the last 75 years has anyone been elected President without carrying the great State of New York. No one can dispute these facts and no one can defend the result on democratic principles.

Fourth. The electoral college permits and invites irresponsible control and domination by small organized minority groups, within the large pivotal States. It aggravates and accentuates the building up and solidification within these States of religious, economic, and racial blocs: Small, definable, minority groups,

organized along religious or economic or racial lines, by voting together, can and do hold a balance of power within these pivotal States. As a result, the political strategists in both parties make special appeals to these various groups as such. These groups have become more and more politically conscious. They know their power. In many instances, they have no political alignments or philosophy as such, but are simply up for sale to the highest bidder. To encourage economic, racial, and religious group consciousness and group action, is a dangerously undemocratic practice, aside from its other evil consequences.

At the danger of stepping on some toes, let us get down to specific cases. Let us take a look at the political platforms of both major parties in the Presidential campaigns of 1944 and 1948 and see how they were built and designed to appeal to minority groups and blocs in the large pivotal States. First, both parties wrote the FEPC into their platforms. The platform makers of both parties will tell you frankly, off the record of course, that this was done as a bid for the Negro vote. There are enough Negroes in New York City, when voting en bloc, to determine often how the entire electoral vote of the State of New York is cast; enough in Philadelphia if cast in bloc to probably determine the result of an election in the State of Pennsylvania; enough in Detroit to perhaps decide the vote of the State of Michigan; enough in Chicago to carry the State of Illinois. Hence, a dangerous and radical proposal in which a majority of neither party believes was written into both platforms as political bait for a minority vote within the large pivotal States.

A second minority group that was wooed by the platform makers of both parties was the radical wing of organized labor. In the large pivotal States above mentioned, the votes controlled by the political action committee of the CIO was a tremendous, potential, political threat. The votes allegedly controlled by this organization in the large pivotal States, if cast in bloc, would be sufficient to swing the votes of such States and perhaps elect a President. Hence, both parties generally speaking wrote platitudinous provisions into their platforms concerning industrial-management relations. Both parties pussyfooted on the labor question because of organized labor's power through the electoral college.

Now, with all due deference to our many fine Jewish citizens, they constitute a third group, to whom a specific overt appeal was made in the platforms of both major parties. There are 2,500,000 Jews in the city of New York alone. When they vote even substantially en bloc, it means the balance of power in our largest State. The candidate for whom they vote carries New York State and probably the Presidency. What did the platform makers of 1944 do? Both of them wrote into their platforms specifically and without equivocation the so-called Palestine resolution, calling upon Great Britain to immediately open Palestine to unrestricted Jewish immigration. Regardless of the merits of the

Zionists' cause in Palestine, this was political demagoguery and dangerous meddling with British foreign policy in the Holy Land. As a result of platform endorsements by both major parties, we passed a resolution though the Seventy-ninth Congress calling upon England to open up Palestine to unrestricted Jewish immigration. Within a few weeks after this resolution was passed, England asked us if we were ready and willing to back up our request with the Army and the Navy if she got into war. We stuck our noses into British foreign policy for purely political reasons and to the detriment of all of our citizens, Jewish and otherwise.

Then there are numerous other minorities pressure groups within these large pivotal States to whom continuous political overtures are made by the strategists of both parties. There are more than 1,000,000 Italians in New York City. There are 2,000,000 Irish, many of whom are still politically conscious where Ireland is concerned. There are 500,000 Poles and other large racial groups. Because of the electoral college, the American Labor Party and the Communist Party in the State of New York have power and trading position out of all proportion to their numbers, to say nothing of their merit. It is entirely possible that because of this political strait-jacket, the electoral college system, that said American Labor Party or the Communist Party will determine some day soon who will be the President of the United States. Of late, we have become rightly alarmed over the activities of the Communist Party in the United States. Strange to say, this party has its greatest following and influence in the aforesaid large pivotal States. This party and its fellow travelers are shrewd political manipulators. What grim irony it would be if they should swing the balance of power and be responsible for the election of a President of the United States. Again, mention might be made of the undue power and influence given to the big city political machines through the electoral college. Through, and because of the electoral college, a few big cities have elected and will probably continue to elect Presidents of the United States. It is largely within these big cities that the racial, religious, and economic blocs are found and in which they operate.

Now, please understand, I have no objection to the Negro in Harlem voting and to his vote being counted, but I do resent the fact that both parties will spend a hundred times as much money to get his vote, and that his vote is worth a hundred times as much in the scale of national politics as is the vote of a white man in Texas. I have no objection to a million folks who cannot speak English, voting, or to their votes being counted, but I do resent the fact that because they happen to live in Chicago, or Detroit, or New York, that their vote is worth a hundred times as much as mine because I happen to live in Texas. Is it fair, is it honest, is it democratic, is it to the best interest of anyone in fact, to place such a premium on a few thousand labor votes, or Italian votes, or Irish votes, or Negro votes, or Jewish votes, or Polish

votes, or Communist votes, or big-city-machine votes, simply because they happen to be located in two or three large, industrial pivotal States? Can anything but evil come from placing such temptation and such power in the hands of political parties and political bosses? They, of course, will never resist the temptation of making undue appeals to these minority groups whose votes mean the balance of power and the election of Presidents. Thus, both said groups and said politicians are corrupted and the Nation suffers.

Fifth. The electoral college deprives great masses of our citizens of the educational benefits of national campaigns and lessens their concern in national affairs: Most of our citizens outside of the great pivotal States never see a Presidential candidate or a campaign speaker, and never hear a campaign speech except by radio. Neither the platforms nor the speeches are designed to appeal to them. Furthermore, millions in these areas refrain from voting in general elections, knowing that to do so is futile, since their votes will have no bearing on results.

Sixth. The electoral college places unconscionable burdens and temptations upon a President elected by it. A President starts out heavily obligated to the organized minority pressure groups in the great pivotal States and to the political machines, often the big-city machines, that were most responsible for his election. Again, there are those who, with great logic, contend that by keeping the political machines and the minority pressure groups of the large pivotal States in line, a President can easily reelection himself if not actually perpetuate himself in office. Further, the political satellites and those who benefit from his tenure of office are constantly urging him to do this very thing. Certainly, a President is constantly under great temptation to devote undue attention to, and to confer undue favors upon, these strategic political areas at the expense of and to the detriment of the rest of the country. I certainly would not accuse any President of playing cheap politics but no President should be subjected to the harassment of groups which under the electoral-college system hold such disproportionate political influence and power.

Now, let me discuss briefly some of the main arguments against our proposed amendment. While a vast majority of our political scientists, legal scholars, and serious students of government agree that our present system is dangerously defective, they do not agree upon proposed remedies. Some favor electing Presidents by a direct vote of the people. A direct-vote method raises all of the issues between the large States and the small States, and such an amendment could never be ratified. Again, it would destroy State sovereignty in the matter of national elections. It would aggravate rather than alleviate sectional differences. It would reduce all States to the lowest common denominator. For example, all States would have to lower their voting age to 18 to be on a parity with Georgia. Again, in a sectional controversy, New York might vote their

dogs, cats, and dead grandmothers, and Texas would retaliate by doing the same thing. Each State would be accusing the other of fraud in piling up big votes and each would probably be correct in such charges. Under our proposal, it is of no concern to Texas how many vote in New York and of no concern to New York how many vote in Texas. New York would still have 47 electoral votes, divided, however, in the exact ratio in which they were cast. Texas would still have 23 electoral votes, divided, however, in the exact ratio in which they were cast.

Another argument against doing away with the electoral college is that it would destroy the two-party system. Our reply is that it would have the reverse effect and that our major parties under the proposed amendment would succeed or fail on real merit and not upon their success in juggling or manipulating the archaic, undemocratic vehicle known as the electoral college system. Again, some submit statistics trying to show that the proposed amendment would favor one or the other of the major parties. We submit that no truthful statistics on such a score can possibly be offered. For example, under our proposed amendment, had it been in effect during the last campaign, Governor Dewey might possibly have been passed over by the Republican party for some other nominee. Furthermore, the Republican ticket doubtless would have polled at least a million more popular votes in the so-called solid South. Nothing could be more nonpartisan than the proposed amendment. It would be absolutely fair to all political parties. It would give our two great major parties new life and vigor. It would free them of the leeches and parasites that now cling to the backs of each. It would make them in truth and fact national parties, not sectional parties appealing to prejudice, passion, and bias. Each party would then write its platform and make its appeal on national rather than sectional bases.

To summarize and generalize the affirmative arguments for the proposed amendment: We are convinced that the safety and welfare of this Nation demand the abolition of the electoral college system of electing Presidents. This system now denies a majority of our people any effective voice in the election of Presidents. The proposed amendment would remove the overpowering incentive in the present system to coddle and corrupt organized minority groups in the pivotal States, since under the proposed amendment, there would be no pivotal States. The proposed change would remove the incentive to buy those who may be for sale to the highest bidder, because their votes would not mean a balance of power and the election of a President. Under the proposed change, there would be little or no compulsion or incentive for fraud and chicanery in national campaigns. Such campaigns would no longer be sectional. The general welfare would then become a party's paramount concern. Principles would then inevitably rise above politics, and statesmanship would then count for more than mere political expediency.

Let us act before it is too late.

In conclusion, and I have merely hit the high spots, the polls throughout this country show that more than two-thirds of the people want this reform; the people want the right to vote directly for President in order to have their political philosophies transferred into direct action. They are deprived of any such rights under existing procedures.

Let me suggest to my friends here that such doubts as they may have as to the merits of this resolution should be resolved in favor of the resolution. You do not amend the Constitution; the States do that if they wish. You merely give the States the right to debate and decide the issue. Three-fourths of the State legislatures must hereafter ratify and approve this proposal if it is submitted. We ought to submit it to them for their consideration.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. PRIEST. Mr. Speaker, will not the gentleman yield himself a little more time to explain just exactly how this method would work if the resolution and the amendment proposed by the resolution should be adopted?

Mr. GOSSETT. I appreciate my friend's request, but all time has been allotted. Subsequent speakers will do that. I thank you very much.

Mr. CASE of New Jersey. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, obviously 40 minutes is not enough to deal adequately with a constitutional amendment of as far-reaching importance as the one with which we are forced to deal in that short time today. The fault for that does not lie with those who oppose it.

Many of the arguments made in favor of this amendment I agree with. I agree with many of the objectives sought to be achieved. Those objectives which are desirable could very easily be accomplished.

We can abolish the electoral college, we can give individual citizens a constitutional right to vote in Presidential elections, we can abolish the unit vote in the House of Representatives when an election is thrown into the House, all without endangering our political system.

We cannot, however, make the major change which this amendment would make without disastrous results, in my opinion. That change is to divide the electoral votes of each State in proportion to the division of the popular vote for President in that State. In my judgment, Mr. Speaker, the effect of that change would be, first, to reduce the Republican Party to impotence; second, to change the Democratic Party entirely in character and to deliver it permanently into the control of the conservative southern wing of that party, with the resulting destruction of any chance for a program of civil rights on a Federal level, with impairment of the rights of minorities generally, and with a definite set-back to the legitimate interests of organized labor.

In addition to those effects, which would, in themselves, be very bad for our two-party system, the two-party system, in my judgment, would further be deeply harmed by removing two of the

most important pillars which now support it.

The gentleman from Massachusetts [Mr. MARTIN] will develop more fully the effect of this change on the Republican Party. Suffice it for me to say that it is quite clear in my mind, and competent statisticians and experts in this field have given it as their judgment, that if this change were adopted, under present voting practices and habits, the Republicans would have to get between 52 and 54 percent of the popular vote in order to elect a President, a handicap it would be practically impossible to overcome.

It is said, of course, that this would open up the South to the two-party system, that the Republicans would have a chance to get votes there which they now do not have a chance to get. I suggest to you that is just an idle dream. It would take more than a little personal campaigning by a Republican candidate for President in the South to change existing voting habits in that area.

And if the Republicans did begin to make headway in the South I confidently predict they would not do so for long. Do you recall what happened when the Populist movement raised its head in the South? Restrictive legislation was promptly enacted, restrictions of all sorts were placed around the franchise and the Populist movement was kept out of the South. Mr. Speaker, so it would be here. Additional restrictions would be put on the franchise and the Republicans would be kept out of the South.

There is no chance to get a substantial Republican vote in the South for many, many years to come. Where would southern Republican votes come from? We cannot get votes by appealing to the Negroes and other disfranchised groups. They are not and will not be allowed to vote.

And the Republicans, traditionally the party of civil liberties, cannot appeal to the conservatives in the South. If, God forbid, they should attempt it, they would lose the support of the minority groups in the great States of the North, and the people who have the vote in the South would not vote Republican in any event. Why should they change?

It is not just the Republicans who would be hurt. The Democratic Party itself would be badly hurt, and all liberal movements would be badly hurt if this change should be adopted. The forces which now control the Democratic Party in the South would then control the entire Democratic Party. The balance of power in this country would be swung from the northern pivotal States to the conservative South.

The SPEAKER. The time of the gentleman from New Jersey has expired.

Mr. CASE of New Jersey. Mr. Speaker, I yield myself two additional minutes.

Mr. Speaker, if this provision had been in effect in the last election, the electoral margin given by the State of Georgia alone would have been larger than the combined electoral margin given by either party by the 11 most populous States in this country outside the Solid South. Can anyone doubt that with power like that the South would regain

control of the Democratic Party, dominate its conventions, dictate its platforms, choose its candidates.

Under these conditions, civil rights would have no chance whatever. That is not my view only. In the committee record, in my minority report, you will find evidence from the southern press substantiating my views. And Charles M. LaFollette, a former Member of this House, and a great liberal, has asserted that this was the most cleverly concealed weapon American reaction has yet used in its fight for control of American politics. If a single liberal voted for this change, he would commit one of the greatest errors in his experience and one which he would always regret.

The Republicans, the minority groups, and the liberals have been chided for being selfish about this thing. It has been said that their selfish interest ought to be yielded to the larger good. But where is the larger good? It does not exist.

Mr. Speaker, the considerations I have mentioned would in themselves work great, perhaps, irreparable, harm to our two-party system. There are other important respects in which the proposed change would harm that system. I have only time to mention two.

The first is this. At the present time, minority groups are politically important in pivotal States. Accordingly, both major parties must recognize and protect the legitimate interests of such groups. Since this is so, such groups have no need to form special interest blocks or parties for their own protection. Their radical elements are forced to moderate their more extreme demands and the inclusion of the members of such groups into the life of the Nation has been successfully accomplished.

Of course, undue consideration should not be given to such groups. But I submit that neither major party could indulge in that practice without losing the broad base of its support throughout the country as a whole.

The second point is this. Under our Constitution as it now stands, neither party can profit by getting more than 51 percent of the popular vote in any State. This requires both parties to appeal broadly to the people of many States and many interests. It is an important factor in making both parties representative of the country as a whole, as opposed to representing merely sectional, group, or limited class interests. The late Prof. Carl Becker, of Cornell, counts this as one of the important reasons for the continued existence of our two-party system in its present form. I agree that it is. It would be eliminated by the proposed proportional division of electoral votes.

Mr. Speaker, the procedure under which this measure is being considered simply does not permit the Members of this body to give it the consideration which its importance demands. That fact alone should impel the House to reject it. I am confident the House will follow that course; that it will not lightly recommend a constitutional change which would, in my judgment, cut deeply and dangerously into the fabric of our institutions.

Mr. GOSSETT. Mr. Speaker, I yield 6 minutes to the gentleman from Illinois [Mr. REED].

Mr. REED of Illinois. Mr. Speaker, today an important proposal to amend the Federal Constitution is before the House for consideration—consideration limited to 40 minutes.

It is indeed regrettable that ample time under a rule was not made available for discussion, pro and con, of a matter as important as is this. The passage today of this resolution will result in the submission to the several States of a proposed amendment to the Constitution that will abolish the present method of electing our President and Vice President through the medium of an electoral college and will substitute in lieu thereof, an orderly procedure whereby the electoral vote of each State will be retained and tabulated for all candidates in proportion to the number of popular votes they receive in the general election. It will replace an archaic, unjust, and inequitable method of choosing our President for one that will more accurately reflect the popular will. It will result in the selection of better candidates by both parties because the whole 48 States will be the field from which candidates will be chosen, rather than merely the populous States having the large electoral vote. It will have a tendency to make two-party States out of those that are now one-party States because adherents of other national parties in those States will have an incentive to vote, knowing that their votes will be credited to and increase the percentage of the total vote of the candidates of their respective parties. It will minimize fraud in Presidential elections, because the reward of fraud—the entire electoral vote of a State—will no longer be available. It will result in an intelligent discussion of campaign issues in all States of the Union because no State can then be ignored by any of the political parties on the ground that "its vote is in the bag." It is fair to the Republican, to the Democratic, and to the minority parties.

Now let me address my remarks particularly to those who sit on my left. I am informed that some Republicans insist that this amendment will injure our party's chances. The figures for every election since the Democratic Party gained control 18 years ago, prove otherwise.

In all five of those elections there were 531 electoral votes, of which the winning candidate was required to receive 266 to obtain a majority. In 1932 Herbert Hoover, who received 39.7 percent of the popular vote, won only 59 electoral votes. This amendment would have credited him with 189.6.

In 1936 Alf Landon, who received 36½ percent of the popular vote, was given only 8 electoral votes. He would have had 175.6, under this amendment.

In 1940 Wendell Willkie received 44.8 percent of the popular vote, but it netted him but 82 electoral votes. He should have had 214.6.

In 1944 Thomas E. Dewey, who polled 46 percent of the popular vote, received 99 electoral votes. He merited 223.5.

In 1948 Mr. Dewey polled 45 percent of the popular vote, received 189 electoral votes. He was entitled to 221.4.

If any Republican opponents of this resolution can defend these figures, and the system which makes them possible, as reflecting an honest expression of the views of individual voters, I would be delighted to hear him.

In fact, the Republican National Convention of 1948 adopted a plank in its platform which reads as follows:

We favor a revision of the procedure for the election of the President and Vice President which will more exactly reflect the popular vote.

That is exactly what this resolution does. It is our platform pledge and as one Republican I shall adhere to it.

Mr. CASE of New Jersey. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. COUDERT].

Mr. COUDERT. Mr. Speaker, I regret the necessity of arising at this time to differ with my very good friend, the able gentleman from Texas [Mr. GOSSETT]. He and I are wholly in accord on our objectives. In view of the circumstances, however, under which this resolution is coming before the House, I feel it incumbent upon me to rise to call the attention of the Members to the fact that this is not the only alternative before this House for the system which the gentleman from Texas so soundly criticizes.

Some time ago House Joint Resolution 414 was introduced by me as an alternative method for amending the Constitution with respect to the election of Presidents. House Joint Resolution 414 has the support of very respectable authority. It was supported by Jefferson, Madison, Hamilton, Story, and all of the founding fathers and the men that immediately followed them, and it is supported as late as today in the newspapers by such distinguished commentators as Messrs. Krock, Lippmann, and a host of university experts such as Professor Corwin, who edits our own constitutional volume which is gotten up by the Library of Congress. The resolution very simply would provide for the election of electors in precisely the same fashion as we now elect Members of Congress, to wit, one elector for each congressional district and two at large to represent the Senators.

Briefly, my resolution encompasses all of the objectives sought by the Lodge-Gossett resolution—every single one of them—without falling into the pitfalls that the Lodge-Gossett resolution would lead us into, to wit, unlimited growth of splinter parties and ultimately the election of minority Presidents.

If the Gossett resolution should fail, I shall press for action upon House Joint Resolution 414.

Mr. GOSSETT. Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas [Mr. HAYS].

Mr. HAYS of Arkansas. Mr. Speaker, I do not believe any Member of the House can defend the present system. We are not choosing between the alternative offered by the gentleman from New York [Mr. COUDERT] and the present system, but between the present system and this

constructive plan advanced by the gentleman from Texas [Mr. GOSSETT] and the Senator from Massachusetts [Mr. LODGE]. It is not presented by the Committee on the Judiciary as a perfect plan. It will be a long time before we work out the kind of machinery for democratic government which can be regarded as perfect.

The present plan permits so many acts of irregularity, as has been pointed out, and there are so many weaknesses in it, including the experience of the last election which enabled one elector to cast his vote contrary to the results of the Presidential election in his State that we must make a change. But it is not the individual electors, nor the individual voters, who lack integrity, it is the system itself.

I am convinced, with the study that I have given to this plan, that it will be a tremendous improvement. I concede that I am influenced partly by my observations as a resident of the South and of the State of Arkansas in reaching this conclusion. I am sure I have never made a statement which was freer from partisan feeling than this. Mr. Harding received 60,000 votes in Arkansas out of 150,000 votes cast in 1920. Mr. Hoover received a little larger percentage than that in 1928.

I suppose it is fair to say that out of nine electoral votes the Republicans would likely receive three votes in my State. So it is not a partisan point of view. Neither should this ever be regarded as a fight between the large States and the small States, nor between the economic interests of the Nation. This is not designed to take from the large States any advantage held by them. Only five States have a larger population than that of Texas, Mr. GOSSETT's home, and only eight States are larger than Massachusetts, Mr. LODGE's home. The wide support for this amendment, including the endorsement by the Committee on Political Parties of the American Political Science Association—a group of disinterested and competent students of the current problems of government—is proof that the issues cannot be defined in terms of the large States against the small, the Democratic Party against the Republican, or of the North against the South.

If I might use the remaining moments I have to make a point on the positive side, I would say that over a period of years it will lessen the influence of bloc voting, that is often a menace to democracy. I have no complex against any of the new blocs. I have welcomed their participation sometimes even as a small minority. I have never knowingly said anything to prejudice their rights. But the time has come for us to regard the damage that grows out of the use of highly organized minority influences in pivotal States, and the damage done to our election machinery and to our system of government.

There is no threat to voting rights of organized blocs in this amendment.

We could remove the damage done the system, however, by refusing to give the entire vote of the State in which they acquire great power to the candidate they favor, but confer, rather, upon the

favoured candidate of the organized minority only that weight in the voting which their total vote represents. The bloc vote would still be a factor. Various groups—the farmers, the industrialists, the labor unions—all would still feel that their point of view would have political weight. The candidates for President and Vice President, and the parties sponsoring them, would still consider the points of view of these groups, but they would not be accorded greater weight in the voting than their proportionate share of the total vote justified. The more populous States would not lose their advantage; they would still be battlegrounds; they would retain their proportionate share of the electoral college total. But the minorities of the larger States would, under the Gossett plan, be given their recognition and would not be disfranchised, as under the present procedures.

If adopted, this amendment would exalt the individual voter, and exalt him wherever he lives, in relation to the national group of which he is a part; first in his party—giving him a greater influence in the Republican or Democratic Party, and then as a member of the national community.

I am afraid that my good friend, the gentleman from New Jersey [Mr. CASE], is lacking full faith in popular government. If the conservative wing of the Democratic Party in the South would gain in party counsels, then perhaps the conservatives ought to have greater weight, if our idea is correct, that this is a Government by the consent of the governed. That this is desirable or not, from the standpoint of the soundness of conservative views, is not the question. Let the people make mistakes. We can survive errors in their choice; we cannot survive mishandling of the machinery by which the choice is recorded.

John Locke, thoughtful student of government, produced an epigram worthy of our contemplation, when he said, "There can be no government of and for the people unless there be government by the people."

Democratic institutions are on trial. The Republic, a federation of States, is being tested. Concessions are made in this amendment to the States—the two-vote allotment to each—but at the base of the plan is the idea that the majority must rule and that majorities are constituted of men and women, not artificial blocs.

Mr. CASE of New Jersey. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. HERTER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HERTER. Mr. Speaker, I regret extremely that a matter of such importance as a constitutional amendment should come before the House under a request for suspension of the rules which allows for only 20 minutes of debate on either side. This amendment, which bears the distinguished name of the junior Senator from Massachusetts, Senator HENRY CABOT LODGE, as well as the

name of the distinguished gentleman from Texas [Mr. GOSSETT] does not come before this House as a new matter. Four times in the last 15 years it has been approved by the House Judiciary Committee. It was approved unanimously by that committee in the Eightieth Congress when the Republicans had control of the House. However, for the first time it was voted upon the Senate this year and received a two-thirds vote of that body with 19 Republican Senators voting for it.

Today it is being objected to in this body for a number of reasons which are entirely divergent. Some Members are objecting to it because they believe that in practice it would work out in a manner harmful to the Republican Party. Others are opposed to it because they feel that it would work out in a manner to strengthen anti-civil-rights Democrats in the South. Still others object to it because they feel that some other method of reforming our electoral procedure would be better than the present method.

Undoubtedly all these arguments have a certain degree of validity. However, as against these arguments, there must be weighed the excellent report of the Judiciary Committee on this amendment, prepared by the distinguished gentleman and Republican from Pennsylvania, Judge GRAHAM. In addition, the amendment has the support of many careful students of our governmental processes, who are convinced that the reforms which this amendment would institute are essential if the will of the American people is to be more nearly reflected in our presidential elections.

I personally have heard lengthy testimony given before the Rules Committee on the subject, and am convinced that the very able arguments presented by Senator LODGE on behalf of this bill override the objections. Only through an amendment of this kind can the Republican Party hope to become a truly national party, rather than a sectional party. Only through this amendment can the overwhelming influence of a few votes in the big States of the Union—an influence leading to the successive nominations of residents of those big States—be offset so that all men properly qualified may have an equal opportunity to be considered for the Presidency regardless of their domicile within the United States.

I realize that there is little chance of securing a two-thirds vote in this body, but I am convinced that even though the amendment may fail at this time, it or one very like it will be adopted before many years, and that we will then have a much more equitable method of selecting a President than the antiquated and often distorted method now employed.

Mr. CASE of New Jersey. Mr. Speaker, I yield 4½ minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, this is a dangerous bill, and the method of discussing it for only 40 minutes is ridiculous. When we debate a matter of the importance of such a measure, which will change a deep-seated principle of our constitutional Government, for only 40 minutes, it is simply ridiculous.

I want to answer in the brief time I have some of the arguments that have been made. The argument has been made that this is an advance forward in obtaining the effect of the popular vote. Let me say to you that it is such a negligible increase and it brings so many attendant evils with it that I think you should know it does not change the present disparity between the electoral and the popular vote.

One electoral vote in California represents 168,862 voters. In South Carolina it represents 17,821, or about a 10-to-1 difference. That is not changed by the Lodge-Gossett bill.

One electoral vote in California represents 395,000 people. In Nevada it represents 46,000 people, an 8-to-1 disparity. That is not changed.

So this is not a step forward in obtaining the effect of the popular vote, and let us not have anyone fool us on that.

Now, let us see what it does. Under the present electoral system the winning party has averaged, since 1932, 436 electoral votes. Under the Lodge-Gossett formula the same winning party would have averaged 306. That is from 436 down to 306. What does that mean from a practical, political standpoint? First, it means that any strong but minority bloc within either party could dictate at the party convention both the planks and the candidates. It could do this because its percentage strength would be stronger in the 306 average than in the 436 average. In other words, the minority block representing 40 or more votes, which would be the difference between 266 and 306, 266 being now the requisite majority number, could force convention concessions from the majority of the party on the threat of withdrawal of support.

Now, if the Lodge-Lucas amendment which is in the bill and which we will vote for if we vote for the bill, is accepted, it reduces the elective requirements from a majority of 50 percent or more of the electors to 40 percent. That is a 20-percent reduction in the total required. In other words, that allows a minority of the electors to elect the President. Why did they put that provision in the bill? They did it because they knew this bill would foment splinter parties. Why would it do that? Because any minority bloc within either of the major parties, if it were not appeased by a damaging concession, would step out and form its own party. What would happen? Let us take the recent election. With approximately the same number of votes cast in the South for the States' Rights Party, they would have had 38.5 electoral votes. With the same number cast in New York, Mr. Wallace's party would have had 4 electoral votes. Do you see the difference? Under the Lodge-Gossett formula, they would have had a total of a little over 40 electoral votes, which is almost 10 percent of the electoral votes.

With a little encouragement like this it would be very easy to get 10 percent of the electoral votes for a third, or for several parties, a third, a fourth, a fifth, a sixth party, and so forth. Therefore they put in the 40-percent requirement in the Lucas amendment to try to com-

pensate for the formation of splinter parties.

The great question for us to decide is whether we want two major parties or do we want to foment small minority parties, splinter parties such as they have in France, and we know that the multiple-party situation in France has created an impotent government. France's Government can only work through party coalition agreements based on damaging compromise between the coalition parties.

I therefore, believing in a strong two-party system and fearing the effect of splinter parties upon responsible democratic procedures, urge that a "no" vote be cast against the Lodge-Gossett resolution.

REASONS WHY THE LODGE-GOSSETT PROPOSAL SHOULD BE DEFEATED

First. It is not necessary to argue that the present system of electing the President and Vice President is perfect. There are more democratic methods that can be devised. However, the Lodge-Gossett proposal is only seemingly a democratic reform. The cure it proposes is worse than the evil it seeks to remedy.

Second. Furthermore, it must be borne in mind that the present electoral college system, with all its defects, has evolved in a far different way from what the founding fathers intended. In the course of more than 150 years of political experience, we as a nation have made adjustments to this constitutional requirement which are more democratic and more in keeping with the spirit and temper of American political and social institutions.

Third. The Lodge-Gossett proposal has two classes of supporters: (a) those who have been misled by its stated altruistic aims or its apparent step toward a more democratic procedure; (b) those who hope to gain some political advantage for themselves or their political group.

Fourth. Among the latter are the southern conservatives who hope to gain control of the Democratic Party and various Republicans who hope to capture the Republican Party, in spite of overwhelming Republican sentiment for the Taft-type leadership.

Fifth. Conservative control of the Democratic Party means that that party would lose its hold on the people and lose elections. Minority groups that now work within the two-party system to accomplish their objectives, in the absence of a Democratic Party under liberal control, would seek alternatives to political impotence and frustration by forming their own political parties. Such parties would tend to follow along sectional, class, and race lines. Examples, Dixiecrat, Wallace Progressive, or a potential Labor Party movement.

Sixth. The major indictment, therefore, of the Lodge-Gossett proposal is that it would encourage a multiplicity of political parties and intensify sectional, economic, and class conflicts. It poses the real possibility of drastic changes in the American political system, and I am persuaded to believe that in the guise of a political reform the Lodge-Gossett pro-

posal would sound the death-knell of the two-party system.

Seventh. Consider that under the Lodge-Gossett proposal the Dixiecrat and Wallace Parties, during the 1948 elections, would have gained almost 10 percent of the electoral votes. With the incentive that this measure would provide for the formation of splinter parties, a total of more than 20 percent of the electoral votes going to such parties would likely throw the election into the Congress.

Eighth. It is not far-fetched to say that under the Lodge-Gossett proposal, congressional election of Presidents would become the ordinary procedure, certainly a long step backward. Under the present electoral system, no election has been thrown into the House for more than 120 years.

Ninth. Incentive is given to the formation of splinter parties by the Lodge-Gossett proposal because it results in the serious upward distortion of the electoral influence of such parties. The Dixiecrat Party, for instance, would have gained 38.5 electoral votes under the Lodge-Gossett formula.

Tenth. A multiplicity of parties leads to coalition government with all the attendant evils and inherent instability of such governments, as exemplified by France.

Eleventh. The Lodge-Gossett proposal would bring the two major parties into closer electoral balance. Under majority rule there is no inherent virtue in a closely balanced election. Look at Britain, where uncertainty and paralysis are the results of a failure to have a decisive majority. The surplusage of electoral votes that goes to the winning party under the present American system helps to give punch and decisiveness to a party victory and compensate for the narrow margin of winning popular votes. Party responsibility is actually enhanced by the compensation of added electoral votes.

Twelfth. Our Federal Government has many constitutional departures from popular democracy in the strict sense. If the proponents of the Lodge-Gossett amendment are serious about achieving more democratic government, they should be willing to do many things that they are not doing. Many who favor this amendment do not favor poll-tax repeal; they do not favor ways and means of increasing the political participation of Negroes in the South; they are not interested in redressing the discrimination suffered by the large States in the ratio of electors to voters.

Thirteenth. Standing by itself, the Lodge-Gossett amendment not only fails to remedy the defects alleged, but it opens the door to undesirable political consequences which threaten to disrupt our two-party system of government and to introduce all the ills of multiple party division and irresponsible coalition government.

Lodge-Gossett argument: Lodge-Gossett formula is more representative of the popular vote.

Rebuttal: While theoretically this may be partially sustained, the improvement is negligible and does not attack the basic cause of present disparity between

the electoral method and a true popular-vote method. For example:

Present system:	Voters
1 electoral vote, California 1948----	160,862
1 electoral vote, South Carolina 1948-----	17,821
	People
1 electoral vote, California 1948--	395,040
1 electoral vote, Nevada 1948-----	46,667
Lodge-Gossett system-----	The same

Conclusion: Argument that Lodge-Gossett formula is a more accurate reflection of popular vote is fallacious, because the basic method of electoral representation remains unchanged.

INCREASED IMPORTANCE OF SECTIONAL OR CLASS GROUPS WITHIN MAJOR PARTIES AND AS SEPARATE SPLINTER PARTIES

Under the present electoral system the winning party has averaged since 1932, 436 electoral votes. Under the Lodge-Gossett formula the same winning party would have averaged 306.

As 266 is the required winning majority, we see that the margin of victory would have been reduced from 170 to 40 votes.

What does this mean from a practical political standpoint? First, it means that any strong but minority bloc within either party could dictate at the party conventions both planks and candidates. It could do this because its percentage strength would be stronger in a 306 average than in a 436 average. In other words, a minority bloc representing 40 or more votes could force convention concessions from a majority on the threat of withdrawal of support.

If the Lodge-Lucas amendment which is in the bill is accepted which reduces the elective requirement from 50 percent to 40 percent of the electoral votes, a minority bloc within a party becomes even more powerful.

Second, if minority blocs within a major party are not appeased, they will be likely to withdraw, form splinter parties, and wield their new-born effectiveness in the national elections. The Lodge-Lucas amendment reducing the elective requirement 20 percent is proof positive that splinter parties will flourish and election by 51 percent of the electoral votes will be unlikely if not impossible.

Mr. GOSSETT. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. DOLLIVER].

Mr. DOLLIVER. Mr. Speaker, the Constitution of the United States is a venerable and honored instrument. Every man and woman who is a Member of Congress swears to uphold it. But it was not a perfect instrument when it was drafted, and with all due respect I suppose we can say today that it is not a perfect instrument. As evidence of the fact that it was not a perfect instrument there have been more than a score of amendments attached to the Constitution; and, as rather conclusive evidence that it is still not thought perfect by everyone, we are considering today a constitutional amendment.

One of the most controversial subjects in the Constitutional Convention was that of the method of selecting the President of the United States. It was hoped by the idealists who were members of the Convention that partisan

politics could be eliminated from the selection of the Chief Executive, and great and elaborate precautions were set up in the Constitution to avoid partisanship in the election of the Chief Executive through the electoral college. That plan worked pretty well until about 1820 when the last of the members of the Constitutional Convention was elected President, James Monroe. Immediately after that the electoral college became the instrument of partisan politics, and it is so today.

Mr. Speaker, the most persuasive argument to me, in favor of the proposed amendment, is that it will eliminate, or will tend to eliminate from our Presidential campaigns the undue emphasis which is placed upon the great centers of population. Always the prize of the campaigns, always the prize is the great electoral vote in the heavily populated States like New York, Pennsylvania, Ohio, Illinois, and California. Because there is such a great and glowing prize of a large number of electoral votes held before the campaign committees, most of the energy of the campaigns is concentrated in those great centers of population.

This amendment would tend, it seems to me, to transfer some of that campaigning energy from the States with the larger electoral votes to some of the States with fewer votes and lesser population.

Because of the fact that at the present so much energy is used in the larger States, because of the larger prizes of electoral votes, those States have become the battlegrounds for the Presidential campaigns. And it has followed that the various minority groups who may swing elections, have become the object of those campaigns thus distorting the real issues into those affecting those minorities only. Always the battleground and the battle issues are planned to capture the larger States and to please the minorities who hold the balance of voting power in those States.

There are scores of arguments both for and against this proposal. Obviously there is not time under a suspension of the rules to discuss, or even mention all of them. But electoral-college reform has been a subject of discussion and debate for many years; and the Members of this body and the public at large is well familiar with the arguments.

Let us remind ourselves that what we are voting on is to permit the people of the States through their various legislatures, to determine whether this change in the selection of the President is to be made. By our affirmative vote today we only give them that right. The ultimate determination is to be made by three-fourths of the States. We only give them today the right to make that decision.

Mr. CASE of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. POWELL. Mr. Speaker, the Constitution of the United States takes no cognizance of parties and it is because of this that the present method of electing the President is not altogether satisfactory. The Constitution provides that the President shall be chosen by electors who are chosen by the various States. It was the intention of the founding fathers that these electors should use their own discretion in picking a man. However, the electors are nominated on a straight party ticket and always vote for their party's candidate—Dixiecrat electors sometimes do not follow this custom. It happens, therefore, that the Presidential candidate in any State who gets more than one-half of the popular vote or a plurality of the popular vote gets all of the electoral votes. As a consequence, it is possible for a man to become President even though he has less than a majority of the popular votes and even though he has less popular votes than his unsuccessful competitors.

In order to make this proposition clear, let us assume there are three States each with 100,000 popular votes and each with 10 electoral votes. Let us further assume that there are just two candidates for the President, whom we will call candidates A and B. Candidate A wins the first State by 50,001 votes and wins 10 electoral votes. Candidate B loses the first State, receiving 49,999 popular votes, but no electoral votes. In the second State, candidate A wins in the same fashion and candidate B loses in the same fashion. In the third State, candidate B wins the entire State by a clean 100,000 popular votes and acquires 10 electoral votes. It is clear that candidate A wins the election with 100,002 popular votes and 20 electoral votes, and candidate B loses the election with 199,998 popular votes and only 10 electoral votes. In the history of the United States only two Presidents, Hayes and Harrison, have won elections with less popular votes than their defeated opponents. In all other elections the winning candidate has had a majority or a respectable plurality.

The Lodge proposal aims to do away with the possibility of the President being elected by the minority or a small plurality of the popular votes by allotting electoral votes in each State in proportion to the popular votes. Thus in the State of Pennsylvania, the Republicans in the last election would have received approximately 19 electoral votes, the Democrats approximately 16, and the Progressives approximately 1. As you know, what happened in the last election was that the Republicans got all of the electoral votes in Pennsylvania.

The Lodge proposal provides that in case no candidate gets at least 40 percent of the electoral votes, the election shall be determined by the House and Senate seated together and voting as individuals, not as States. This is certainly a more democratic method than the present arrangement which provides that if no candidate gets a majority of the electoral college, the House of Representatives shall decide the issue by a majority vote with each State delegation having one vote.

The Lodge proposal will effectively draw the political eye-teeth of all independent voters, including the Negro voter, as far as presidential elections are concerned. The political importance of independent voters exists in presidential, gubernatorial, and senatorial elections. In these elections independent voters can swing the doubtful States into either one party column or the other. In New York in the last presidential election the Progressive Party seceded from the Democratic Party and took enough votes to drop the State in the Republican ranks.

Since 1909, in ever-increasing numbers, the Negro has been migrating out of the South to the large industrial States of the North where he has gone largely into heavy industry. He has migrated to those States with a heavy industrial population and consequently large electoral votes. It also happens that most of these States are doubtful States and pivotal States in presidential elections. A shift of from 2 to 4 percent of the votes in any one of these States will carry it for the Democratic or Republican candidate. It is possible to win a presidential election by carrying these large doubtful States. It is for this reason that Mr. Truman has been willing to stand up to the Dixiecrats. If the Lodge proposal goes through, the Negro vote and the vote of other minority, national, and religious groups will no longer be important in the great pivotal States of New York, New Jersey, Pennsylvania, Ohio, Indiana, Michigan, Illinois, California, West Virginia, Kentucky and Tennessee. Instead of being able to throw these great States to one column or the other, the Negro will be effective in only approximately 15 electoral votes—rough guess. Of course, the same is true of most independent voters and voters of religious and national groups who are for the most part liberal and espouse the Negro cause.

First, it would appear that the Lodge proposal has been brought forward because his following is convinced that the Republican Party is going to be a large minority party in the great pivotal industrial States. Mr. Lodge therefore hopes to pick up a proportionate share of the electoral votes in the big pivotal industrial States and to win by adding to these votes the electoral votes of the traditionally Republican States in the North and the West.

Secondly, the Democratic Party is expected to be plagued by a large number of splinter groups such as the Dixiecrat Party, the Liberal Party, the Labor Party, and so forth. It is for this reason that this proposal requires only 40 percent of the electoral college for election. The Republican Party can get 40 percent of the popular vote.

Thirdly, the Gossett proposal undoubtedly seeks to destroy the Democratic Party. The Democratic Party has become a liberal party because of the influence of the big pivotal industrial States which have been falling into the Democratic column. As a result of this occurrence, Franklin Roosevelt in 1936 was able to get rid of the two-thirds rule for Presidential nomination in the Democratic Party, a purely southern require-

ment. Under the Gossett proposal the electoral vote of the great Northern States would be split but the solid South would continue to deliver a solid Democratic vote. It must follow that the southern Democrats would again reestablish their power over the Democratic Party, driving liberal and independent groups out of it. No more fortuitous happening could be envisaged by conservative Republicans.

The Gossett proposal will result in a reduction of political influence for the North as a whole. Political representatives have had to pay attention to the needs of Northern States and northern political, economic, religious, and national groups because of the decisive effect of these groups in causing the blocks of electoral votes in the large Northern States to fall to one party or the other. Under the Gossett proposal each party would get its proportionate share of northern votes; consequently, the competition for the Northern States as a whole will be reduced. But it should be remembered that the political influence of the South will still remain great since it will continue to vote solidly Democratic. The importance of the South will grow in the councils of the Democratic Party and in the Nation as a whole.

For a long time persons concerned with politics have realized the essential danger of minority election inherent in the electoral-college system, but they have thought that the present system of electing the President is the only possible political counterbalance to the solid South.

A great many persons have admitted that the Gossett amendment would have a bad effect on independent, liberal, and Negro groups in the North as a whole and on the Democratic Party. But these persons have felt that one cannot logically oppose more democracy in America. It is assumed that the Lodge proposal means more democracy.

First, The Senate of the United States represents each State equally. The people of New York, 13,000,000, have only 2 Senators. The people of Delaware, 230,000, have 2 Senators. Under the present system of electing the President, the influence of the people of New York and of its dependent groups is felt. Under the Gossett proposal the influence of the people of New York would be reduced and there would be no counterbalance to the equal representation of the small States in the Senate.

Secondly, we have a Federal system of government and the Gossett proposal fails to represent States in the election of the President. While the electoral votes are to be apportioned in accordance with the popular vote in each State, the real effect of the Lodge proposal, except for the loss of fractional popular votes in each State, is to cast the United States as one great electoral district.

Thirdly, the Gossett amendment provides that a man may be elected President with only 40 percent of the popular vote. We consistently do much better than this under our present system. It is hardly a democratic proposal.

Lastly, the only offset the Negro has had to disfranchisement in the South and the southern filibuster has been his political influence in the northern pivotal States. The Gossett proposal will rob him of this political influence without enfranchising him in the South and without proposing to stop the unconstitutional filibuster.

The Gossett proposal would have a bad effect in a cumulative fashion. First of all, it will kill directly the political influence of the Negro and minority-group votes in pivotal States. Secondly, it will reduce the importance of the Northern States as a whole and the great industrial States specifically. Undoubtedly, it is in the North where the Negro and minority groups find most interest in their problems. Thirdly, it will destroy the liberal Democratic Party, for it will once again establish the power of the solid South over the Democratic Party. In the last 20 years most of the advancement of the Negro and other minority groups has come as a result of the interest of the liberal wing of the Democratic Party. Fourthly, many independent groups, liberal groups, and even labor groups will begin to take less interest in the problems of the Negro and other minorities. As far as national politics are concerned, political groups in America are formed by accretion. The Gossett proposal will have a disintegrative effect on the political groups with which the Negro and other minorities have been allied. Fifthly, the Gossett proposal will kill the influence of the great urban pivotal States. These States have had for the most part the most aggressive labor forces and have been the most powerful ones in presidential elections. They have been the doubtful States, where a swerve from 2 to 4 percent of the vote on the average has been enough to carry the State for one presidential candidate or another.

It is difficult to understand why the opposition to the Gossett amendment in the Senate came only from Mr. TAFT and his followers and from a few Democrats. There are several possible explanations. First, it is possible that White House political leadership missed the significance of the whole move. Secondly, it is possible that Mr. Truman has been seriously hurt by splinter groups—Wallaceites in the north and Dixiecrats in the South. There is no question that Mr. Truman is torn between Dixiecrats on one side and Negroes on the other. It might be that he is willing to get rid of these "splinters in his side" even at the cost of a less liberal Democratic Party. Lastly, there is evidently some feeling among labor groups that the Gossett proposal will allow labor for the first time to lump together all of its votes in the North in presidential elections. It is true that the Gossett proposal is beneficial to all large minorities, such as labor or the Republican Party. However, it seems to me that an immediate frontal political attack by labor will result in a general public reaction unfavorable to labor. Furthermore, I doubt if labor's influence under the Gossett system will be any greater than its influence under the present system. The indecisive na-

ture of our Federal, separation of powers, check, and balance system of Government would be increased by a multiparty system.

Should the Gossett amendment get past the House of Representatives, it has an excellent chance of being adopted by the States. The southern Democrats will vote for it as a block. Solid Republican or near solid Republican States will vote for it. Generally the rural States in America will vote for it since the effect of the proposal is to decrease the influence of the great urban States. It is also obvious that a great deal of conflict exists now between urban and rural population over the question of the cost of food and the farm price support program. The large urban States constitute only 12 of the Nation's 48 States. Of these, 3 are normally Republican. Constitutional ratification requires the adoption of three-fourths of the States. The House of Representatives alone represents population and largely urban population. It is the best place, then, to fight the Gossett amendment which must be adopted by the House by a two-thirds vote.

I am not impressed with the traditional arguments that the Dixiecrats are going to try to steal the presidency in 1952, by splitting up the electoral vote and throwing the election into the House of Representatives.

The Constitution requires that the President must be chosen by a clear majority of the electoral votes. If no candidate gets this majority, the matter is decided by the House of Representatives with each State delegation having one vote. If the Dixiecrats bolt the Democratic Party in 1952, they can perhaps prevent any candidate from getting a majority of the electoral vote. The election would then be thrown into the House of Representatives. Voting as States, the Southern States would undoubtedly have more influence than if they had to rely on their electoral votes, but they cannot elect a President in the House of Representatives without the support of conservative Republicans. The Constitution requires a majority vote in the House of Representatives. If the conservative Republicans and the Dixiecrats should agree on a President, it would be the last election they would win for a long time. Exactly this kind of thing happened when the Clay and John Quincy Adams forces ganged up to take the election away from Jackson. The popular reaction was tremendous. The people took the attitude that the election had been stolen. At the next election Jackson was voted in overwhelmingly. The American people cannot be tricked except now and then.

It seems to me that at most the Dixiecrats can take only nine States in an election carried out in the House of Representatives. They will probably be able to take only three or four States. What they really would like to have is the Gossett proposal, as they have shown by their vote in the Senate. Their threat in a House election of the President, I think, is insignificant.

Mr. YOUNG. Mr. Speaker, in my judgment, the electoral college is outmoded. I would like to see the electoral college abolished and that we elect the

President and Vice President of the United States by direct popular vote. Pending the time this is accomplished, I consider that to vote up this resolution is to take a step toward the abolition of the electoral college.

I support this resolution and regret that in all probability it will be overwhelmingly defeated today.

This resolution accomplishes the abolition of presidential electors and its enactment into law would permit the people of our country to vote directly for the election of a President. I favor this change in the method of counting votes. I consider that by voting up this resolution we take a step toward eliminating the always present possibility of Presidential elections being thrown into the House of Representatives.

One by one old ties have been severed—the stagecoach, tallow dips, flintlock muskets and mustache cups have gone. The electoral college should be the next to go. The makers of our Constitution did well under the circumstances to provide the electoral college, but we are now living in a different world. Were George Washington and Thomas Jefferson to arise from their graves, they would not know this Nation, nor would they recognize the world we are living in, yet we are wearing the same torn and patched old political cloak of the electoral college.

Although this resolution will be defeated today, a good has been accomplished in that more and more people are thinking of the outmoded electoral college and of the advisability of modernizing our national system of electing our President and Vice President by doing away with the electoral college and by electing the President and Vice President by direct popular vote.

Mr. DAVIS of Wisconsin. Mr. Speaker, I hope the House will overwhelmingly support this resolution.

In this day and age, abolition of the electoral college ought not present a seriously controversial issue. The electoral college has long since become an anachronism for which reason and justification has disappeared.

The present system of electing the President of the United States was evolved as one of the many compromises of the Constitutional Convention. Our founding fathers of the eighteenth century envisioned presidential electors as men of unusual intelligent wisdom and judgment who would meet face to face and select the individuals best fitted to be President and Vice President; the man who received the most votes would be President; the second highest, Vice President. They obviously could not and did not foresee the vast physical growth of our Nation and did not anticipate the development of Nation-wide political parties.

It is not necessary to recite the cases of inadequacy of the existing electoral system. In three instances at least—1828, 1876, and 1888—Presidents were elected who had lesser popular vote than their leading opponents. In every election we witness the disenfranchisement of the minority voters in each of the 48 States. We see lack of interest in the majority of the States with the presiden-

tial campaigns centered in a few States of large population. We see open, and often compromising, invitations for support of small organized minority groups in pivotal States with aggravation of balance of power, political blocs.

Our Nation is deprived of outstanding candidates for President because they come from the Solid South, from rock-ribbed Republican States, or from States of small population that are "in the bag" for one party or another. Surely New York, Ohio, and Pennsylvania have no monopoly on presidential talent and yet both parties have favored candidates from those and other large States in order to assure the entire electoral vote of these large pivotal States. The major campaign efforts have been confined to a few such States. The majority of our voting population thus has no direct contact with presidential contests.

These weaknesses constitute a rather severe indictment of our present electoral system. The vast majority of students of political science are agreed on the need for change. There is, however, substantial difference of opinion as to what that change shall be.

There is a comparatively small but active group who advocate direct popular election of the President and Vice President, completely disregarding State lines for election purposes. There are many practical objections to this proposal. The resolution before us today is, in my opinion, a practical solution to the problem. It would make four important changes in the existing electoral system.

First. The electoral college and the selection of persons as electors would be abolished, but the assignment of electoral votes to the State on the present basis would be retained.

Second. The people would be given by constitutional right a direct vote for presidential and vice presidential candidates. The individual States, however, would retain their present right to fix the qualifications of voters.

Third. The electoral votes of each State would be credited to the respective candidates in proportion to their popular votes within the States.

Fourth. The President and Vice President would be chosen by a simple plurality of electoral votes in place of the present majority requirement and the present necessity for election by either branch of Congress in the absence of an electoral majority would be eliminated. In event of tie, the presidential or vice presidential candidate receiving the largest number of popular votes will be chosen.

It can be stated that the plan is also a compromise just as the establishment of the existing electoral college was accomplished through compromise. Such give-and-take measures do have their virtues as the formation and continuation of the American Republic will strongly testify. One significant virtue of compromise is that it does provide a vehicle for making substantial and practical progress.

In the discussion of the instant question this consideration is important. There is widespread recognition of the

practical difficulty of the adoption of a constitutional amendment to provide for the popular election of President and Vice President. It should be kept in mind that any constitutional amendment requires ratification by three-fourths of the States. It is not necessary here for us to discuss the merit or demerit of the present existence of two presidential electoral votes for each of the States to correspond to the two United States Senators from the State. Practically, it must be recognized that this provision does give a weighted advantage in electoral votes to the States of smaller population. It is a natural consequence of the compromise which provided for a bicameral national legislature, one body of which gives equal representation to all States regardless of population. It simply is unrealistic to expect the States of smaller population to vote, either through State legislatures or State conventions, to lessen their relative influence in the selection of the President. The Lodge-Gossett resolution gives the closest approximation to direct vote for President by dividing the electoral vote, as it now exists, on the basis of the popular vote within the States. It provides this advantage without reviving the historical contest between the States of larger or smaller populations.

There is a second important advantage of the proposed resolution. It preserves the right of the States to continue to fix the qualifications for their constituent voters as recognized in article I, section 2, of the Constitution. This is in keeping with the accepted concept of a Federal as contrasted to a National Government.

It is a safe assumption that each State will fix the qualifications of its voters for the best welfare of that State. Federal officials then now are, and would continue to be, elected by voters qualified under State law to vote for members of the most numerous branch of the State legislature. Direct popular vote is inconceivable unless there is to be uniform qualifications for voting throughout the Nation. Unless these qualifications were made uniform by Federal enactment, we could expect a contest among the State legislatures to lower voting qualifications. This would permit the inflation of the voting populace so as to outvote other States, where another party is presumably stronger, in national elections. Amplification of the unhealthy situation thus encouraged is unnecessary.

On the other hand, if there were to be Federal enactments to provide uniform qualifications there would exist the confusing situation of voters, on the same date and at the same polling place, being qualified to vote for some officials—State—but not others—Federal, or vice versa. Uniform Federal legislation would also involve policing of the polling places by the Federal Government.

There would be charges and countercharges of voting ineligible voters with an unhealthy increase in the moral risk of permitting fraudulent vote practices.

Under existing law and as proposed in the pending resolution, it is no concern

of one State how many people are permitted to vote in another. The moral hazard of chicanery in national elections is thereby kept to a minimum.

The nationalization of our Government with centralization and concentration of power in Washington is one of the alarming trends of the last two decades. The Lodge-Gossett resolution would give the major advantages of popular election of President and Vice President but would protect the important Federal principle.

Mr. KEATING. Mr. Speaker, it is extremely unfortunate that this measure comes before us under a procedure which does not permit any amendments and allows only 40 minutes for debate. A subject as important as the manner of electing the President and Vice President of our great country should not receive that kind of cursory treatment.

The present method of selecting the Chief Executive is certainly open to improvement. But the difficulty with this resolution is that it is put up to us on a take it or leave it basis without any opportunity to improve its provisions or debate them adequately. The only method of expressing opposition to this high-handed manner of handling important legislation is by voting against the measure.

In its present form, I entertain serious doubt that the passage of the resolution would strengthen the two-party system in this country as its proponents claim. Rather, in my judgment, it would weaken that system. The award of electoral votes to every candidate would tend to encourage the formation of splinter parties to represent every form of pressure group. Under our present system, all of these groups can and very properly do exert their influence in molding the policies of the two major political parties. The division, disunity, and weakness which result from the creation and encouragement of many different parties has had tragic repercussions in many foreign countries. Much of the strength and stability of our Nation and its rise to its present position of world eminence may be attributed to its firm adherence throughout the years to the two-party system. I am not convinced that this measure in its present form would be helpful in strengthening our two-party system or even continuing its effectiveness.

I also am seriously concerned over the fact that the effect of the adoption of the resolution would be to give to a few southern States a veto power over all Federal legislation out of all proportion to that which they can justly claim by virtue of population or any other factor. An incidental effect of such action would, of course, be to sound the death knell of any civil rights program.

Therefore, while I concede the necessity for an improvement in the present unsatisfactory system and am not dogmatically and stubbornly opposed to a change, I cannot support the resolution before us for the reasons I have stated.

Mr. HESELTON. Mr. Speaker, I shall vote against this resolution. I do so because I cannot possibly justify a procedure under which we are asked to cast

our votes for as far-reaching a piece of legislation, involving an amendment to the Constitution, with only 40 minutes of debate and without the possibility of even considering, to say nothing of voting upon, amendments which surely would be introduced if this matter had come to us with a rule.

There is real merit in the argument that existing situation under which the President and Vice President are elected should definitely be remedied and I hope that as soon as possible arrangements will be made which will insure the sort of consideration of such legislation which is justified and absolutely essential.

Mr. SMATHERS. Mr. Speaker, I would like to be on record as favoring this Senate Joint Resolution 2, which proposes an amendment to the Constitution of the United States for altering the present antiquated method of electing the President and Vice President.

We are today firm in our belief that every citizen has the inalienable right of a voice in his Government, yet with unreasonable adherence to outmoded precedent we illogically maintain a system that deprives hundreds of thousands of voters from having their votes count in the election of the President and Vice President of the United States.

We all know that the electoral college method of election makes it possible for one candidate to receive a majority of the popular vote yet lose the election. We even know that history has seen such a possibility become a reality. In a democracy why refuse to count a man's ballot? What excuse can be offered for perpetuating the virtual disfranchisement of voters?

This Gossett-Lodge resolution would only send this proposed amendment to the States to ratify or reject. It would give the 48 States the opportunity to express an opinion on the electoral-college system.

I hope that this measure passes for I believe it would be speedily approved by the various States. It would then mean that henceforth every individual vote would count. It would eliminate the ridiculous possibility of one man being elected President when another had received a majority of the votes cast. It would prevent organized pressure groups from exerting unfair and disproportionate influences on national elections. It would, in short, strengthen our democratic processes. I heartily commend this proposal.

Mr. CASE of New Jersey. Mr. Speaker, I yield the remainder of the time on this side to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, I believe in all my long experience in Congress I have never had more pressure put upon me to support a bill than this one, but I cannot bring myself to support it. I do not believe the proposal will achieve the objectives we seek. Certainly this is a most astounding proposal; it apparently is supposed to make everybody happy. If it works out the way we have been promised the southern Democrats would be happy because they are led to believe that it would give them greater control over the Democratic Party and it might

reestablish the two-thirds rule that the Democratic Party eliminated some years ago. In other words, they can have the veto power over the Democratic candidate.

The northern Democrats are supposed to be happy with the innovation because it would mean, of course, that the smaller States in the South, voting overwhelmingly for one party, would more than counterbalance in influence the northern States, with the result there would be no Republican elected President for a good many years to come.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. It works out, based on the last two elections, that as far as Ohio is concerned it would have about four-tenths of one electoral vote while Mississippi would have 90 times as much influence in the electoral college as Ohio, and Mississippi alone would offset the votes of six large northern States—Ohio, Indiana, Illinois, Michigan, Minnesota, and New Jersey.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I cannot yield at this time.

Mr. RANKIN. After all that confusion, I would like to correct the gentleman.

Mr. MARTIN of Massachusetts. I do not yield.

The liberals will profit by this resolution, so it is claimed, because it would encourage the development of so-called splinter parties with the result that we might have an election where no one would have a majority of the votes. This would destroy the two-party system of Government. It would be the first step toward proportional representation and easier to drift into state socialism.

The Republicans are told that they will win more Presidential elections in the future because by some slight of hand, some legerdemain, numerous Republican votes will appear overnight in the South and will be counted proportionately under the proposed electoral system.

Verily, this is a political Pandora's box—if you can believe all that is claimed for it. Just how all these rightly contradictory things can happen by adopting this amendment I fail to see.

Laying aside the merits or demerits of this proposed amendment for a moment, I would like to discuss the method by which we are considering this measure.

For years this great legislative body of which we are Members has been under constant fire for alleged lack of thoroughness in its operations, alleged lack of statesmanship in its deliberation, and alleged lack of knowledge of what it was doing. The critics of Congress have laid down their barrage of criticism in the hope of destroying legislative government in this country.

Now what are we doing today? Under suspension of the rule with only 20 minutes of debate on each side, with only a total of 40 minutes in all, we are attempting to amend the greatest political instrument in the world—the Constitution of the United States, a document

that has only been amended 21 times in the 163 years of its existence and then only after the most serious deliberations, extensive debate, and years of public discussion.

And why do we propose to amend it? The answer is that we are going to change, to completely revamp, to drastically alter the entire election machinery by which we have successfully filled the highest office in this land for 163 years.

And this House has been asked to do this in 40 minutes.

I say to you that if we take this far-reaching step today, with only 2 or 3 days' notice and with the outrageous limit of 40 minutes on deliberations and debate, we will have done more to undermine the integrity and respect of this Congress than anything that has ever been said, uttered, or written by the Socialists, Communists, and other enemies of representative government.

My pride in the House and loyalty to representative government cannot permit me to believe we will act so hastily.

I would vote against this suspension if for no other reason than the contemptuous fashion in which it has been brought before the House. In my 26 years of service I never saw the right of suspension used to amend the Constitution of the United States.

In my remaining few minutes I want to discuss this proposed amendment itself.

I want to address my remarks to Republicans, to northern Democrats, and to southern Democrats alike. I want you to weigh the effect of what you are doing to this country if you adopt this amendment.

This amendment proposes that we abolish the existing electoral college system and substitute for it a proportional counting of the votes cast for the President.

First. By the very wording of this proposed amendment it would not only be possible but highly probable that in the near future we would have Presidents occupying the White House who had been elected by a minority of the total popular vote. This amendment, by virtue of a provision which requires the winning candidate to receive at least 45 percent of the popular vote, is implicit in its implications that majority elections will eventually almost disappear.

As this proposed system is constituted the electoral votes now cast by the great States of Massachusetts, New York, Pennsylvania, Ohio, Illinois, Michigan, New Jersey, Minnesota, Wisconsin, California, and others with comparable populations, and with the two-party system fully in effect, would be virtually neutralized. For example, the great State of Ohio, which would retain its 25 electoral votes under this proposal, would in reality actually lose approximately half of them.

Let us see how it would work. A plurality of 100,000 or 150,000 votes is considered large in Ohio where the Republican and Democratic Parties are almost equally balanced. Now let us suppose that the Republicans carried Ohio by 125,000 votes. Under the amendment the Republicans would get approximately 13 of Ohio's electoral votes and the Demo-

crats 12, and Ohio would cast one electoral vote for the President.

In the South where the two-party system is all but nonexistent, the effect would be exactly the opposite. A State like Alabama would in all probability cast all 11 of its electoral votes for one candidate, or at the best 10 of them.

Thus Ohio with a population of 8,000,000 would cast one electoral vote, while Alabama with a population of about 2,800,000 would cast 10 or 11 electoral votes.

This example can be carried out almost across the entire North. It has been calculated that had this system been in effect President McKinley, although he had a majority of the popular vote, would actually have lost to William Jennings Bryan, the Democratic nominee, because the southern vote under the amendment would have far outweighed, few as they were, the heavy pluralities piled up by McKinley in the North.

The truth is that under this proposed amendment the election of our Presidents in the future, at least until there is a vigorous two-party system in the South, will be decided in the South and solely in the South.

I would like to ask the Members of this House, and particularly those from the Northern States, how they can go home and say that with only 40 minutes of deliberation, they changed the method of electing the President of the United States.

To the southern Members of this House I want to say this:

If there is merit in this proposed amendment, its merit is completely destroyed by the existence of the one-party system in the South. If the South really is sincere in its support of this amendment, it must realize that it has the cart before the horse. It must realize that the proposal could have a place only in a two-party political structure. We must just organize a two-party system in the South to maintain equal representation.

I do not hold to any fetish and belief that the existing electoral college cannot be improved. In fact, I will welcome the day, and I hope it comes soon, when by virtue of the operation of the two-party system in every one of our 48 States, we shall be able to consider a more enlightened and a more workable method of electing the President of the United States.

But do not today in a 40-minute session without the opportunity of any real debate cast the die that could lead to the loss of our two-party system of government. Our two-party system has preserved the essential balance in our representative form of government so necessary to the freedom, dignity and happiness of every single American. It must be preserved. You can help preserve it by voting against the suspension of the rules.

Mr. Speaker, I believe this amendment would make it impossible for the election of a Republican President for a good many years. I want to say to those who claim this is a part of the Republican platform that I had the privilege of being permanent chairman of the last Republican National Convention. I know what was in that platform. We never

said we favored this particular bill. We said we would amend the electoral college in order to make it more responsive to the popular vote of the Nation. That was the Republican pledge, and we who believe in keeping our party pledge can vote against this resolution today in good faith. If its purpose is to amend the electoral college system, I say bring in the legislation in the right way and not under suspension of the rules where we cannot dot an "i" or cross a "t."

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. GOSSETT. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, I say to the gentleman from Massachusetts who has just addressed the House that the Committee on the Judiciary tried to get a rule from the Committee on Rules. We have been struggling with that committee for months in order to persuade them to grant a rule, but they were adamant and refused to give us a rule so that we could debate this most momentous question leisurely, unhurriedly, and adequately.

Mr. MARTIN of Massachusetts. Mr. Speaker, if the gentleman will yield, now you are going to ask the House to do it when you could not get a rule.

Mr. CELLER. What choice was left to us?

Mr. CASE of New Jersey. There were about five other choices, including the 21-day rule.

Mr. GOSSETT. Mr. Speaker, I yield such time as he may desire to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Speaker, in fairness to the Committee on Rules, I think it ought to be said that the understanding within the committee has been to the effect that whenever the supporters of this proposal reached the conclusion that it would be felt safe to submit this question to the House for action, that the committee would grant a rule on the bill.

Mr. GOSSETT. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, of course, I am opposed to this resolution.

The country is not suffering because of the Constitution; that is not what is wrong with it. It is suffering more from the lack of applying the Constitution.

I wish I had time to comment on the statements that have been made in this debate; but my time is very limited. I believe the gentleman from New Jersey [Mr. CASE] arrived at the right conclusion, but he gave more wrong reasons for it than any other man I ever heard speak the same length of time on this floor; and the gentleman from Ohio [Mr. BROWN] went far afield in his reference to Mississippi.

The South would not profit by the passage of this resolution; and I doubt if it would be approved by the legislature of a single Southern State when they understood it. It would only tend to bring about confusion; and would probably result in such political chaos and demoralization as the South went through during the dark days of Reconstruction.

As I said, we are getting along very well so far as the Constitution of the United States is concerned. Let us try to get back to the Constitution, and not get any further away from it, or try to change it every time some fellow imagines he has a bright idea, and wants to try something new.

This provision of the Constitution, relative to the electoral college, was worked out and adopted by the wisest group of statesmen the world has ever known. It has been accepted by our predecessors for more than 160 years. To change it now by the adoption of this amendment might result in chaos and confusion, the lack of which we have not seen during your lifetime and mine.

I hope the resolution is voted down.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. GOSSETT. Mr. Speaker, I yield such time as he may desire to the gentleman from South Carolina [Mr. BRYSON].

Mr. BRYSON. Mr. Speaker, after thorough study, I find myself in accord with Senate Joint Resolution 2 as presented to the Senate by the Republican Senator LODGE, of Massachusetts, and House Resolution 2 as now pending before the House, having been introduced by my colleague, Representative ED GOSSETT, Democrat from Texas. I sincerely hope that the House will soon pass on this all-important question so as to give the States the opportunity to indicate their wishes.

One of the most interesting institutions of American Government is our much-discussed electoral college. Even though there are many citizens who are not sufficiently dissatisfied with its operation to support its abolition or even the fundamental reform of its structure and functions, yet there is today a strong belief, both in and out of the Congress, that this extraordinary method of choosing our Chief Executive is far from satisfactory. The strongest evidence of the attitude of the Congress and the public has been offered during this session by the passage by the Senate of the proposed constitutional amendment—Senate Joint Resolution 2—and by the strong popular approval of this action. We now have this resolution before us, and it is my firm belief that we will be strengthening our form of government and carrying out the wishes of the people of the country if we act favorably upon it before we adjourn.

Too much of the discussion concerning the resolution has gotten away from the one real question which we must answer: Does the proposal offer assurance that a better method of electing a President and a Vice President will be instituted? All other questions—even though some of them raise important issues—are secondary. The effects on the two major parties, the effects on potential candidates in the 1952 election, the shifts in power between the various sections of the country, the changes in influence of conservative and liberal elements within each of the major parties, the potential creation of splinter parties holding balances of power which they do not possess under the present electoral college system, these, and other ques-

tions, are being discussed at great length. In fact, they are distracting our attention from the main issue and I wish to draw debate in the Congress back to it. We need to consider only the one point: does the proposed amendment promise a better method of electing a President than our present unsatisfactory process?

The American Presidency is an office with peculiar characteristics. It is an interesting coincidence that the two most powerful single officers in the two great democracies, the United States and England, are chosen indirectly. In both cases, however, the direct influence of the voter is closer in fact than it appears to be in the constitutional provisions for the choice of the Chief Executive.

A short time ago England held an election. Atlee and Churchill ran as candidates for seats in the Parliament representing single member districts, as you and I do. Yet, it was no secret to any voter in any constituency that he was actually choosing, between two parties, headed respectively by Atlee and Churchill, even though he expressed that choice only by voting for a member of one of the two parties running for the seat in Parliament representing the voter's own constituency. Thus a vote for a Labor Party candidate in any district was potentially influential in making Atlee the Prime Minister; a vote for a Conservative candidate worked in the direction of giving that office to Churchill.

The American system of choosing a President is also indirect in theory. We vote for lists of electors nominated by the political parties in the several States, but we do this to express a choice between party candidates for the Presidency. How many voters there may be who understand their own action, no one knows. How many times have you heard a campaign speaker plead with voters to cast their ballots for Republican or Democratic electors? All the speeches I ever heard asked for votes for Roosevelt or Truman or Dewey or Landon or some other candidate. I know that voters believe that they are voting for these persons as, in fact, they are.

This very extraordinary process, referred to as "the myth of the electoral college," has no place in the American system of government. You know the story of its origin in the fears of the authors of the Constitution that the people could not be trusted to act directly in their choice of a national chief executive. That those fears were groundless has been demonstrated by our history. If we were to draft a new constitution for a Twentieth Century United States there is no doubt in my mind that we would provide for some form of direct election for president. Why would we continue the use of a process which is so difficult for citizens to understand? Why confuse voters unnecessarily when it is already far too much for most of them to understand the operations of our complex government, the policies of our several political parties, and numerous candidates for office? The burden of proof falls upon the advocates of a formality such as the present constitutional provision for election of the President. Unless they can demonstrate that

it is not a mere formality, but that it has life and is effective in operation, we should not continue to complicate the situation to no purpose.

But the present electoral college method of electing the President is not merely obsolete and confusing to voters. In my thinking on this problem, there is a far more important reason for adopting the proposed amendment now before us. The Democratic philosophy has no place in it for the winners-take-all method of determining the electoral college of a State. We claim to believe that minority parties and groups, although they may be outvoted on a particular measure, have the right to recognition. Yet not a single Democratic vote in Maine and not a single Republican vote in Mississippi is counted for the Democratic or the Republican presidential candidate at the present time. Even worse is the loss of the great minorities—sometimes Republican, sometimes Democratic—in such "close" States as New York and Ohio and California.

It is very easy to correct this fault and the new amendment does it by the well-established method of giving proportional weight to the majority and minority voters. If we really believe in what we repeat so emphatically and so frequently—that the two-party system is an essential part of our form of government—we cannot logically support any practice which tends to weaken that system. Both of our great parties claim to be "national" parties, not urban or rural, not northern or southern. Yet this persistent discouragement of the minority party in the several States operates powerfully toward the establishment of regional parties, and we have known this for a long time.

An important byproduct of this situation is lack of voter interest and participation in States which have been completely controlled by one party over a considerable period of time. Why should a Maine Democrat bother to vote? Is it surprising that in most Southern States relatively few members of either party vote in the general election? After the southern Democrat has helped to nominate the presidential candidate of his party through his selection of delegates to the Democratic nominating convention, he knows that the majority of voters in his State will vote for the Democratic candidate and that its entire electoral vote will be cast for that candidate. The Republican Party member in a Southern State has little incentive to participate in a presidential election. We have all witnessed the tremendous interest of voters of both parties in States where party strength is closely balanced, and the presidential campaigns are addressed almost entirely to voters in those States. There can be no defense of this situation and the certainty that it would be improved under the new amendment is one of the strongest arguments in its favor.

The Senate, through a bipartisan vote, has expressed approval of Senate Joint Resolution 2. Comment throughout the country is running strongly in its favor. If the House also takes affirmative action, the proposal will go to the people of the several States as they are represented in

their legislatures. Whether or not acceptance by the necessary three-fourths of the State legislatures can be obtained to make the amendment effective in 1952 is uncertain, but we are not concerned with a single election. Our vote now in the House should be based on the wider considerations which I have stated as being my own reasons for urging its adoption. Each of us must weigh the measure to determine whether or not it is more democratic in fact and in theory than our present method, and whether it will strengthen our two-party political system. If we conclude that these desirable ends will be furthered—and I do not see how any other conclusion can be reached—then it follows without doubt that we will have greatly improved our process of choosing a President. In the long run such a contribution to our institutions of Government must inevitably benefit not only the individual voter, but also the parties themselves, and the entire Government. The American Presidency is of such fundamental importance that to strengthen and improve it can only produce beneficial results of a widespread character.

Mr. GOSSETT. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. McSWEENEY].

Mr. McSWEENEY. Mr. Speaker, I feel that I truthfully can say that my voting record of the five terms which I have served in the Congress of the United States would show that I have not been sectional in my attitude toward national problems. However, I must oppose the Lodge-Gossett bill which proposes an amendment to the Federal Constitution which would change the method by which the President of the United States is to be elected.

I do so for a few—to me—basic reasons. In the first place I am for a direct election of the President. I want every voting citizen to have his or her vote properly recorded directly for the person whom each citizen may choose. This would abolish the electoral college which was set up in our Constitution by that wise, patient, patriotic, and forward-looking group of men who drafted our Constitution. However, the Lodge-Gossett bill does not really abolish the electoral college, we still stand in the shadow of it. We still have the ghost of it. In other words this bill provides for each person to be able to vote for the President but his State vote is still reported on a proportional basis.

Here is where I temporarily become sectional. I want to protect the basic interest of my own State of Ohio. We of Ohio have been generous. We have helped with national highway programs; we support reclamation programs for other States, and a really unfair share of the burden of such programs fall upon a State like Ohio which pays a tremendous tax through its corporations and personal incomes, but we should not be asked to give up our rights on a basis of population. May I illustrate.

Let us take the election of 1948. If the Lodge-Gossett plan were in operation during that election Ohio would have just a fraction of one electoral vote.

Let us assume that President Truman had carried Ohio by 10,000 votes, and

that the total vote had been 3,000,000. These figures minimize rather than exaggerate the actual situation. The result can be shown by the following equation: 3,000,000—the total vote—is to 10,000, the President's majority, as 25—the number of Ohio's electoral college—is to x ; 3,000,000 x will equal 250,000, thus x will equal one-twelfth. So Ohio would in reality have one-twelfth of 1 electoral vote. Since the vote cannot be divided it would mean that Ohio had 1 electoral vote. In the 1948 election it figures the same for New York State, Illinois, California, and other large States. I can pick five large States whose total electoral vote would have been 6, while Mississippi alone would have 9 votes. Is this representative democracy?

Our Constitution provides the finest balance of power among its component geographical divisions which we call States of any other confederation or federation which has ever existed. We give to our States proportional representation on the basis of population in our lower house of our bicameral legislature, and equal representation, or two senators each, in the upper house or senate. What could be more fair. The Lodge-Gossett proposal would upset this time-honored balance.

No matter as important as a proposed amendment to the Federal Constitution should be considered lightly. It is too serious. However, for this very important matter only 40 minutes was permitted for discussion. I hope that the people of our Sixteenth District and of the State of Ohio generally will feel as I do on this important matter and will approve my voting against it.

Mr. GOSSETT. Mr. Speaker, let me say in conclusion, in submitting this to the States it takes the votes of three-fourths of them before it can become a part of the Constitution. We simply give them the right to pass on this matter. I wish I had time to refer to the many eminent persons who have written in support of this resolution. The House should follow the example of the Senate and vote to submit this fundamentally important reform to the States.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. FULTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FULTON. Under a motion to suspend the rules it is not possible to amend the resolution in any way, is it?

The SPEAKER. It is not.

The question is, Will the House suspend the rules and pass the joint resolution?

The question was taken; and on a division (demanded by Mr. Gossett) there were—ayes 79, noes 141.

Mr. GOSSETT. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 134, nays 210, not voting 86, as follows:

[Roll No. 204]

YEAS—134

Abernethy	Aspinall	Beckworth
Albert	Barden	Bennett, Fla.
Anderson, Calif.	Battle	Bennett, Mich.

Bentsen
Bishop
Boggs, Del.
Bonner
Bramblett
Brown, Ga.
Bryson
Burdick
Burleson
Byrnes, Wis.
Camp
Carlyle
Celler
Chelf
Colmer
Cooley
Cotton
Cox
Cunningham
Curtis
Davis, Ga.
Deane
DeGraffenried
Dolliver
Doughton
Durham
Elliott
Engle, Calif.
Evins
Fernandez
Fisher
Ford
Gary
Gathings
Gossett
Graham
Grant
Gross
Guill
Gwinn
Hagen
Hays, Ark.

Herlong
Herter
Hobbs
Hoeven
Hoffman, Mich.
Hope
Horan
Hull
Jacobs
Jensen
Jones, Ala.
Jones, Mo.
Jones, N. C.
Judd
Kerr
Kruse
Lanham
Larcade
LeCompte
Lodge
Lucas
McCormack
McMillan, S. C.
Mahon
Marsalis
Marshall
Martin, Iowa
Morrow
Michener
Miles
Miller, Nebr.
Morris
Morton
Moulder
Murdock
Murray, Wis.
Nixon
Norblad
Pace
Patten
Peterson
Poage

Potter
Poulson
Preston
Priest
Rains
Ramsay
Redden
Reed, Ill.
Rees
Richards
Robeson
Rogers, Fla.
Scrivner
Scudder
Sikes
Smathers
Smith, Kans.
Smith, Va.
Smith, Wis.
Steed
Stefan
Talle
Teague
Thomas
Thornberry
Underwood
Velde
Walter
Wheeler
White, Calif.
Whittington
Wickersham
Williams
Wilson, Okla.
Wilson, Tex.
Winstead
Withrow
Wolverton
Wood
Young
Zablocki

NAYS—210

Abbitt
Addonizio
Allen, Calif.
Andersen,
H. Carl
Andresen,
August H.
Arends
Auchincloss
Baring
Barrett, Pa.
Bates, Ky.
Bates, Mass.
Beall
Blatnik
Bolling
Bolton, Md.
Bolton, Ohio
Bosone
Brehm
Brown, Ohio
Buchanan
Buckley, Ill.
Buckley, N. Y.
Burke
Burnside
Burton
Byrne, N. Y.
Canfield
Cannon
Carnahan
Case, N. J.
Chesney
Chiperfield
Chudoff
Clemente
Clevenger
Corbett
Coudert
Crawford
Crook
Crosser
Dague
Davenport
Davies, N. Y.
Delaney
Denton
D'Ewart
Dollinger
Dondero
Donohue
Douglas
Doyle
Eaton
Eberharter
Ellsworth
Elston
Fallon
Feighan
Fellows
Fenton

Flood
Fogarty
Forand
Fugate
Fulton
Furcolo
Gamble
Garmatz
Gavin
Golden
Goodwin
Gorski
Granahan
Granger
Green
Hale
Hall
Leonard W.
Halleck
Hand
Harden
Hardy
Harrison
Hart
Harvey
Havener
Hays, Ohio
Heffernan
Heller
Heselton
Hollifield
Holmes
Howell
Huber
Jackson, Wash.
James
Javits
Jenison
Jenkins
Karst
Karsten
Kean
Kearney
Keating
Kee
Kelley, Pa.
Kelly, N. Y.
Keogh
Kilburn
King
Klein
Kunkel
Lane
Latham
LeFevre
Lind
Linehan
Lynch
McCulloch
McDonough
McGrath

McGregor
McGuire
McKinnon
McSweeney
Mack, Ill.
Mack, Wash.
Macy
Madden
Magee
Mansfield
Marcantonio
Martin, Mass.
Mason
Meyer
Miller, Calif.
Mills
Multer
Murphy
Nicholson
Noland
Norrell
O'Brien, Ill.
O'Brien, Mich.
O'Hara, Minn.
O'Konski
O'Neill
O'Sullivan
O'Toole
Patterson
Pfeiffer
Joseph L.
Philbin
Phillips, Calif.
Plumley
Polk
Powell
Price
Rabaut
Rankin
Reed, N. Y.
Rhodes
Ribicoff
Rich
Riehlman
Rodino
Rogers, Mass.
Rooney
Roosevelt
Sadlak
St. George
Sanborn
Saylor
Scott, Hardie
Scott,
Hugh D., Jr.
Secrest
Shafer
Shelley
Sheppard
Short
Simpson, Ill.

Simpson, Pa.
Smith, Ohio
Staggers
Stanley
Stigler
Stockman
Sullivan
Sutton
Taber
Tauriello
Taylor

Tollefson
Trimble
Van Zandt
Vinson
Vorys
Vursell
Wadsworth
Wagner
Walsh
Welchel
Werdel

Whitaker
Whitten
Widnall
Wier
Wigglesworth
Wilson, Ind.
Wolcott
Woodhouse
Woodruff
Yates

NOT VOTING—88

Allen, Ill.
Allen, La.
Andrews
Angell
Bailey
Barrett, Wyo.
Biemiller
Blackney
Boggs, La.
Boykin
Breen
Brooks
Bulwinkle
Carroll
Case, S. Dak.
Cavalcante
Chatham
Christopher
Cole, Kans.
Cole, N. Y.
Combs
Cooper
Davis, Tenn.
Davis, Wis.
Dawson
Dingell
Engel, Mich.
Frazier
Gillette
Gilmer

Gordon
Gore
Gregory
Hall
Edwin Arthur
Hare
Harris
Hébert
Hedrick
Hill
Hinshaw
Hoffman, Ill.
Irving
Jackson, Calif.
Jennings
Johnson
Jonas
Kearns
Keefe
Kennedy
Kilday
Kirwan
Lichtenwalter
Lovre
Lyle
McCarthy
McConnell
McMillen, Ill.
Miller, Md.
Mitchell

Monroney
Morgan
Morrison
Murray, Tenn.
Nelson
Norton
O'Hara, Ill.
Passman
Patman
Perkins
Pfeiffer
William L.
Phillips, Tenn.
Pickett
Quinn
Regan
Rivers
Sabath
Sadowski
Sasser
Sims
Spence
Tackett
Thompson
Towe
Welch
White, Idaho
Willis

So (two-thirds not having voted in favor thereof) the bill was rejected.

The Clerk announced the following pairs:

Mr. Mitchell with Mr. McConnell.
Mr. Dawson with Mr. Kearns.
Mr. O'Hara of Illinois with Mr. Lichtenwalter.
Mr. Sabath with Mr. Gillette.
Mr. Biemiller with Mr. Towe.
Mr. Hébert with Mr. Jonas.
Mr. Breen with Mr. William L. Pfeiffer.
Mr. Carroll with Mr. Miller of Maryland.
Mr. Regan with Mr. Allen of Illinois.
Mrs. Norton with Mr. Barrett of Wyoming.
Mr. Irving with Mr. Cole of New York.
Mr. Sadowski with Mr. Hoffman of Illinois.
Mr. Hedrick with Mr. Lovre.
Mr. Cavalcante with Mr. Angell.
Mr. Frazier with Mr. Cole of Kansas.
Mr. Morrison with Mr. Davis of Wisconsin.
Mr. Welch with Mr. Engel of Michigan.
Mr. Thompson with Mr. Edwin Arthur Hall.
Mr. Sasser with Mr. Jackson of California.
Mr. Gregory with Mr. Hill.
Mr. Harris with Mr. Jennings.
Mr. Gordon with Mr. Johnson.
Mr. Gilmer with Mr. Phillips of Tennessee.
Mr. Tackett with Mr. Blackney.
Mr. Andrews with Mr. McMillen of Illinois.
Mr. Boggs of Louisiana with Mr. Hinshaw.
Mr. Cooper with Mr. Case of South Dakota.
Mr. Passman with Mr. Keefe.

Mr. GROSS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MASON asked and was given permission to extend his remarks and include an editorial.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in three instances and include extraneous matter.

Mr. BYRNES of Wisconsin asked and was given permission to extend his remarks and include an editorial.

Mr. RICH asked and was given permission to extend his remarks and include an editorial from the Washington Times-Herald.

Mr. HUGH D. SCOTT, JR., asked and was given permission to extend his remarks in two instances and include extraneous matter.

Mr. DAGUE asked and was given permission to extend his remarks and include an editorial which appeared in the Daily Republican of Phoenixville, Pa.

Mr. GAVIN asked and was given permission to extend his remarks and include a newspaper story from the Washington Evening Star.

Mr. H. CARL ANDERSEN asked and was given permission to extend his remarks and include an address delivered by Mr. Alan C. McIntosh, of Luverne, Minn., at the rededication ceremony at Plymouth Rock, Mass.

Mr. LANE asked and was given permission to extend his remarks in two instances and include extraneous matter in each.

Mr. LYNCH asked and was given permission to extend his remarks and include a letter from a constituent.

Mr. WOOD asked and was given permission to extend his remarks and include an address delivered by Mr. Charles A. Collier, vice president of the Georgia Power Co., before the National Citizens Conference on Planning for City, State, and Nation, recently held in the city of Washington.

Mr. WHITAKER asked and was given permission to extend his remarks and include a resolution of a tobacco association in his district.

Mr. ALBERT asked and was given permission to extend his remarks and include an address by R. W. Frazier, professor of government and history of the Southeastern State College, Durant, Okla.

Mr. SECREST asked and was given permission to extend his remarks and include an editorial from the Cambridge (Ohio) Daily Jeffersonian.

Mr. HUBER asked and was given permission to extend his remarks and include two editorials.

Mr. PLUMLEY asked and was given permission to extend his remarks in two instances and include extraneous matter in each:

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks and include an article by Paul Kennedy appearing in the Boston Herald of yesterday.

Mrs. ST. GEORGE asked and was given permission to extend her remarks in four instances and include in each an article by Mr. Frank C. Waldrop.

Mr. BENNETT of Michigan asked and was given permission to extend his remarks.

Mr. D'EWART asked and was given permission to extend his remarks.

Mr. GOODWIN asked and was given permission to extend his remarks in two instances.

Mr. HESELTON asked and was given permission to extend his remarks and in-

clude a statement made by him before the Committee on Appropriations, together with some additional statistics.

Mr. MEYER asked and was given permission to extend his remarks.

Mr. CANFIELD asked and was given permission to extend his remarks and include some newspaper comments on civilian defense.

PUBLIC HEALTH SERVICE ACT

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2591) to amend the Public Health Service Act to support research and training in arthritis and rheumatism, multiple sclerosis, cerebral palsy, epilepsy and blindness, and other diseases, and for other purposes, with House amendments thereto, insist on the amendments of the House and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. PRIEST, BIEMILLER, WILSON of Oklahoma, WOLVERTON, and HUGH D. SCOTT, JR.

COPPER IMPORT-TAX SUSPENSION

Mr. DOUGHTON. Mr. Speaker, I move to suspend the rules and pass the resolution (H. J. Res. 502) to suspend certain import taxes on copper.

The Clerk read as follows:

Resolved, etc., That the import tax imposed under section 3425 of the Internal Revenue Code shall not apply with respect to articles (other than copper sulfate and other than composition metal provided for in paragraph 1657 of the Tariff Act of 1930, as amended, which is suitable both in its composition and shape, without further refining or alloying, for processing into castings, not including as castings ingots or similar cast forms) entered for consumption or withdrawn from warehouse for consumption during the period beginning July 1, 1950, and ending with the close of June 30, 1951.

The SPEAKER. Is a second demanded?

Mr. WOODRUFF. Mr. Speaker, I demand a second.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DOUGHTON. Mr. Speaker, House Joint Resolution 502 would extend for another year, or until June 30, 1951, the import tax on copper. The import tax of 4 cents per pound on copper was passed in 1932, and then under a reciprocal trade agreement was reduced 50 percent, to 2 cents per pound. Our committee held two full days of hearings on this bill.

We heard representatives of five departments of Government: The Department of Defense, the Department of State, the Treasury Department, the Department of the Interior, and the Department of Commerce. They all recommended the extension of this exemption of the import tax on copper for 2 years, but this bill provides for an extension of only 1 year, from June 30 of this year until June 30, 1951.

The testimony before our committee, in my opinion, proved conclusively not only the importance, but the necessity, for the extension of the suspension of this tax for another year. According to the testimony, which I believe was not disputed, the domestic supply of copper is only about 74 percent of the domestic demand.

The Committee on Ways and Means heard, as I said, not only the heads of these Departments, but we heard the domestic producers; we heard Members of Congress, and those engaged or interested in the industrial use of copper. The testimony, I repeat, indicated clearly that the domestic supply is not equal to the domestic demand, and even with what imports are coming in now, still the supply is hardly equal to or adequate to meet the demand. There is nothing in the evidence to indicate that the price of copper would be seriously affected or that the supply would exceed the demand, if the suspension of the import tax is continued. The testimony showed that the price of copper has gone up during the time this import tax has been suspended, until it is now, with one exception, the highest it has ever been. The price has increased from 16 cents a pound in 1949 to the present price of 22½ cents per pound. This shows that the price of copper has not been seriously or adversely affected by the suspension of this import tax.

I know of no reason why, and, in fact, no reason was assigned which satisfied our committee, this extension should not be granted. The domestic supply for the present year is estimated to be 300,000 tons short of the domestic demand. You can all readily understand that, owing to the foreign situation, with which you are all familiar, the demand for copper is going to increase rather than decrease. Not only will there be a demand by the commercial consumers of copper, which is constantly on the increase, but the Government itself will be in the market for increased amounts of copper to meet the foreign situation.

Nevertheless, our committee wanted to go slow on the matter. We did not want to extend this act for 2 years, as was first proposed, and in order to be careful and not do anything seriously to affect or lower the price of the domestic copper or interfere with full production of domestic copper, in which we are all interested, we agreed that it should be extended only 1 year. Copper mining is now at a high level of production. The price is high. When the price of any commodity is high, that of course stimulates production. If the price is low, it has the effect of decreasing production.

Taking everything into consideration, as our committee did, we felt that the extension of the suspension of this tax for 1 year, or until June 30, 1951, is essential, if the domestic consumers are to have an adequate supply. Of course, the Government needs must be supplied. At the same time, we feel certain there is nothing in the situation to cause any alarm or uneasiness on the part of domestic consumers as to the price of copper, because the supply is so much less than the demand for copper. It is reasonable to assume that the price will

not be seriously affected by a reduction in demand in the near future.

We must remember that the import tax on copper was suspended in the Eightieth Congress on account of the supply not filling the demand, and this suspension was continued during the first session of this Congress until June 30, 1950. There is greater reason now why this suspension should be extended another year than there was either when Congress suspended it in the Eightieth Congress, or continued the suspension in the first session of the Eighty-first Congress.

For these reasons among others, Mr. Speaker, I hope the House will vote overwhelmingly to approve this House joint resolution.

Mr. WOODRUFF. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. MARTIN].

Mr. MARTIN of Iowa. Mr. Speaker, this is quite a serious issue in the matter of our national defense. I am opposed to the suspension of these import taxes because of the adverse effect it will have on the health of our mining industry in this country. I cannot subscribe to the argument just made that the price of copper has recently increased from 16 cents to 22½ cents, and that that should take care of the situation, when from April 1, 1949, to July 1, 1949, the price of copper was pushed down from 23½ cents to 16 cents and then back up again during the past 13 months. Therefore, it has not been a matter of the lifting up of the price of copper from 16 cents, but it was a temporary and manipulated depression in the price.

It is my contention that the suspension of this excise tax will have a devastating effect on the production of copper by those mines that are marginal mines which cannot produce copper advantageously on a depressed market and in competition with foreign imports.

My only hope is that I can be of some help in building a healthy, vigorous domestic mining industry because no proponent of this suspension has yet been able to assure me that any part of the larger imports will be stockpiled by industry for use in an emergency. The present price of copper, the present situation, the demand for finished industrial products is such that it is little wonder that the industrial reserves of copper in this country at the present time is at the lowest level that it has ever been since 1944. That is a terrible thing to contemplate. That is the effect of this suspension, which has been in operation during the last 2 or 3 years, and with the wave of hysteria and war buying which is now going on, a further depression of our copper reserves will be even more devastating. There is not one proponent of this suspension of the copper tariff who can assure you that one pound of copper can be delivered to us from foreign mines after the shooting starts in any future war.

I say, if you have got your mind on national defense at all, you will do one of two things: Either build up an adequate stockpile industrially, or provide for a healthy local mine production of copper, because you cannot promise us that you can import foreign copper in wartime,

not against the snorkle submarine. That is my position on this matter, and I am very much opposed to the suspension of the copper tariff.

The proponents of this legislation are of three general classes.

One class is made up of industrialists who need copper for their industrial production. Obviously they want cheap raw materials for their factories.

A second class is made up of large domestic producers of copper who have foreign mines also. These mine interests want the tariff removed on their foreign production in order to help them as much as possible in their competition with other domestic producers.

The third class of proponents of this legislation is the State Department of our National Government. Their interest is the promotion of maximum foreign trade, and they obviously look to free trade as a means to build up the volume of our foreign trade. They have evidenced no concern over the effect of their free trade policy on our domestic production of strategic and critical materials.

Just after the end of World War II our American industrialists who use copper and our American mining interests who have foreign copper mines, appealed to Congress for help in the rehabilitation of our peacetime economy and they asked specifically for a temporary suspension of the tariff on copper to help them attain that end. Congress enacted legislation to suspend the copper tariff temporarily in the hope that such suspension might be helpful in increasing our supplies of copper to meet our peacetime demands. The demands for peacetime production have exceeded the supplies of copper available. Consequently, notwithstanding the suspension of the tariff on copper the past 3 years, our stocks of refined copper have shrunk to the smallest supply held since October 1944. At the end of June of this year the stock of refined copper held by domestic producers was only 50,327 tons and was equal to only a little more than a week's supply based on the tonnages of metal shipped during June. Stocks of copper held by foreign producers totaled 136,483 tons at the end of June. Total domestic production was 96,334 tons in June, and total foreign copper production during June was 107,920 tons. Obviously the suspension of the copper tariff during the past 3 years has not enabled industry to create industrial stockpiles of copper to meet any war emergency. I submit that the industrial users of copper and the American owners of foreign copper mines requested the suspension of the tariff on copper mainly for the acceleration of peacetime industrial production and not as an insurance of our wartime self-sufficiency. The reduction of our stocks of refined copper indicates that the price of copper products in the peacetime economy and the margin of profit on that trade have been prime incentives to the owners of foreign copper mines and the industrial users of copper. If preparedness for war had been one of their prime objectives they would have made some effort to avoid reducing their copper re-

serves to the low level at which those reserves stand today.

It is a strange turn indeed that the proponents of this legislation now come before Congress to urge the continued suspension of the copper tariff in order to secure a larger supply of copper from foreign sources as a national defense measure when the total stocks of available copper have been and will continue to be swallowed up in the production of peacetime products even to the extent of diminishing our reserve stocks of copper. So long as the stocks of copper on hand domestically and in foreign lands remain at present levels and the demand for peacetime products stays at present levels or moves higher with the wave of hysterical buying that has already manifested itself, I predict that not 1 ounce of increased imports of foreign copper will be used for national defense unless the Federal Government steps in with rules and regulations channeling such materials to national defense industry. I predict further that the present low level of copper reserves in this country will not under present conditions be increased to meet our defense needs without specific direction by our Federal Government.

Even during this period of frenzied anticipation of possible war and while our sea lanes are still open, I am not impressed very strongly by the tactics of our industrial users of copper and the American owners and producers of foreign copper when the suspension of this tariff is requested as a national defense measure. Furthermore, most certainly no American industrialist or owner of foreign copper mines has been able to assure me that an adequate supply of foreign produced copper can be shipped into our ports after any shooting war with a major power should get under way.

My own great interest is in building the self-sufficiency of this Nation to withstand the impact of war with a major power. I have guarded and protected with all the ability at my command the productive capacity of our American mines. I have also taken long and active interest in the building by our Federal Government of adequate stockpiles of strategic and critical materials. There is a practical limit to the size of our stockpiles and at the time of writing Public Law 520 of the Seventy-ninth Congress we set in motion a 5-year program to attain stockpiles of the size deemed advisable. In the past 4 years the stockpile on hand has grown to only 38.4 percent as of June 30, 1950. That fact together with the low ebb of our industrial stockpiles of copper emphasizes our need to rely upon a healthy and vigorous mining industry within our own borders if we are to approach self-sufficiency for our Nation's defense in war. Even though we had 100 percent of our stockpile reserves, I would still place great emphasis on our own domestic mine health for adequate national defense, but with a Government's stockpile of 38.4 percent and with our copper industrial stocks at the low level they are today we should do everything within our power to build maximum

production of all strategic and critical materials within our own land.

From that point of view the question here in this legislation resolves itself to whether the suspension of the tariff on copper will encourage domestic production of copper or whether it may discourage or even reduce such production. It is my firm opinion that the continued suspension of the tariff on copper cannot possibly encourage American domestic production of copper.

We should defeat this measure and continue the duty of 2 cents per pound on imports of copper. If that encouragement to our own domestic mines is not adequate, I ask for the appropriation of funds to increase our Government stockpiles and for the enactment of legislation to extend governmental help for research, development, and exploration, and even to subsidize the production of critical materials such as copper before it is too late.

The SPEAKER. The time of the gentleman from Iowa [Mr. MARTIN] has expired.

Mr. DOUGHTON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. LYNCH].

Mr. LYNCH. Mr. Speaker, in reply to the gentleman from Iowa [Mr. MARTIN], my distinguished colleague on the committee, he has pointed out that there is a deficit of copper production. If there is a deficit of domestic copper production, how can we ever stock-pile it? According to the estimate of the Bureau of Mines, 1,200,000 tons of copper will be consumed in the United States during 1950. The estimated production in the United States is 850,000 tons, or a deficit of 350,000 tons during this year, and without looking forward to any possible military needs that we may require within the next 6 months, and if the situation gets worse our position insofar as copper is concerned will also be worse.

There is only one consideration that we should have at this time, and that is whether or not we have sufficient copper in this country to take care of our domestic situation as is, and the possible war situation that may arise. I believe it to have been the opinion of the Ways and Means Committee that they would not, under ordinary circumstances, have extended this bill. As you have been told, the original bill called for an extension of 2 years. We thought that an extension of 1 year at this time would give us a better chance to take a look at the whole situation, so that if the Korean situation became worse we would not put ourselves in the position of cutting down the supply of copper.

Let me point out that this will not bring down the supply of domestic copper.

Mr. BENNETT of Michigan. Mr. Speaker, will the gentleman yield?

Mr. LYNCH. I yield to the gentleman from Michigan.

Mr. BENNETT of Michigan. The testimony before the Ways and Means Committee was undisputed, I think, that suspending the tariff would not bring any more copper into this country.

Mr. LYNCH. I think it is fair to say that we did not have any testimony be-

fore our committee to indicate that the suspension of the tariff would bring more copper into the country. But the important thing is that, under the present situation with which we are confronted, domestic copper has risen in price 25 percent—from 16 cents to 22½ cents, which is the second highest price for copper on record in recent years. When that increase came about we had a suspension of the tax. Under those circumstances, I cannot see where the suspension of the tax has in any wise curtailed domestic production.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. LYNCH. I yield.

Mr. PATTERSON. In answer to the gentleman's question, the reimposition of this tax on copper will act as a deterrent in providing an adequate supply to meet our domestic demand.

Mr. BENNETT of Michigan. That is the gentleman's conclusion, but there was no evidence presented before the Ways and Means Committee—and I listened to all of those hearings—to show that the imports in copper would be affected one iota by the lifting of this tax.

Mr. LYNCH. It would seem to me if the position taken by the gentleman from Iowa is correct that the continuance of this tax would cause a decrease in production. I think that has been clearly refuted by the testimony before the Ways and Means Committee, for the reason that the price has risen for domestic production in 1949 and 1950 by 25 percent. That in itself, according to the testimony, was sufficient to keep the marginal mines in operation. The price reached 22½ cents when we had the suspension of the tax. That being so, it seems to me under those circumstances quite clear that if we continue the exemption of the tax it will not bring about adverse conditions to the copper industry.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. DOUGHTON. Mr. Speaker, I yield five additional minutes to the gentleman from New York.

Mr. MARTIN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. LYNCH. I yield to my colleague on the committee.

Mr. MARTIN of Iowa. I will ask the gentleman what the price was on April 1, 1949.

Mr. LYNCH. I do not know. I know that from the gentleman's experience he would probably be able to tell me.

Mr. MARTIN of Iowa. It was about 23½ cents, and it was depressed from that to 16 cents in the period of about 2 months' time. So let us start from April 1, 1949, and try to do better.

Mr. LYNCH. I am not starting from April 1, 1949; I am starting from the time when it started to rise while we had this exemption. Why do you go back to April 1949 when what we are concerned with now is what is happening during the last year, that since June 1949 the price has gone up 25 percent?

Mr. MANSFIELD. Mr. Speaker, will the gentleman yield?

Mr. LYNCH. I yield.

Mr. MANSFIELD. Is it not odd that this committee and this Congress is so

anxious to allow the importation of copper and at the very same time refuses to do anything to help the high-cost domestic producer of copper and other metals?

Mr. LYNCH. Let me say that our committee has handled every bit of the copper legislation that has come before it. We feel that by doing this we are certainly aiding the industry in our country. We believe that this is not the time under any circumstance for Congress to take action that will bring about a possible deficit, because we know that under the estimates of the Bureau of Mines that we can expect only 850,000 tons during 1950, and the lowest conservative estimate of need is 1,200,000 tons.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. LYNCH. I yield.

Mr. PATTERSON. I think the gentleman should show at this point that the amount of copper imported is insufficient for stockpiling and meeting our domestic demand.

Mr. LYNCH. They say that we are stockpiling at the rate of some 20,000 tons a year. I cannot under any circumstances see how we are going to stockpile with the situation as it is; and I honestly would ask any of the gentlemen who have been interrogating me: Do you or do you not wish our country to have sufficient copper on hand in case of a military necessity? If any gentleman will take the floor and say, "I do not care about the military; I do not care whether our troops have what is necessary in the line of copper; I do not care anything about anything else except that these mine owners out West are going to try to keep this tax exemption on for their own selfish interests; I am absolutely opposed to this bill!"

Mr. MARTIN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. LYNCH. Will the gentleman say that he is in favor of the reimposition of the tax even if it is shown that we have not got enough copper for military needs?

Mr. MARTIN of Iowa. I will be glad to answer that. The gentleman knows I want all the copper we can get and I want it held for military needs. But you are not doing that in the industrial field today. Your reserves are lower today than they have been since 1944 and at the same time your domestic mine production last year was reduced down to 741,000 tons. I hope I have answered your question.

Mr. LYNCH. The gentleman from Iowa is the strongest advocate for stockpiling of strategic material. However, the gentleman knows that under the estimate for the first 5 months of this year the average has been, I think, 84,305 short tons per month and it is estimated we will have 850,000 tons this year. Under that situation and with the possible need for military purposes, does the gentleman ask that copper controls be placed upon the industry in the United States?

Mr. MARTIN of Iowa. In any war emergency the present low reserves of copper and the inadequate domestic production will undoubtedly call for con-

trols. I believe we are in agreement on that.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. WOODRUFF. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. BENNETT].

Mr. BENNETT of Michigan. Mr. Speaker, the suspension of the import tax on copper last year had a very disastrous effect on a large segment of the copper mining industry. There is no necessity for any further lifting of the tax and it is time we looked to our own sources of supply of this critical metal in order to have it available during any protracted national emergency.

Last year when the import tax on copper was suspended, and the bottom dropped out of the market, the Michigan copper mines were forced to close down for more than 4 months. During that same period nearly 300,000,000 pounds of copper came to the United States from foreign countries.

While a whole community of more than 50,000 people in northern Michigan suffered, with thousands of copper miners unemployed, the Chilean and African miners continued in their employment. Jobs of the copper miners in Chile were secure at a time when our own miners were walking the streets without work. Is it not time that we took action to prevent the recurrence of a similar tragedy?

The testimony before the Ways and Means Committee on this resolution was undisputed that putting the import tax back on copper would not affect the importation of copper into this country one way or the other. That is a very significant fact.

The people who are advocating this suspension are arguing all around the bush, evading the realities of the situation. The truth is that lifting the tax on copper is not going to bring one more pound of copper from Chile or elsewhere abroad, than we are getting today.

Here is what happened 15 months ago: When the tax was suspended at that time the price of copper was approximately 23½ cents per pound. The proponents of this legislation said then that the demand for copper in this country exceeded the supply; that we could not get along without foreign copper. They said, "Let us take the tax off for another year." We took the tax off. What happened to the price of copper? It immediately declined in a short space of 2 months from 23½ cents to 16 cents per pound.

What did that show? It showed that the copper fabricators who are advocating this legislation did not need all the copper they were talking about, so the demand sloughed off and the price sloughed with it. Exactly that same thing can happen again.

We all realize that we need copper to fight wars, but let us not use this suspension of the tax on copper as a subterfuge. We have a tax on lead. We use that to fight wars. We have a tax on zinc. We use that to fight wars. Nobody is talking about taking the tariff off of those minerals, or many other

strategic ores which now have protection.

If we get into an all-out war where are you going to get the copper? Are you going to get it from Chile or Africa or are we going to get it from the mines in the western part of the United States and from the copper mines in the State of Michigan? You know what the answer is. The Government will take over domestic production and supply. That is what we did in World War II. We are not relying on these imports from Chile or from Africa or elsewhere to fight our wars. The argument that the suspension of the copper tax is necessary in the interest of the national defense is nothing but unadulterated sophistry.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. BENNETT of Michigan. I yield to the gentleman from Nebraska.

Mr. CURTIS. I am opposed to this legislation because I believe it is against the best interests of our national defense. The healthy condition of the mines of our country is absolutely essential to the defense of this country. This tax is sought to be removed because the people importing copper want to be relieved of the obligation and nothing else. The failure of this legislation will not stop copper from coming into this country.

Mr. BENNETT of Michigan. That is right.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. WOODRUFF. Mr. Speaker, I yield the gentleman one additional minute.

Mr. BENNETT of Michigan. Mr. Speaker, it is said by the State Department that we ought to suspend this tax on copper because of our friendly relation with Chile. I want to disabuse your mind on that. It is undisputed that 96 percent of the copper produced in Chile is owned by two monopoly copper mines in the United States, namely, the Anaconda Copper Co. and the Kennecott Copper Co. So, this suspension of tax has nothing to do with the Government of Chile at all. It simply would require the Anaconda Mining Co. and the Kennecott Mining Co. to pay 2 cents per pound to import the copper which they have produced down in South America with slave labor. This tax is necessary to equalize the differential in wages that are paid to the American miners and the wages that are paid in those slave-wage labor camps in Chile.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. BENNETT of Michigan. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman hit the nail on the head when he said that if you take the tariff off of goods coming into this country that you take jobs away from the American workingman.

Mr. BENNETT of Michigan. Just this other one thing, Mr. Speaker, I will tell you what is the matter with the people that are advocating the further suspension of this tax. We have an import tax on lead, but we are getting all the lead we need. We have an import tax on

zinc, but we are getting all the zinc we need, and we can leave this import tax on copper and we will get all the foreign copper we are getting now. If we put a provision in this bill to suspend the tax on lead and zinc and watches and textiles and shoes and on hats, et cetera, I will say to the gentleman from Connecticut [Mr. PATTERSON], I do not think he or many other Members would support this bill, and the reason they would not support it is because they would say that the wages paid by the foreign producers of those commodities did not justify the free importation of their products. There is no basis for protecting other commodities and singling out copper for free trade. It is an outrageous discrimination.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. BENNETT of Michigan. I yield to the gentleman from Connecticut.

Mr. PATTERSON. Is the gentleman advocating that the consumer is to absorb these taxes?

Mr. BENNETT of Michigan. The consumer usually absorbs taxes placed on a manufacturer in the price he pays for the product. But the copper fabricator could very well absorb this tax.

Mr. PATTERSON. And we also certainly must import this very vital metal at this time, during this tremendous crisis.

Mr. BENNETT of Michigan. The gentleman knows that this legislation will not increase copper imports from foreign countries. The tax would probably increase the price of copper by 2 cents a pound and thus protect the American copper miner from unfair competition from abroad. The increased price in the cost of products manufactured with copper will be small indeed compared to the benefits to be derived by thousands of American workingmen. For example: It takes about 80 pounds of copper in the manufacture of an automobile. At 2 cent per pound that might cost the purchaser of an automobile the tremendous sum of \$1.60.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. DOUGHTON. Mr. Speaker, I yield such time as she may require to the gentleman from Connecticut [Mrs. WOODHOUSE].

Mrs. WOODHOUSE. Mr. Speaker, I should like to express my strong support for continuing the duty-free importation of copper into the United States for the next year.

There is at the present time a world shortage of copper. I am advised that our domestic production is able to meet only about two-thirds of the domestic demand. The price of copper has risen from 18½ cents per pound in April of this year to 22½ cents per pound in June. Restoration of the duty would bring an additional 2 cents per pound increase. The critical international situation demands that we stockpile as rapidly as possible every strategic material. Accordingly, it seems particularly unwise to allow a 10 percent increase in the price of so important a material as copper.

The United States, perhaps as never before, is vitally concerned in the economic welfare and stability of the coun-

tries of the Western Hemisphere. The principal exporters of copper to the United States are Chile, Peru, Mexico, and Canada. Chile is particularly dependent on the sale of copper to this country and on taxes paid by American interests there. She is already hard pressed by a dollar shortage. Restoration of the copper duty would add an estimated \$5,000,000 burden.

Manufacturers throughout the State of Connecticut are vitally concerned with this problem. Producers of sheet metal, wire rods, tubes, rolls, pipes, brass, bronze, cable, electrical products and appliances, engineering, heating and refrigeration equipment, hardware, and buttons are all substantial buyers of refined copper or copper products for use in the manufacture of their finished articles.

In my own district, the textile-finishing companies are large buyers of copper in the form of rollers for printing and finishing all types of textiles.

The general economic condition of the entire New England area has been one of serious unemployment in many localities. In Connecticut the industrial pattern is generally that of one industry being the only enterprise in a small community. Any factor which increases the cost of production for these small producers makes imminent the possibility of cut-backs in their labor force. Such an increase in textile manufacture costs particularly would have an extremely serious effect, since unemployment has been especially acute in that industry.

Many industries in Connecticut that are large buyers of copper are also immediately faced with the correspondingly serious problem of proposed tariff reductions on imported goods that compete with their products. Any further increase in their production costs would have a doubly deleterious effect.

In view of these facts, I strongly urge favorable consideration of the continuation of existing laws which allow the importation of copper, duty-free, into the United States.

Mr. WOODRUFF. Mr. Speaker, I yield 2 minutes to the gentleman from Nevada [Mr. BARING].

Mr. BARING. Mr. Speaker, I am heartily in accord with the gentleman from Iowa [Mr. MARTIN] and the gentleman from Michigan [Mr. BENNETT]. This is bad legislation. We should not pass it. I appeal to you Members here today, and especially to you Members from west of the Mississippi, not to support this measure, for it is the wrong type of legislation. It has been said that six of the Departments, from the Department of the Secretary of State on down, are in favor of this bill. It may be the popular thing to vote with the bureaucrats downtown, but it is not always right. Much United States capital has moved to Chile for the development of the copper mines, because of low wages and other low costs in foreign countries. There is no reason why we should destroy an essential domestic industry, for the purpose of providing greater profits for those who migrate their investment funds. No program of stockpiling can replace a going and healthy domestic mining industry in the event of war, and

there is nothing more important to warfare than copper and other strategic metals.

Mr. JACKSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. BARING. I yield to the gentleman from Washington.

Mr. JACKSON of Washington. As I understand, the purpose of this legislation is to aid the national defense effort by getting copper into the country. If that is the case, why cannot the Federal Government go out and buy copper now without this authority?

Mr. BARING. The Federal Government will not pay this 2 cents tariff. If the Munitions Board were to purchase copper for stockpiling, to whom would it pay the tax? To the Treasury Department. It would be a matter of taking the money out of one pocket and putting it into the other. The Government is not subject to this 2 cents tariff. Therefore, the argument presented by the opposition is groundless.

Mr. JACKSON of Washington. In other words, without this legislation the Federal Government can go out and buy all the copper they want.

Mr. BARING. They certainly can.

Mr. JACKSON of Washington. Without paying a tax.

Mr. BARING. That is absolutely correct. The opposition has challenged our patriotism on the floor here today. They have insinuated that we are against the war effort, and that we are guilty of selfishness and greed. This is not true. We are merely trying to protect our own mining interests. I am in favor of a stockpiling program but we should be in a position to supply our needs from our own domestic sources. What would we do, in the case of war, if our sea lanes were cut? Then, what good would the foreign copper do us, if it were unobtainable? That, gentlemen, is the point that we are trying to make understood. So far as patriotism is concerned, I will challenge anyone who would dare to accuse me of being unpatriotic. I am a veteran of World War II, having given 3 years of service to my country. My American heritage is a matter of tremendous importance to me, and I am as patriotic as any man on this floor. It is because I am a good American that I want to have an adequate supply of copper on hand, so that our boys will be adequately protected. However, the point that I am trying to bring out is that the reimposition of the tariff on copper will not prevent foreign copper from coming into this country. It will protect our domestic mining industry. The only ones who do want a protective tariff are the big industrialists and fabricators in this country, who buy their copper elsewhere.

Mr. BENNETT of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BARING. I yield to the gentleman from Michigan.

Mr. BENNETT of Michigan. The gentleman knows that the fabricators who are talking about this suspension of tax by raw copper. They sell the manufactured produce with copper in it. They want a tariff, and they have a tariff on

manufactured copper, but they want to take it off the copper that they purchase.

Mr. BARING. The gentleman is correct. I earnestly hope that this legislation is defeated.

Mr. WOODRUFF. Mr. Speaker, I yield such time as he may require to the gentleman from Connecticut [Mr. PATTERSON].

Mr. PATTERSON. Mr. Speaker, the resolution being considered by the House today is a compromise of a measure introduced by me to continue the suspension of the import tax on copper. I am not thoroughly satisfied with the terms of the resolution, feeling that it would be more appropriate for Congress to enact a 2-year suspension as envisioned by H. R. 7151, but I am willing to accept the terms of the resolution as being better than no action at all. I can foresee no material change before 1952 in the present short supply of domestic copper which would justify imposing the 2 cents per pound tax again; and the 1-year limitation in this resolution simply means that the first session of the Eighty-second Congress will again have to expend a goodly amount of time on hearings and debate which could be overcome if H. R. 7151 had been accepted by the committee.

It might be well to trace the history of this legislation so that all Members who are not completely familiar with the background may be informed as to the necessity for the continued suspension of the import tax on copper. An import tax of 4 cents per pound was imposed in 1932 as the domestic supply of copper, at that time, was sufficient to meet the needs of domestic consumption. This remained in effect and in force until our entrance into World War II. Under the war powers granted to the President, Government purchases of foreign materials were automatically exempt from taxes which had been imposed by Congress. Thus, all during World War II the Government purchased such supplies of foreign copper as were available without payment of any tax. In 1947 it became evident that this Nation had changed from a copper surplus producer to a copper scarcity situation.

The supply of American copper was insufficient to meet the needs of the post-war period. I introduced legislation suspending for 2 years the 4 cents per pound tax. The bill was acted upon and was one of the first major pieces of business of the Eightieth Congress. In the interim, negotiations were undertaken under the Reciprocal Trade Agreements Act whereby the import tax was lowered the maximum amount of 50 percent—making the tax 2 cents per pound. With the expiration of the 1947 act I introduced again legislation extending this suspension in 1949. A compromise measure was reported out, extending for only 1 year the tax suspension and this became Public Law 33. The expiration date was June 30 of this year. I again introduced legislation suspending the tax for a further 2-year period. The resolution before us now is a result of the House Ways and Means Committee's authorization to its chairman to introduce a 1-year suspension measure.

The reasons for favorable action by the Congress are manifold and deserving. It must be noted that basically the copper mines of the United States cannot produce sufficient tonnage to care for peacetime consumption. This is entirely without regard to the stockpiling program of this country, and without regard to any further military needs which may have been thrust upon us in the past few weeks. Domestic production from 1947 to the end of May 1950 has averaged in the neighborhood of 80,000 tons monthly, while the need is demonstrated to have been approximately 105,000 tons during this same period—making a deficit of 25,000 tons per month. With stepped-up production since May the deficit is even greater. Stockpile figures are not a matter of public record, but it is safe to presume that the needs will average 20,000 tons per month for this purpose alone.

It can be seen, therefore, that there is no justification for excluding from our markets the copper which can be made available from other sources.

Perhaps the greatest beneficiary of our imports is the nation of Chile. It will be remembered that Chile was a stalwart ally during World War II, and the Chilean Government has, since that time, aligned itself very closely with the policies of America in the war against Communist expansion.

Domestic production, at the present time, approximates very closely its peak at any time during World War II, when drastic measures were taken to assure that every ounce of this most necessary metal was made available for our war needs. Any argument to the effect that continued suspension of the tax penalizes the American miner is therefore without merit. Employment in our domestic mines continues at a high level and profits to the owners have been substantial—even with the tax suspension in force.

Perhaps the greatest beneficiary of the tax suspension has been the individual citizen. Many times he is lost sight of in the struggle between one group and another in the pros and cons of legislative debate. If the tax is to be levied on copper imports it simply means that the higher price will be paid by the consumer for the goods he buys in our retail outlets. Copper is a basic material in practically everything we use in our daily life. The industries which produce automobiles, refrigerators, electrical appliances, houses, home furnishings, and many other such necessary goods would all have to impose an additional burden upon the consumer by raising prices which are already, in many cases, beyond the purse of the individual. The onerous burden of price increases would overbalance the small amount which would be gained by the Treasury by continuance of the tax.

The unprovoked attack on South Korea and the subsequent action of this country in supplying men and materials to prevent Communist domination of the Far East indicates that on this basis alone cutting off imports of copper cannot be justified. We all realize the gravity of the Korean situation and can understand the anxiety of our defense

planners in making certain that a sufficient supply of copper is readily available for our needs. Stockpiling must be increased rather than held at a minimum, and even greater supplies of foreign copper will be necessary to carry out this program. Practically every instrument of war contains copper or copper alloy, and full production must be maintained if we are to keep faith with those who are so valiantly struggling against tremendous odds to stem the rush of communism in the Far East.

It is essential that the House act with dispatch in adopting this legislation so that the normal trade in copper, which has been disrupted since the end of June, may be resumed without further delay.

I ask that every Member of this body, in considering the legislation before us, think only in terms of the national interest rather than regional interest.

Mr. SIMPSON of Pennsylvania. I am opposed to House Joint Resolution 502. This bill would suspend for a period of 1 year from June 30, 1950, the tariff on imports of copper.

I recognize the serious shortage of copper at the present time. Testimony before the committee indicated clearly that the sum total of our domestic production and our imports will do no more than approximate the amount of copper necessary for current industrial consumption. At the current rate of consumption this will not permit stockpiling for wartime needs. I therefore approach this bill from the angle of determining whether it will tend to increase the total available new copper for our industrial, national defense, and stockpiling needs. Testimony was definite before the committee that further suspension of tariff would not mean an increase in the importation of copper.

Copper imports would continue about the same as at present. Accepting this fact then, there is no possible way of increasing our aggregate source of copper other than to increase our domestic production.

The real question then is whether continuation of the present tax of 2 cents per pound will tend to increase the present domestic copper production.

On this there can be no substantial question. Domestic production of copper is closely associated with the price of copper in the market. To the extent the duty will help keep the domestic price at or near the present level of 23 cents per pound, domestic production will increase. Marginal mines, those that can only be operated when the price is in excess of 20 cents per pound, will reopen and all domestic producers will expand their operations as the management realizes that the Government is determined to protect this major source of copper. I believe that domestic production can and will be increased if the industry is given this protection. I am sure that it is the only possible way we can get more copper, for the importers state definitely that imports will not be increased. Domestic production is a flexible factor with regard to copper and we should give every encouragement to the domestic producers.

Mr. MANSFIELD. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Montana.

Mr. MANSFIELD. Can the gentleman tell the House, in view of the question of military necessity which has been raised, how much of the imported copper is going into the national-defense stockpile?

Mr. SIMPSON of Pennsylvania. I cannot, other than to say that the testimony indicated very little, if any.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. RICH. If we permit this copper to come in without a duty, do the manufacturers of this country who want to manufacture products in which copper is used want the manufactured articles to come in without a duty?

Mr. SIMPSON of Pennsylvania. No, they want protection.

Mr. RICH. Certainly they do.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Connecticut.

Mr. PATTERSON. Does not the gentleman realize that if we do not have an adequate supply of copper to meet the domestic demand up in the State of Connecticut and all New England we are going to have a tremendous amount of unemployment, and in case of a real national emergency we are going to be stuck?

Mr. SIMPSON of Pennsylvania. It is the over-all picture we must consider. If there is insufficient copper for national defense needs, copper will properly be taken for these needs and private industry will have what is left. The solution is to increase the sum total of domestic production and imports to meet all needs, industrial and defense.

A study of the subject discloses the imports of copper are substantially the same regardless of the price of copper in the market. Thus when copper was sold for 16 cents per pound in the American market, imports were about the same as now with the price at 23 cents per pound.

On the other hand, domestic production took all the loss in production when the price dropped to 16 cents per pound.

As the price increases, new American sources expand. It is this flexible factor we should encourage and which will be encouraged by the retention of the 2 cents per pound tax. In the interests of our national economy and our national defense, I hope this bill will be defeated.

Mr. WOODRUFF. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Speaker, I appeared with other Western Congressmen before the Committee on Ways and Means on July 10 and 11 giving the best opposition we knew how to offer to this legislation. I do want to express my deep appreciation to Chairman DOUGHTON and the whole committee for the kindly consideration afforded the opposition.

But before I begin what I had in mind to say, I want to nail one fallacy which

I have heard expressed here today. It has been said in favor of this legislation that this is in the interest of national defense. That is a fallacy. We did not have this legislation suspending the excise duty during all the years of the Second World War and the foreign copper the Government got did not cost more because of the tax. Did we get copper during the Second World War? We did. We supplemented home wartime production with foreign copper without incurring the extra burden of an excise tax then on the statute books. We should retain this tax on foreign copper for industrial use while bringing in without that extra cost necessary foreign copper for stockpiling purposes and for military needs.

During the recent war we were not able to produce all needed copper within our own country, but it came in and the Government of the United States did not pay any 2 cents or 4 cents per pound on that copper. As several of my colleagues pointed out here, we can get this copper now as we did then, from Chile or from any place else and stockpile it or use it for military purposes, without paying the additional 2 cents. I am in favor of doing that.

For 14 years I have struggled on the floor of the House and in my committee to see that we wisely and energetically stockpile strategic and critical material such as copper. That is why I love my friend from Iowa, because he has led that fight, too. The wise policy is to stockpile what we must from abroad and concurrently produce what we can at home.

We must see to it that we keep an active mining industry functioning in this country. Anything that tends to hurt that mining industry, as the suspension of this excise duty will certainly do, is bad for the country. I am like Patrick Henry. I have no light to guide my feet, except the light of the lamp of experience. Our experience of 18 months ago warns against it. Eighteen months ago you did suspend the duty. What happened? Exactly what the gentleman from Michigan said. Two months after it was suspended the price of copper dropped from 23½ cents down to 16 cents. What assurance have we or have you that it will not happen again right now?

Mr. BENNETT of Michigan. Last summer when many of our mines closed down because the price of copper went from 23 cents down to 16 cents a pound, what happened in Chile? Every Chilean miner was working. Every Chilean miner employed by the American capitalists that own the mines down there were working while 50,000 people in my community up in Michigan were distressed with about 5,000 men out of work while the Chilean miners were working. That is exactly what the proponents of this legislation are asking the Congress to do at this moment.

Mr. MURDOCK. Exactly so. Mines all over the West closed down and those that did not close down curtailed their operations to 5 days a week and some to 3 days a week. That is what I fear you are looking forward to by the passage of this proposed legislation.

The mass of my people regard this tax as vital for about one-third of Arizona's economy is built on the copper-mining industry, and I remember only too well a period after World War I when those mines were closed. I do not want to see another such period for domestic copper mining in our country, for such a situation is detrimental not only to the States involved, and to their people, but also to the best interests of national defense itself.

Mr. WOODRUFF. Mr. Speaker, I yield such time as he may require to the gentleman from Montana [Mr. DEWART].

Mr. DEWART. Mr. Speaker, I shall vote for House Joint Resolution 502 to suspend certain import taxes on copper for 1 year. Ordinarily I would oppose this resolution as not being in the best interest of my State or our country. However, these are not ordinary times. An editorial in today's Washington Daily News begins with these words:

Prepare. America stands today in deadly danger.

Three weeks of the crisis that took violent form in Korea have made our country's peril starkly plain.

The committee report on House Joint Resolution 502 states:

Your committee held two full days of hearings on the subject of suspension of the import tax on copper in order to afford representatives of the Government departments, domestic producers of copper, and industrial consumers of copper, as well as other interested parties, an opportunity to present their views.

According to statistics supplied by the Department of Commerce on copper supply and domestic consumption, domestic production of copper is now only 74 percent of domestic consumption. For the first 5 months of 1950, domestic copper production on a smelter basis averaged 84,705 short tons per month, while imports of copper averaged 49,876 short tons per month. For the same period, the domestic production of primary copper, according to the Bureau of Mines, has averaged less than 75,000 tons a month. If that rate is continued for the remainder of 1950, the annual reduction of refined copper will be about 850,000 tons. For the same period, the Bureau of Mines estimates that the total requirement of primary refined copper for commercial purposes only will be at least 1,200,000 tons, indicating a deficit of supply of at least 300,000 tons to be filled from imports. Moreover, the Munitions Board advised that steps have recently been taken to accelerate the procurement program for stockpile to the greatest extent possible consistent with available supplies and funds. This action tends to increase the market pressure, and creates a situation which minimizes the possibility of any surplus copper becoming available for the rebuilding of industry stocks for some time to come.

Since June 1949 the United States price of copper, then 16 cents, has progressively increased until it is now 22½ cents, within 1 cent of the postwar peak of August 1948 when copper reached 23½ cents per pound.

Review of the testimony of witnesses at the committee hearings indicates that the available supply of copper is currently, and for the near future is likely to be, less than demand. Taking into account the present price of copper, it appears that suspension of the import tax on copper until the close of June 30, 1951, would not impair domestic production of copper, which is now close to the highest level in history (except the 1940-

44 period). In view of the foregoing considerations and of the probable heavy volume of domestic civilian and military requirements of copper over the next several months, it is the opinion of the committee that the suspension of the import tax on copper should be continued at least through June 30, 1951.

Under these conditions I am compelled to vote for the resolution. If these were in any way normal times I would vote against this resolution. In view of the war situation and our country's need for copper which cannot possibly be supplied by our domestic mines, I shall vote for this 1-year extension of the suspension of certain import taxes on copper.

Mr. WOODRUFF. Mr. Speaker, I yield such time as he may require to the gentleman from Utah [Mr. GRANGER].

Mr. GRANGER. Mr. Speaker, I am opposed to the suspension of the tariff on copper, as proposed by this bill. I never voted for it when it was suspended the last time. I think it is a bad bill. I think it is unfortunate that they should drag the war emergency into this, when 2 months ago, before they ever knew of the Korean situation, they intended to try to reduce the tariff even in peacetime.

If we need any copper for any war purpose, the Government can obtain all it needs without this bill and do so without paying any tariff whatsoever.

Mr. KEATING. Mr. Speaker, due to either inadvertence or design, both equally culpable, an import tax of 2 cents a pound or \$40 a ton on copper went into effect July 1. This is not only contrary to the interests of the consumers of copper products and the thousands engaged in their manufacture in this country but, even more important, is injurious to our national security and well-being.

Once again, we are forced by pressure from an organized bloc of special interests—this time the Mountain States copper interests who want to advance the price on their product another 2 cents per pound. This 2 cents increase will have to be paid by our citizens twice, once as consumers when they buy finished products made of copper, and again as taxpayers when the Government is forced to buy this higher-priced copper for the Nation's stockpile of strategic materials.

The United States consumes over a million tons of copper a year, which is 300,000 tons more than we produce domestically. This extra cost of \$12,000,000 will, of course, be passed on to the consumers, in addition to the higher cost of domestic copper, making a total of over \$40,000,000 increased cost of copper each year to the users. Already the speculators are having a heyday. As the power of the Mountain States contingent became evident this spring, the price of copper began to rise, adding even more to the hardships of homebuilders and other innocent bystanders.

The increased cost of copper ore will undoubtedly hit hard those industries which manufacture copper products in competition with other metalwares. This, in turn, will cause unemployment all over the country. It will be acutely felt, I am told, in my congressional dis-

district where a large number of plants are located which fabricate products consuming large quantities of copper.

There is no possible excuse for reimposition of this import duty which was originally designed to rescue our copper industry during the depths of the depression when copper was a drug on the market and miners were unable to obtain work. Now, the situation is entirely different. Domestic mines are unable to meet our requirements, and the industry is operating at top production. There is no immediate prospect for any diminution in this peak demand. Indeed, both industry and Government need all the copper they can get, and more.

Furthermore, this short-sighted attitude is endangering our relations with copper-producing countries, particularly Chile, whose entire economy is so definitely geared to copper and which vitally needs American dollars for internal stability. Nothing could be more foolish than to impose this import duty at the present time when we need all the friends we can muster and when the welfare of our domestic copper industry is in no way in jeopardy.

There undoubtedly are situations where a tariff is needed on goods entering this country in order to protect domestic industries and prevent unemployment among our own people. But certainly there can be no excuse for imposing these tariffs simply for the purpose of enhancing the profits of a few mining companies which are able now to sell their entire output at prices to yield handsome returns.

This bill to continue for 1 year the duty-free status of copper ore should be passed at once as a matter of the highest urgency, both industrial and strategic.

Mr. WOODRUFF. Mr. Speaker, I yield the remaining time, one-half minute, to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, I simply hold up a paper for you to view. We are in war. I have been a protectionist all my life, but when I see what is happening to our boys in Korea, and know that we must have copper to go into every shell, and when I know that we are 300,000 tons short, an amount that cannot be produced by our mines, the time has come for us to be realistic and measure that against the lives of our men.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. CANFIELD. Mr. Speaker, I think the distinguished gentleman from New York [Mr. REED] probably the best known protectionist in the House, has in his tersely cogent remarks emphasized the necessity of the bill's immediate passage. National defense demands it. Our boys are dying in Korea as they fight against terrific odds and no one can prophesy their needs a week or month from now. I led the House fight last year against yielding to the other body's cut of \$375,000,000 from stockpiling funds and I am glad that the final compromise involved only a

loss of \$100,000,000. It was a great mistake and, as I insisted at that time, we cannot afford to gamble with American security now. The stockpiling of this metal is being accelerated. Industrial consumers are upping their requirements and the Bureau of Mines sees a large deficit of supply unless we act promptly.

Mr. SADLAK. Mr. Speaker, House Joint Resolution 502, from the Committee on Ways and Means, actually is the proposal of the gentleman from Connecticut [Mr. PATTERSON] with the exception that extension of the copper import-tax suspension is recommended for only 1 year.

Copper is the most vital of raw materials used in the industries of the State of Connecticut. These industries, if the present Korean conflict or ramifications continue, will once again be called upon to produce the materials and matériel which they provided for the arsenal of democracy. The proposed action to be taken today under suspension of the rules will, I am convinced, tend to provide a continuous supply of copper and may possibly obtain even more copper than is presently available.

Actually, this resolution is an extension of the first proposal made by Mr. PATTERSON in regard to the import of copper which passed the House on March 12, 1947. Earlier on that day the President addressed a joint session of the House and Senate on the menace that threatened Greece, Turkey, and the Middle East—the gravity of the outlined situation pointed up the need to take every action that would increase our supply of copper. Today there is an analogous combination of circumstances as we consider this resolution; impelling reasons why the action we shall take in passing this legislation are patently clear—after the message that will be delivered by the same President to the House on Wednesday with reference to the Korean War, these reasons will be more compelling in the light of its contents and recommendations.

Many industries in Connecticut, large and small; many fabricators throughout the United States cannot keep their workers at their jobs unless copper is available to them. I heartily endorse the legislation, commend the earnest application of the gentleman from the Fifth Connecticut District to get an extension passed by the House and urge the Members to vote, as I will, for its passage.

Mr. PATTEN. Mr. Speaker, It would appear that it should not be necessary for me and my colleagues in the West, and others interested in the mining industry, to find it necessary to again plead with the Congress of the United States concerning the excise tax on copper. However, to protect the citizens of Arizona and others who are affected by this proposal, we find it necessary to make every effort in bringing before the Congress the grave economic condition that will be brought about if further suspension of the excise tax is allowed. We need only to look back some 15 months to see a like condition which was brought about by those who urged and proposed the further suspension of this tax, using

as their arguments the inability of the domestic miners to supply the amount the market required and further discoloring the picture by using the argument of diminishing surplus stocks and the great need for foreign material. All of these matters were proposed for the purpose of a further suspension.

It is interesting to note that the proponents of this line of thinking are the fabricators who desire competition among those who sell them low-priced materials and yet at the same time these same fabricators demand and get ample tariff protection on the goods they manufacture. He wishes that there be no protection on what he buys but he insists on their being protection on what he sells. We also have a second group to be considered and that is those mining companies who own large copper mines abroad. They are able to use cheap labor where the standard of living is low and yet they desire unrestrained limit as compared with our domestic producers who have a high-cost production. A high-cost production is imperative if we are to maintain our standard of living as our workers know it today and certainly there is no one in this group that would desire that these standards be lowered, especially in favoring workers in foreign countries so that they may dispose of their produce on our markets. Yet this is exactly what happened some 15 months ago, and I am sure that it will and can happen again.

Fifteen months ago the copper price f. o. b. Connecticut Valley dropped from 23½ cents per pound to 16 cents per pound. This latter price was certainly far out of line with what the domestic producers must have in order to maintain the present standard of living in the western copper camps. A glowing picture has been painted of how we make every effort to keep our standard of living and give to our laboring class a livable wage. Yet, following the last suspension the workers total weekly wage dropped from \$72.83 to \$58.34 and that included only those who were working full time, since the mines had to curtail by cutting down the number of days the miners were employed during the week, and in addition to this many were on half-time basis and many were unemployed.

It is significant to note that in January 1949, when it was being considered whether or not to further suspend the excise tax on foreign copper, there were 298 unemployment checks totaling \$5,774 issued to the unemployed copper miners in Arizona. However, in the month of August of the same year, when foreign copper was coming in freely, many of our mines were forced to curtail, and in that month there were issued 3,055 benefit checks to unemployed copper miners totaling \$59,558. This gives you briefly a picture of what is happening to the State of Arizona and the economy of our State when we extend the suspension on the excise tax on foreign copper.

The 1949 slump in copper cost the State of Arizona an estimate of over \$2,250,000 in income tax. This figure is minor as to what it cost the employees and the owners of the mines.

At the present time there are some 400 small mines which were closed down due to the slump in April 1949. These same mines were the first to respond to the call issued when metals were needed during World War II. These same mines at this time need the protection and assurance of the Congress that should they go back into operation they will be able to continue such operation by not having further suspension of the excise tax on foreign copper. This group of miners have not received favorable consideration in their request for previous legislation in the Eighty-first Congress. And certainly it is little enough for them to receive the just consideration which they are entitled to through this request. The small mining industry in Arizona has been curtailed to the point that unless action is taken to encourage their continued operation our national security is endangered.

Those supporting the measure to further suspend the tax are disregarding what should be uppermost in their minds, since it directly affects the American people. We saw a great show here in Washington recently when the President of Chile came to our country on a visit and I am sure all of you read and received propaganda to the effect that Chile must maintain its market of export copper to the United States if it is to survive. And the picture painted by its President was indeed a doleful one. Yet, I do not recall of anyone raising his voice for the people of Arizona and the other Western States, and yet the same thing can be said if we do not take action and protect our domestic copper-producing States.

I appeal to you, my colleagues in the Congress, to give serious consideration to this problem and have uppermost in your mind the effect your action will have on the citizens of the copper-producing States. We certainly do not want it said, nor do we want any action on the part of our Congress to indicate, that there are those who are more interested in what will happen to the people in the foreign producing countries as against what will happen to the people of Arizona and other States. It is therefore imperative that no further extension be granted on the suspension of the excise tax on foreign copper and I trust that this group will give favorable consideration to my request.

Mr. DOUGHTON. Mr. Speaker, I yield the remainder of my time, 1 minute, to the gentleman from Ohio [Mr. YOUNG].

Mr. YOUNG. Mr. Speaker, carrying out the statement made by the distinguished minority leader on the Ways and Means Committee, I read as a part of my remarks an editorial appearing in the Cleveland Press and other Scripps-Howard newspapers:

SUSPEND THIS CRAZY TAX ON COPPER IN A HURRY

A tax of \$40 a ton on imported copper, suspended at the beginning of World War II, has been back in effect since July 1.

Permitting this tax to remain in effect would be economic lunacy.

Even before the Korean crisis, this country's industries were using far more copper than its domestic mines produced.

Now the need for copper is tremendously increased. Weapons for Americans who are

fighting in Korea will take a lot of copper. Our inadequate stockpiles of this and other metals should be built up fast against the menacing possibility of a bigger war.

And the foolish tax endangers relations with our South American neighbors, especially friendly Chile, main source of our copper imports.

The House Ways and Means Committee has approved a bill to suspend that tax for a year. The House should pass this bill in a hurry, and the Senate should follow suit.

So this bill is of the utmost importance, and should be passed.

The SPEAKER. The time of the gentleman from New York has expired.

All time has expired.

The question is, Will the House suspend the rules and pass the bill?

The question was taken; and on a division (demanded by Mr. MILLS) there were—ayes 83, noes 39.

Mr. BENNETT of Michigan. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

The SPEAKER. Evidently there is no quorum present. The roll call is automatic. 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 283, nays 58, not voting 89, as follows:

[Roll No. 205]

YEAS—283

Abbitt	Crook	Harvey
Abernethy	Crosser	Havener
Addonizio	Cunningham	Hays, Ark.
Allen, Calif.	Dague	Heffernan
Andersen,	Davenport	Heller
H. Carl	Davis, N. Y.	Herlong
Anderson, Calif.	Davis, Ga.	Herter
Andresen,	Deane	Heseltun
August H.	DeGraffenried	Hobbs
Arends	Delaney	Hoever
Auchincloss	Denton	Hoffman, Mich.
Bailey	D'Ewart	Holmes
Barden	Dollinger	Hope
Barrett, Pa.	Donohue	Howell
Bates, Ky.	Doughton	Hull
Bates, Mass.	Doyle	Jacobs
Battle	Durham	James
Beall	Eaton	Javits
Beckworth	Eberhart	Jenison
Bennett, Fla.	Elliott	Jenkins
Bentsen	Ellsworth	Jones, Ala.
Blatnik	Elston	Jones, N. C.
Boggs, Del.	Evins	Judd
Bolling	Fallon	Karst
Bolton, Md.	Feighan	Karsten
Bolton, Ohio	Fellows	Kean
Bonner	Fenton	Kearney
Boykin	Flood	Keating
Brehm	Fogarty	Kee
Brown, Ga.	Forand	Kelley, Pa.
Bryson	Ford	Kelly, N. Y.
Buchanan	Fugate	Kennedy
Buckley, Ill.	Fulton	Kerr
Buckley, N. Y.	Furcolo	Kilburn
Burke	Gamble	King
Burleson	Garmatz	Klein
Burnside	Gary	Kruse
Burton	Gathings	Kunkel
Byrnes, Wis.	Gavin	Lane
Camp	Golden	Lanham
Canfield	Goodwin	Latham
Cannon	Gorski	LeCompte
Carlyle	Graham	LeFevre
Case, N. J.	Granahan	Lichtenwalter
Celler	Grant	Lind
Chelf	Green	Linehan
Chesney	Gull	Lodge
Chudoff	Gwinn	Lucas
Clemente	Hagen	Lynch
Colmer	Hale	McCormack
Cooley	Halleck	McCulloch
Corbett	Hand	McDonough
Cotton	Harden	McGrath
Coudert	Hardy	McGregor
Cox	Harrison	McGuire
Crawford	Hart	McMillan, S. C.

McSweeney	Price
Mack, Ill.	Priest
Mack, Wash.	Rabaut
Macy	Rains
Madden	Rankin
Magee	Redden
Mahon	Reed, Ill.
Marshall	Reed, N. Y.
Martin, Mass.	Rees
Mason	Rhodes
Merrow	Ribicoff
Meyer	Richards
Michener	Riehlman
Miller, Nebr.	Robeson
Mills	Rodino
Morton	Rogers, Fla.
Moulder	Rogers, Mass.
Multer	Rooney
Murphy	Roosevelt
Murray, Wis.	Sadiak
Nicholson	St. George
Nixon	Saylor
Noland	Scott, Hardie
Norblad	Scott,
Norrell	Hugh D., Jr.
O'Brien, Ill.	Scrivner
O'Brien, Mich.	Shelley
O'Sullivan	Short
O'Toole	Sikes
Pace	Simpson, Ill.
Patterson	Smathers
Pfeifer,	Smith, Kans.
Joseph L.	Smith, Va.
Phillip	Smith, Wis.
Phillips, Calif.	Spence
Poage	Stanley
Polk	Stefan
Powell	Stigler
Preston	Stockman
	Sullivan

NAYS—58

Albert	Gross	Potter
Aspinall	Hays, Ohio	Poulson
Baring	Hollifield	Ramsay
Bennett, Mich.	Horan	Rich
Bishop	Huber	Sanborn
Bosone	Jackson, Wash.	Scudder
Bramblett	Jensen	Secrest
Brown, Ohio	McKinnon	Shafer
Byrne, N. Y.	Mansfield	Sheppard
Carnahan	Marcantonio	Simpson, Pa.
Clevenger	Marsalis	Staggers
Curtis	Martin, Iowa	Steed
Dolliver	Miles	Talle
Dondero	Miller, Calif.	Werdel
Douglas	Morris	Whitaker
Engle, Calif.	Murdock	Withrow
Fernandez	O'Hara, Minn.	Wolcott
Fisher	O'Konski	Woodruff
Gossett	Patten	
Granger	Plumley	

NOT VOTING—89

Allen, Ill.	Gore	Mitchell
Allen, La.	Gregory	Monroney
Andrews	Hall,	Morgan
Angell	Edwin Arthur	Morrison
Barrett, Wyo.	Hall,	Murray, Tenn.
Biemiller	Leonard W.	Nelson
Blackney	Hare	Norton
Boggs, La.	Harris	O'Hara, Ill.
Breen	Hébert	Passman
Brooks	Hedrick	Patman
Bulwinkle	Hill	Perkins
Burdick	Hinschaw	Peterson
Carroll	Hoffman, Ill.	Pfeiffer,
Case, S. Dak.	Irving	William L.
Cavalcante	Jackson, Calif.	Phillips, Tenn.
Chatham	Jennings	Pickett
Chipperfield	Johnson	Quinn
Christopher	Jonas	Regan
Cole, Kans.	Jones, Mo.	Rivers
Cole, N. Y.	Kearns	Sabath
Combs	Keefe	Sadowski
Cooper	Keogh	Sasser
Davis, Tenn.	Kilday	Sims
Davis, Wis.	Kirwan	Smith, Ohio
Dawson	Larcade	Thompson
Dingell	Lovre	Towe
Engel, Mich.	Lyle	Welch
Frazier	McCarthy	White, Idaho
Gillette	McConnell	Widnall
Gilmer	McMillen, Ill.	Wills
Gordon	Miller, Md.	

So (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was agreed to.

The Clerk announced the following pairs:

Mr. McCarthy with Mr. Allen of Illinois.
Mr. Mitchell with Mr. Towe.

Mr. Dawson with Mr. Angell.
Mr. O'Hara of Illinois with Mr. Smith of Ohio.
Mr. Sabath with Mr. Barrett of Wyoming.
Mr. Biemiller with Mr. Phillips of Tennessee.

Mr. Hébert with Mr. Blackney.
Mr. Breen with Mr. William L. Pfeiffer.
Mr. Carroll with Mr. Case of South Dakota.
Mr. Regan with Mr. Nelson.
Mr. Irving with Mr. Miller of Maryland.
Mr. Sadowski with Mr. Chipperfield.
Mr. Hedrick with Mr. McMillen of Illinois.
Mr. Cavalcante with Mr. Cole of Kansas.
Mr. Gore with Mr. McConnell.
Mr. Frazier with Mr. Davis of Wisconsin.
Mr. Morrison with Mr. Lovre.
Mr. Welch with Mr. Cole of New York.
Mr. Thompson with Mr. Keefe.
Mr. Gregory with Mr. Engel of Michigan.
Mr. Harris with Mr. Widnall.
Mr. Gordon with Mr. Gillette.
Mr. Gilmer with Mr. Jackson of California.
Mr. Pickett with Mr. Kearns.
Mr. Andrews with Mr. Edwin Arthur Hall.
Mr. Boggs of Louisiana with Mr. Jennings.
Mr. Cooper with Mr. Hill.
Mr. Dingell with Mr. Johnson.
Mr. Morgan with Mr. Leonard W. Hall.
Mr. Keogh with Mr. Jonas.
Mr. Sasser with Mr. Hoffman of Illinois.
Mr. White of Idaho with Mr. Hinshaw.

MESSRS. ELLIOTT, BECKWORTH, and CUNNINGHAM changed their votes 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.

GENERAL LEAVE TO EXTEND REMARKS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days within which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDING THE CLAYTON ACT

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8763) to amend the Clayton Act with respect to the recovery of triple damages under the antitrust laws, and for other purposes, with a committee amendment.

The Clerk read the bill as follows:

Be it enacted, etc., That sections 4 and 5 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (38 Stat. 731; 15 U. S. C. 15), is amended to read as follows:

"Sec. 4. (a) Any person heretofore or hereafter injured in his business or property by reason of anything forbidden in the antitrust laws may sue therefor in the United States district court for the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the cost of suit, including a reasonable attorney's fee.

"(b) Whenever the United States is hereafter injured in its business or property by reason of anything forbidden in the antitrust laws it may sue therefor in the United States district court for the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover actual damages by it sustained.

"(c) Any action (including an action brought by or on behalf of the United States) to enforce any cause of action under

this section shall be forever barred unless commenced within 6 years after the cause of action accrued.

"SEC. 5. (a) A final judgment or decree hereafter rendered in any civil or criminal proceeding, but not including a suit or proceeding under section 4 (b), brought by or on behalf of the United States under the antitrust laws to the effect that a defendant has violated said laws shall be prima facie evidence against such defendant in any proceeding brought pursuant to subsections 4 (a) and 4 (b) against such defendant under said laws as to all matters respecting which said judgment or decree would be an estoppel as between the parties thereto: *Provided*, That this section shall not apply to consent judgments or decrees entered before any testimony has been taken.

"(b) Whenever any civil or criminal proceeding is instituted by the United States to prevent, restrain, or punish violations of any of the antitrust laws, or to recover damages under section 4 (b) of this act, the running of the statute of limitations in respect of each and every private right of action arising under section 4 (a) and based in whole or in part on any matter complained of in said proceeding shall be suspended during the pendency thereof."

SEC. 2. For the purposes of this act, the term "antitrust laws" has the meaning assigned to it by the first section of the Clayton Act.

The SPEAKER. Is a second demanded?

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

I am not opposed to the bill, but if no one is opposed, I would demand a second.

The SPEAKER. If no one else is opposed, the gentleman qualifies if he desires.

Mr. MICHENER. I demand a second, Mr. Speaker.

Mr. CELLER. I ask unanimous consent, Mr. Speaker, that the second be considered as ordered.

Without objection, the second was ordered.

The SPEAKER. The gentleman from New York [Mr. CELLER] is recognized for 20 minutes and the gentleman from Michigan [Mr. MICHENER] will be recognized for 20 minutes.

Mr. CELLER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill amends the antitrust laws in two particulars. It seeks to make the Clayton Act current with present realities.

First, it permits the United States Government to bring action for actual damages sustained where there are violations of the antitrust laws, and the United States Government is directly affected and damaged.

Secondly, it provides for a uniform statute of limitations with reference to the bringing of triple damage suits under the Sherman Act by private persons aggrieved by the antitrust law violation—that is, for example, through price fixing, allocation, abuse of patents, and the like.

It is rather anomalous that the courts have held that suits may be brought for damages for violations of the antitrust laws by a city, by a municipality. A suit may be brought by a State government for damages involved in violations of the antitrust laws. Yet the United States

Government, by a decision of the Supreme Court, is precluded from bringing such an action.

Well, if we accord such action to a State, if we accord such action to a municipality, it seems woefully in error not to accord the same right to the United States Government, particularly when we keep in mind that the United States Government is the largest purchaser of supplies. For example, the Department of Defense alone purchased, in the 9 months ending March 1950, over \$2,500,000 worth of supplies. That does not take into account civilian supplies. Therefore, the United States Government, being the largest purchaser, becomes the greatest sufferer from monopolistic exactions.

The American taxpayer is entitled to the full value of his tax dollar, and he should be protected against its going into the pockets of wrongdoers in the form of excessive prices and profits resulting from violations of the antitrust laws.

The report on this bill, which you probably have before you, calls attention to the fact that for the first half year ending March 31, 1937, 18 companies submitted to the Procurement Division of the Treasury Department bids identical to the penny on 82 different sizes of tires and tubes. The same thing happened again during the next half year period with even higher prices; the bids were exactly alike. And when identical bids were again submitted for the third half year period which covered October 1, 1937, to March 31, 1938, the Procurement Division, upon the advice of the Attorney General, rejected the bids and invited new ones, but the new bids were again identical to those rejected. As a result of those identical bids it was discovered that the United States had been injured to the extent of \$351,000 but was deprived of the right to bring action against those companies because of the collusion.

CALL OF THE HOUSE

Mr. BENNETT of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. PRIEST. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 206]

Allen, Calif.	Chatham	Gossett
Allen, Ill.	Chiperfield	Gregory
Allen, La.	Christopher	Hall
Anderson, Calif.	Cole, Kans.	Edwin Arthur
Andrews	Cole, N. Y.	Hall
Angell	Combs	Leonard W.
Barden	Cooper	Hare
Barrett, Wyo.	Davis, Tenn.	Harris
Biemiller	Davis, Wis.	Hart
Blackney	Dawson	Havener
Boggs, La.	Dingell	Hébert
Bramblett	Douglas	Hedrick
Breen	Doyle	Hill
Brooks	Durham	Hinshaw
Bulwinkle	Engel, Mich.	Hoffman, Ill.
Burdick	Frazier	Hollifield
Camp	Gillette	Irving
Carroll	Gilmer	Jackson, Calif.
Case, S. Dak.	Gordon	Jennings
Cavalcante	Gore	Johnson

Jonas	Morgan	Ramsay
Kearney	Morrison	Regan
Kearns	Morton	Rivers
Keefe	Murray, Tenn.	Sabath
Keogh	Nelson	Sadowski
Kilday	Norton	Sasser
Kirwan	O'Hara, Ill.	Shelley
LeFevre	Pace	Sims
Lovre	Passman	Smith, Ohio
Lyle	Patman	Thomas
McCarthy	Perkins	Thompson
McConnell	Pfeiffer	Towe
McMillen, Ill.	William L.	Vinson
Miller, Calif.	Phillips, Tenn.	Welch
Miller, Md.	Pickett	White, Idaho
Mitchell	Plumley	Willis
Monroney	Quinn	

The SPEAKER. On this roll call 343 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDING THE CLAYTON ACT

Mr. CELLER. Mr. Speaker, in addition to providing the Government of the United States a judicial forum where it can sue for damages for breaches of the antitrust laws, where for example bids are collusive or where markets have been divided and prices have been fixed, this bill also provides for a uniform statute of limitations within which actions for damages must be brought by private litigants.

There is great confusion with reference to the bringing of triple-damage actions on the part of private litigants against those who have offended against the antitrust laws. In some States the statute of limitations has been deemed to be 1 year, which is woefully insufficient a time within which to bring a very difficult triple-damage suit. In other States there is a statute of 2 years. In Georgia, for example, the statute of limitations is 20 years. So that you have States having a period as low as 1 year and another State having a period as high as 20 years.

Sixteen States—Maine, Michigan, Minnesota, Mississippi, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, and Wisconsin—have 6-year statutes.

The bill before you provides for a uniform statute of limitations of 6 years. Indiana has a 15-year statute; Tennessee has 10 years; Wyoming 8 years.

What is the result of that vast number of States over the length and breadth of the land, each having a different period within which a private suit for triple damages must be brought? Confusion results. A litigant and counsel for litigants does not know whether he has a right or whether he has not any right. The Clayton Act presently provides for no specific statute of limitations. The Supreme Court has held that the State law must be applicable. If you have so many different kinds of statutes in the various States, what is your right, if, perchance, a violation occurs in a number of States? If it occurs in a State where the statute is 1 year, and, in addition, occurs in a State where the statute is 10 years, you are given a choice. You very likely would bring action in the State which has the longer statute of

limitations. But what of the fellow who is domiciled in a given State where the statute is only 3 or 4 years and the wrong does not cover other States? He is put at a serious disadvantage, and if he waits 3 or 4 years before bringing his action, he is deprived of the benefits of the triple damage provisions of the Sherman Act.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. HOFFMAN of Michigan. Can the gentleman tell us how long it will be before we vote on the bill?

Mr. CELLER. I hope to secure a vote as quickly as possible.

Mr. HOFFMAN of Michigan. That was not my point. I am just inquiring because some of the Members were asking.

Mr. CELLER. I should think we would vote momentarily.

So, in order to dispel confusion, we provide for this uniform statute of limitations. Frequently we hear of the uncertainties of the antitrust laws. Well, here is an eminent case where we are endeavoring to remove grave uncertainty as to statutes of limitations in the various States and to give certainty to the number of years that should be involved in a general statute of limitations.

I repeat that there was no vital opposition to this bill. Although numerous organizations were invited to attend, there was practically no vital opposition to it. There is no minority report. The Judiciary Committee voted the bill unanimously, although I believe two Members reserved their right to express themselves concerning one or two of the provisions of the bill.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Speaker, I yield myself two additional minutes.

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. O'HARA of Minnesota. What is the limitation which is proposed in this bill?

Mr. CELLER. That the statute of limitations shall be uniform and shall be for a period of 6 years.

Mr. O'HARA of Minnesota. It applies the same to the Government as to private individuals?

Mr. CELLER. Yes. Section 4, subdivision (c) provides that any action, including one brought by United States, shall be barred unless brought within 6 years.

Private parties are given the right to sue for triple damages. That is by way of an incentive to encourage people to bring such suits, so as to more readily go after the violators of the antitrust laws, but I do not think there is any need for the Government to have any incentive. Hence, the Government is limited to actual damage. If the Government gets its actual damages, I think that should be sufficient. The purpose of the triple damages was by way of an incentive or inducement that need not be present when the Government sues.

At the inception last year of the program of the Monopoly Subcommittee I

promised an inquiry that would result in positive legislative action to bring order into the antitrust laws so as to make them more effective instruments in the preservation of free competitive enterprise. The purposeful nature of that program thus far can be judged from the record of the two bills which have been passed by this Congress with little or no opposition. You have passed overwhelmingly a bill to amend the Clayton Act to prevent monopolistic asset mergers, and this bill is now on the Calendar of the Senate after securing the approval of the Senate Judiciary Committee. You have also passed, with no opposition, a bill to increase the antitrust penalties to \$50,000, and this is now awaiting action in the Senate Judiciary Committee.

The business community of the country has long been complaining of confusion in the antitrust laws. Confusion certainly exists in determining the particular statute of limitations governing triple-damage actions under the antitrust laws for, unlike virtually all Federal statutes creating rights to sue for torts, the triple-damage section of the Clayton Act is completely silent. Thus the determination is left up to the separate laws of the 48 States.

No one really objects to the idea of having some form of a statute of limitations. The question is as to the extent of the period of limitations. In 1914 the Senate Judiciary Committee reported the Clayton Act with a 6-year statute of limitations, but the provision was lost in the shuffle of compromises.

We have surveyed the State laws to determine the type of limitation statutes applicable to such actions and the length of the statutory period in the various States. This has been a difficult, and, in many cases, an uncertain task, for in only isolated cases do States have such laws bearing solely on triple-damage suits under the Federal antitrust laws. But in many States the Federal courts have had occasion to determine which of the State statutes applies to and governs the bringing of such actions, and in those instances there is relative certainty. These decisions indicate that the State statutes applied take a wide variety of forms. Included are the limitations governing the following types of actions:

- (a) Action for a statutory penalty or forfeiture;
- (b) Action on the case;
- (c) Action for damages caused by offenses or quasi offenses;
- (d) Action on tort;
- (e) Action on conspiracy;
- (f) Action on liability created by statute, other than a penalty or forfeiture;
- (g) Action on liability created by a Federal statute;
- (h) Residuary actions—those not specified in other limitation provisions.

In the case of the States involved in these decisions, our survey has relied upon the statutes applied by the courts. With the remaining States, an attempt has been made to choose the statute most likely applicable to triple-damage actions. Thus, in those States where a

specific limitation governed actions on liability created by statute, other than a penalty or forfeiture, this provision was chosen. Such a provision appears directly applicable and whenever available was applied by the Federal courts. The Supreme Court held in the *Chattanooga Foundry & Pipe Works v. Atlanta* (203 U. S. 390)—that a triple-damage action is not a suit for a statutory penalty or forfeiture. In the States having no such provision, a statute similar to one applied by a Federal court was chosen, if available. In many States the residuary statute had to be chosen.

The following table which I shall put in the RECORD at this point shows the length of the statutory period in each State, the statutory description of the type of action which it is thought includes triple-damage suits, the citation to the statute, and citations to cases which have either held the statute applicable to triple-damage actions under the Federal antitrust laws or have referred to it as being applicable:

LIST OF STATE STATUTES OF LIMITATIONS

The following information is listed for each State:

1. The statutory description of the type of action thought to include treble-damage suits;
2. The citation to the statute;
3. The cases, if any, which have applied or referred to the particular statute of limitation.

ALABAMA, 1 YEAR

1. Noncontractual injury.
2. Alabama Code (1940), title 7, section 26.

ARIZONA, 1 YEAR

1. Liability created by statute other than a penalty or forfeiture.
2. Arizona Code Annotated, section 29, page 201.

ARKANSAS, 3 YEARS

1. On the case.
2. Arkansas Statutes Annotated, section 37, page 206.
3. *Russellville Canning Co. v. American Can Co.* (87 F. Supp. 484 (W. D. Ark. 1949)).

CALIFORNIA, 3 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. California Code Civil Proceedings, section 338 (1).
3. *Burnham Chemical Co. v. Borax Consolidated, Ltd.* (170 F. 2d 569 (9th Cir., 1948), cert. den. 336 U. S. 924); *Foster & Kleiser Co. v. Special Site Sign Co.* (85 F. 2d 742 (9th Cir., 1936), cert. den. 299 U. S. 613); *Suckow Borax Mines Consolidated, Inc. v. Borax Consolidated, Ltd.* (81 F. Supp. 301 (N. D. Cal. 1948)); *United West Coast Theatres Corp. v. South Side Theatres, Inc.* (86 F. Supp. 109 (S. D. Cal. 1949)).

COLORADO, 2 YEARS

1. Liability created by Federal statute.
2. Colorado Statutes Annotated, section 102-109 (1).
3. *Greve v. Gibraltar Enterprises, Inc.* (85 F. Supp. 410 (D. N. Mex. 1949)).

CONNECTICUT, 3 YEARS

1. Tort.
2. Connecticut General Statutes (revised 1949), section 8316.

DELAWARE, 3 YEARS

1. On the case.
2. Delaware Revised Code (1935), section 5129.

3. *Williamson v. Columbia Gas & Elec. Corp.* (110 F. 2d 15 (3d Cir., 1939) cert. den. 310 U. S. 639).

FLORIDA, 3 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. Florida Statutes Annotated, section 95.11 (5).

GEORGIA, 20 YEARS

1. To enforce right accruing to individual under statute.
2. Georgia Code Annotated, section 3-704.

IDAHO, 3 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. Idaho Code, section 5-218.

ILLINOIS, 5 YEARS

1. Residuary.
2. Illinois Statutes, annotated, section 102-275.
3. *Tiffin Bldg. Corp. v. Balaban & Katz Corp.* (87 F. Supp. 121 (N. D., Ill., 1949)).

INDIANA, 5 YEARS

1. Residuary.
2. Burns Indiana Statutes, annotated, section 2-603.

IOWA, 3 YEARS

1. Residuary.
2. Iowa Code (1950), section 614.1 (5).

KANSAS, 3 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. Kansas General Statutes, annotated, section 60-306, second.

KENTUCKY, 1 YEAR OR 5 YEARS

1. Conspiracy, 1 year: Liability created by statute other than a penalty or forfeiture, 5 years (see note).
2. Kentucky Revised Statutes, sections 413.130, 413.140 (c).
3. *Northern Kentucky Telephone Co. v. Southern Bell Telephone & Telegraph Co.* (73 F. 2d 333 (6th Cir., 1934), cert. denied, 294 U. S. 719); *Fifth and Walnut, Inc. v. Loew's, Inc.* (76 F. Supp. 64 (S. D., N. Y., 1948)).

NOTE.—In the case of *Northern Kentucky Telephone Co. v. Southern Bell Telephone & Telegraph Co.* the court held the 1-year statute governing actions for conspiracy applicable rather than the 5-year statute governing actions upon liability created by statute. The latter statute would probably apply to actions not involving conspiracy.

LOUISIANA, 1 YEAR

1. For damages caused by offenses or quasi offenses.
2. Louisiana Civil Code, article 3536.
3. *American Tobacco Co. v. People's Tobacco Co.* (204 Fed. 58 (1913)).

MAINE, 6 YEARS

1. On the case.
2. Maine Revised Statutes (1944), chapter 99, section 90.

MARYLAND, 3 YEARS

1. On the case.
2. Flack's Maryland Code (1939), article 57, section 1.
3. *Seaboard Terminals Corp. v. Standard Oil Co. of N. J.* (24 F. Supp. 1018 (S. D. N. Y. 1938), affirmed, 104 F. 2d 659 (2d Cir., 1939)).

MASSACHUSETTS, 2 YEARS

1. On tort.
2. Massachusetts Laws, 1948, chapter 274.
3. *Strout v. United Shoe Machinery Co.* (208 Fed. 646 (D. Mass. 1913), affirmed 225 Fed. 1022 (1st Cir. 1915)); *Momand v. Universal Film Exchange* (43 F. Supp. 996 (D. Mass. 1942), affirmed, 172 F. 2d 37 (1st Cir., 1948)).

MICHIGAN, 6 YEARS

1. Residuary.
2. Michigan Statutes, annotated, section 27.605.

MINNESOTA, 6 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. Minnesota Statutes Annotated, section 541.05.

MISSISSIPPI, 6 YEARS

1. Residuary.
2. Mississippi Code (1942), section 722.

MISSOURI, 5 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. Missouri Revised Statutes Annotated, section 1014.

MONTANA, 2 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. Montana Revised Code, section 93-2607.
3. *Hansen Packing Co. v. Swift & Co.* (27 F. Supp. 364 (S. D. N. Y. 1939)).

NEBRASKA, 5 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. Nebraska Revised Statutes (1943), section 25-206.

NEVADA, 3 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. Nevada Compiled Laws (1929), section 8524.

NEW HAMPSHIRE, 6 YEARS

1. Residuary.
2. New Hampshire Revised Laws (1942), chapter 385, section 3.

NEW JERSEY, 6 YEARS

1. On the case.
2. New Jersey Revised Statutes (1937), title 2, chapter 24, section 1.
3. *Jaeger Research Laboratories v. R. C. A.* (90 F. 2d 826 (3d Cir., 1937); *Shelton Electric Co. v. Victor Talking Machine Co.* (277 Fed. 433 (D. N. J. 1922)).

NEW MEXICO, 4 YEARS

1. Residuary.
2. New Mexico Statutes Annotated, section 27-104.
3. *Greve v. Gibraltar Enterprises, Inc.* (85 F. Supp. 410 (D. N. M. 1949)).

NEW YORK, 6 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. New York Civil Practice Act, section 48.
3. *Seaboard Terminals Corp. v. Standard Oil Co. of N. J.* (24 F. Supp. 1018 (S. D. N. Y. 1938), aff'd, 104 F. 2d 659 (2d Cir., 1939)); *Pastor v. American Telephone & Telegraph Co.* (76 F. Supp. 781 (S. D. N. Y. 1940)); *Dyson Theatres v. Buffalo Theatres* (8 F. R. D. 86 (W. D. N. Y. 1948)).

NORTH CAROLINA, 3 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. North Carolina General Statutes (1943), section 1-52 (2).

NORTH DAKOTA, 6 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. North Dakota Revised Code (1943), section 28-0116 (2).

OHIO, 6 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. Pages' Ohio General Code Annotated, section 11222.

OKLAHOMA, 3 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. Oklahoma Statutes Annotated, title 12, section 95.
3. *Oklahoma v. American Book Co.* (144 F. 2d 585 (10th Cir. 1944)); *Momand v. Universal Film Exchange* (43 F. Supp. 996 (D. Mass. 1942), aff'd, 172 F. 2d 37 (1st Cir., 1948)).

OREGON, 6 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. Oregon Composite Laws Annotated, section 1-204 (2).

PENNSYLVANIA, 6 YEARS

1. On the case.
2. Purdon's Pennsylvania Statutes Annotated, title 12, section 31.
3. *Bluefield S. S. Co. v. United Fruit Co.* (243 Fed. 1 3d Cir. 1917), appeal dismissed 248 U. S. 595).

RHODE ISLAND, 6 YEARS

1. On the case.
2. Rhode Island General Laws (1938), chapter 510, section 3.

SOUTH CAROLINA, 6 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. South Carolina Code (1942), section 388.

SOUTH DAKOTA, 6 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. South Dakota Laws, 1947, chapter 153, section 2.

TENNESSEE, 10 YEARS

1. Residuary.
2. Tennessee Code (1932), section 8601.
3. *Chattanooga Foundry & Pipe Works v. Atlanta* (203 U. S. 390 (1906)).

TEXAS, 4 YEARS

1. Residuary.
2. Texas Statutes Annotated, article 5529.
3. *Jones & Co. v. West Publishing Co.*, (270 Fed 563 (5th Cir. 1921), appeal dismissed, 270 U. S. 665).

UTAH, 4 YEARS

1. Residuary.
 2. Utah Code Annotated, section 104-2-30.
- NOTE.—The Utah limitation of 1 year for actions on liability created by statutes of foreign States (Utah Code Annotated, section 104-2-30) was rejected as not applicable to Federal statutes.

VERMONT, 6 YEARS

1. On tort.
2. Vermont Statutes (Rev. 1947), section 1689.

VIRGINIA, 5 YEARS

1. Personal actions that survive.
2. Virginia Code (1942), section 5818.
3. *Barnes Coal Corp. v. Retail Coal Merchants Association* (128 F. 2d 645 (4th Cir., 1942)).

WASHINGTON, 2 YEARS

1. Residuary.
 2. Rem. Revised Statutes, Washington, section 165.
 3. *Harvey v. Booth Fisheries Co.* (228 Fed. 782 (W. D. Wash. 1915)).
- NOTE.—The court in *Harvey v. Booth Fisheries Co.* held the Washington 3-year provision for actions on statutory penalties applicable. Since the Supreme Court in the *Chattanooga Foundry* case (203 U. S. 390) held treble damage actions were not suits for a statutory penalty, the *Harvey* decision seems erroneous and the residuary statute probably should apply.

WEST VIRGINIA, 2 YEARS

1. Personal actions that survive (see note).
 2. West Virginia Code (1949), section 5404.
 3. *Glenn Coal Co. v. Dickinson Fuel Co.* (72 F. 2d 885 (4th Cir., 1934)).
- NOTE.—*Barnes Coal Corp. v. Retail Coal Merchants Association* (128 F. 2d 645 (4th Cir., 1942)) held in applying a similar Virginia statute that treble damage actions are tort actions that do survive, a question which the court in the *Glenn Coal Co.* case did not reach.

WISCONSIN, 6 YEARS

1. Liability created by statute.
2. Wisconsin Statutes (1947), section 830.19 (4).

WYOMING, 8 YEARS

1. Liability created by statute other than a penalty or forfeiture.
2. Wyoming Composite Statutes Annotated, section 3-505.

The very fact of the variety in the periods of limitation in the laws of the several States and the recurring difficulty in determining the period which is precisely applicable demonstrates the need for this amendment.

The 6-year period in the amendment under discussion is not chosen at random, as will be seen from an examination of the schedule which I have just inserted into the Record. I do not personally favor Federal statutes of repose of such an extreme duration as some States like Tennessee, 10 years; Indiana, 15 years; and Georgia, 20 years, for in the elapse of years witnesses die, facts grow stale, and evidence disappears. But a 6-year period, representing a happy medium drawn from the experience and judgment of the various States, is eminently sound for Federal purposes.

The present lack of a uniform period of limitations has created confusion, with the choice of forum affecting the result in many cases. In applying State limitation statutes, it must first be determined whether the law of the forum or the place of injury will govern. The ramifications of many large Nation-wide conspiracies present the case of injury occurring in a multiple of States. If the limitation statute of the State where the injury took place governs, a plaintiff who has been injured in several States may choose the forum most advantageous to him in this respect. Conversely, a plaintiff injured in a State with a short statute of limitations may find himself barred from recovery, while another plaintiff, more advantageously situated in a State with a longer limitation period may recover for the identical injury. The proposed amendment would prevent the occurrence of these unjust situations.

This bill is not to be regarded in any sense as a drastic shift in the antitrust laws. It is merely a little step in the right direction. I hope you will pass it.

Mr. MICHENER. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Speaker, the few remarks which I expect to make will be devoted to section 4 (b) of this bill, which is perhaps the most important provision in it.

Section 4 (b) of this bill permits the United States Government to sue for actual, rather than treble, damages sustained by it as a result of violation of the antitrust laws. I want to address myself briefly to that provision.

In 1941 the Supreme Court, in the case of *United States v. Cooper* (312 U. S. 600), held that the United States is not a "person" within the meaning of the triple-damage sections of the Sherman and Clayton Acts and cannot recover damages for losses suffered through antitrust violations. I recognize a strange inconsistency between such a denial to the United States Government, on the one hand, and the construction of the same statutes in *Chattanooga Foundry v. Atlanta* (203 U. S. 390) and *Georgia v.*

Evans (316 U. S. 153) to the effect that a municipality and a State, respectively, may recover triple damages. We must, however, take the law as we find it following the Cooper decision.

The reasons persuading me to favor section 4 (b) are simple. The United States is the largest purchaser of goods in the country, spending billions of dollars each year. Much of the purchasing is done by competitive bidding through the medium of sealed bids. Effective, honest competition would naturally result in benefits to the Government in the form of lower prices. If, however, bidders were to conspire and knowingly submit identical bids—as appears to have been done in the Cooper case—the price advantage of competition would disappear.

During the 9-month period ending March 31, 1950, the Defense Department alone purchased \$672,000,000 worth of goods through the medium of competitive bidding, plus another \$2,304,000,000 in negotiated contracts. I am informed that an undisclosed but significant percentage of these procurement dollars were spent in purchases involving identical bids. This factor alone does not necessarily spell conspiratorial arrangements, but is merely one element to be taken into consideration. Indeed, the case could be that such schemes are present where the bids submitted are all variant according to plan. However, the fact may be, if antitrust violations occur, the Government is injured to the extent that it is deprived of lower prices and in such cases should be entitled to recover.

The normal remedies in civil and criminal proceedings fail to protect the proprietary interest of the Government or to compensate for its losses. The American taxpayer is entitled to full value for his tax dollar. If he were spending the money himself he could sue for triple damages. He is equally entitled to protection if the Government spends it for him.

Some have asked why the committee has seen fit to report a bill confining the Government to recovery of actual damages in these cases, rather than triple damages. The principal reason is that the Government, as contrasted to private suitors, needs no special inducement to bring actions to enforce the antitrust laws, since it is by law already charged with the duty of enforcement. The private suitor, faced with the heavy expenses involved in maintaining his case, the difficulty in securing evidence, and the delay in bringing a case to ultimate disposition, requires the additional incentive of triple recovery. Moreover, because the procurement contracts of the Government run into staggering sums, a loss for which the Government in the event of an antitrust violation might recover could be so enormous that, if tripled, it would completely bankrupt the offending seller, a punitive consequence which the committee felt would be altogether too severe.

The prospect of liability to the Government for damages resulting from antitrust violations will give pause to any concerns which would be inclined intentionally to seek to defraud the tax-

payers by overcharging the Government in procurement matters. This knowledge will serve as a substantial deterrent, especially since the Government is not handicapped in the same way as private suitors who find the costs, delays and uncertainties entailed in a triple damage action such as to discourage its commencement. At the same time, there is no unfairness or discrimination in the proposal which would operate to the disadvantage of the honest, legitimate businessmen who comprise the great majority of the American business community.

From every point of view this provision improves and strengthens the Clayton Act.

Mr. CELLER. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. DENTON].

Mr. DENTON. Mr. Speaker, with the publicity, attention, and public clamor which frequently accompanies the institution of the Government antitrust suit, we frequently forget that antitrust law policy is enforced through a dual-edged sword. Not only is there the Government action which generally demands either fine or injunction, but there is also the suit by the private individual, injured by monopolistic practices, in which just retribution is sought. If in our zealous effort to enforce the antitrust laws more heed is given to the Government case, we must not overlook the private triple-damage suit as a vigorous and effective weapon of the free-enterprise system.

The roots of the triple-damage suit lie deep in Anglo-American jurisprudence. The medieval statute of monopolies, passed by Parliament in 1623, afforded the injured artisan his remedy in the King's courts where three times the damage suffered at the hands of the local monopolist was awarded him. Supposedly, the origins of this private type of action go back even further into history, for the Statute of Monopolies purported to be mere legislative enactment of the principles of the common law.

The framers of the Sherman Act were well aware of the ancient tradition of the triple-damage suit. There is evidence to indicate that they believed the private suitor would be the mainstay of an antimonopoly policy, and that Government suits would simply augment private suits. Such has not been the case. At times, indeed, the triple-damage action has almost fallen into complete desuetude. But in more recent days, the private litigant has had an increasing role in attaining the objectives of the Sherman Act. Triple-damage actions today on the part of the private individual injured by unfair economic practices or monopolistic abuses are a recurring and important phenomenon in the antitrust fabric of the economy viewed as a whole.

What I have said heretofore has been merely by way of preface to the pending legislation of which I am author. I am not attempting to make something complex which is essentially simple. This bill does two principal things.

First, it provides that whenever the United States Government as such is

injured in its business transactions or operations through monopolistic or unfair practices in violation of the antitrust laws, the Government may go to court and recover the actual damages sustained by it as a consequence of these violations. Necessity for this legislation arises out of a decision by the Supreme Court of the United States. Under present law, any person injured by violations of the antitrust laws may bring an action for triple damages in the courts of the United States against the corporation or individual which has acted in restraint of trade. The Supreme Court, in two rather anomalous decisions, has held that a State of the Union and a municipality can bring such an action as if they were private parties, but that the Government of the United States is not a "person" within the meaning of the statutes and consequently, remains without any relief, except that afforded by sections 1 and 2 of the Sherman Act to bring criminal, injunctive, or dissolution proceedings. The first purpose of this bill is to permit the United States to obtain civil relief and recover actual damages sustained as the result of economic practices which violate the antitrust laws.

The principal feature of the bill is to establish a uniform statute of limitations of 6 years for the triple damage suits of private persons to which I made reference in the opening portions of my remarks. At the present time, although the right to bring triple damage suits in the United States courts is accorded through Federal statute, the period of time during which such an action may be commenced is determined by State law. This has resulted in an incongruous antitrust law policy in force throughout the various States of the Union. Ranging from 1 year to 20 years in duration, these various State laws give the antitrust laws differing intonations in different areas of the Nation. The policy of our country against monopolies, restraints of trade, and unfair practices is a national one and should have uniform application throughout the breadth of the land.

As a member of the Subcommittee on Study of Monopoly Power, I have heard businessmen tell us that the antitrust laws are in need of clarification. I believe legislation establishing a uniform time limitation is a long step toward clearing up ambiguities in the antitrust laws. I can think of no greater confusion in antitrust policy than that which arises out of a situation where, if a party is injured through monopoly just within the border of Alabama, he must hasten to bring his suit within 1 year; but if he resides 10 miles away in the State of Georgia, he may rest almost two decades while evidence grows stale, witnesses vanish, and defendants are lulled in false security.

I do not see how this measure can excite much controversy. The Subcommittee on Study of Monopoly Power and the House Judiciary Committee unanimously agreed that this bill should be reported to the floor. The two objects of the legislation I feel are laudable and unobjectionable. Certainly the United States Government should be allowed to recover the actual damages it sustains

through the machinations of monopolies. Likewise, in view of the fact that the antitrust laws are basically national in scope and objective, the time limitation for private actions should not fortuitously depend upon the geographical boundaries of the States of the Union. I therefore strongly urge that the House give this bill its serious consideration and that it pass.

Mr. MICHENER. Mr. Speaker, I yield 3 minutes to the gentleman from Maine [Mr. HALE].

Mr. HALE. Mr. Speaker, I am in favor of this legislation. I think that the Committee on the Judiciary is to be congratulated on bringing it out. The particular provision of the bill which interests me and on which I want to make a few observations, is section 4 (c) which provides that—

Any action (including an action brought by or on behalf of the United States) to enforce any cause of action under this section shall be forever barred unless commenced within 6 years after the cause of action accrued.

I think it is altogether desirable that there should be a uniform period of limitations applicable throughout the Nation, and that we should not be remitted to the various limitation periods prescribed by the several State statutes. It seems to me regrettable, however, that there is no provision in the bill that the statutory period of limitation shall not commence to run until a conspiracy brought about by fraud or concealment shall become known to the plaintiff. I should like to inquire, if I may, of the gentleman from New York [Mr. CELLER], whether I am correct in apprehending that this bill would not affect any State statute concerning the effect of fraud or concealment on the period of limitation.

Mr. CELLER. Mr. Speaker, if the gentleman will yield, may I be permitted to read a note I made in reference thereto?—

Several States by statute or judicial decree provide for the tolling of the limitation period during the time the defendant fraudulently conceals the cause of action from the plaintiff or is otherwise guilty of fraudulent conduct. I am informed that frequently the statutory period does not begin to run until the plaintiff has discovered the facts of his cause of action which have been fraudulently concealed by the defendant. This bill is not intended to change those rules of the various States insofar as they presently apply to triple-damage actions under the antitrust laws. The period of 6 years, under this bill, will be uniform throughout the United States but the State rules benefiting a plaintiff in a case where the defendant has been guilty of fraud or of some other proscribed conduct will remain in effect.

I would say that the answer to the inquiry would be that you need have no concern on that score.

Mr. HALE. I thank the gentleman for his answer. I am very pleased with the situation as he describes it.

Mr. MICHENER. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD immediately following the vote.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CELLER. Mr. Speaker, I yield such time as he may desire to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. Speaker, during the roll call on the bill S. 2 I was unavoidably detained. Had I been present, I would have voted "nay."

Mr. MICHENER. Mr. Speaker, this bill is a compromise. I think it is a splendid compromise. I know of no one who is contesting this compromise. The bill is not in every way the bill that I would write. The bill has been explained. The committee staff has prepared a splendid statement which is embodied in the committee report and which covers every phase of this bill. I cannot state more concisely the purposes and accomplishment of this bill.

Mr. Speaker, I ask unanimous consent to extend my remarks and include excerpts from the committee report.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. The excerpts from the committee report read:

STATEMENT

Section 1 of the bill would amend sections 4 and 5 of the Clayton Act by providing that (1) the United States may recover actual damages for injuries to it in its business or property hereafter resulting from violation of the antitrust laws, (2) a 6-year statute of limitations shall apply in all triple-damage antitrust cases, and (3) the provisions tolling the running of the statute of limitations applicable to triple-damage actions, in cases where the United States has brought a civil or criminal antitrust suit, are extended to apply where the United States has brought a suit for damages as well.

Section 2 of the act merely provides that the term "antitrust" shall have the meaning ascribed to it in section 1 of the Clayton Act.

The crucial provisions are those in section 1 of the bill providing, respectively, (1) for extension to the United States of the right to sue for actual damages, a right which it does not now have, and (2) for a uniform 6-year statute of limitations for damage actions in lieu of the present rule which makes the limitation period dependent upon State law.

(1) Suit for damages by the United States: At the present time, as the result of a 1941 Supreme Court decision in *United States v. Cooper Corp.* (312 U. S. 600), the United States cannot recover, under section 7 of the Sherman Act or section 4 of the Clayton Act, for damages suffered in its business or property as a result of antitrust violations. That case held that the United States is not a person within the meaning of section 7 of the Sherman Act, which gives any person injured as a result of violation of the act the right to sue for triple damages. The present bill would change this rule by permitting the United States to sue for actual, although not for triple, damages.

A brief statement of the background of the Cooper case may be helpful. For the half-year ending March 31, 1937, 18 companies submitted to the Procurement Division of the Treasury Department bids identical to the penny on 82 different sizes of tires and tubes. The same thing occurred

in the next half-year period, but with substantially higher prices than for the preceding period. When identical bids were again submitted for the third half-year period (October 1, 1937, to March 31, 1938), the Procurement Division, upon the advice of the Attorney General, rejected the bids and invited new ones. The new bids were identical to those rejected. Determining that a public exigency existed, the Treasury Department negotiated a contract with Sears, Roebuck & Co. In its next invitation to submit bids, the Government required bidders to warrant that the prices bid were not the result of agreement among bidders, with the result that the bids submitted were substantially lower than the previous collusive bids. By comparing these bids with the earlier noncompetitive bids, it was ascertained that the United States had been injured to the extent of \$351,158.21 in the three 6-month periods during which it had been unable to buy on a competitive market. A triple-damage action was instituted, but was dismissed for the reason already stated.

The United States is by far the largest single purchaser of goods in this country. Its procurement bill amounts to billions of dollars each year. For the fiscal year 1947, for instance, it exceeded \$6,000,000,000, according to the Hoover task force report on the Federal Supply System. In order to secure the advantages of competitive bidding, the Government is required by statute, with some exceptions, to advertise for proposals which are submitted in the form of sealed bids. If the bids are collusive the price advantages of competitive bidding which Congress intended the Government to have, when it enacted the competitive bidding statutes, are lost. According to TNEC Monograph 19, the dollar volume of purchases by the Government in a 12-month period in 1937 and 1938 amounted to \$913,401,724.91, of which \$87,326,426, or approximately 9.6 percent, was spent in purchases involving identical bids.

These figures do not necessarily indicate antitrust violations. On the other hand, they do not necessarily set an upper limit to the practice of submitting collusive and noncompetitive bids, since instances of collusion are not uncommon in which identity of amount is carefully avoided. In other words, members of an industry have been known to agree as to which one shall submit the lowest bid and at what figure. It would be unrealistic to assume that the same thing does not happen in bidding for Government orders.

The remedies of indictment and injunction cannot protect the Government's proprietary interests or compensate for damages inflicted upon it by collusive bidding—and collusive bidding is only one of the many ways in which the Government may be injured as a result of antitrust violations. Obviously a \$5,000 fine is inadequate compensation for damages amounting to \$351,158.21, the actual loss suffered by the Government in purchasing only one commodity in the short space of 18 months. Nor would an injunction restraining further collusive activities recompense the United States for damages already suffered.

The American taxpayer is entitled to full value for his tax dollar. He should be protected against its going into the pockets of wrongdoers in the form of excessive prices and profits gained in violation of the antitrust laws. If he were spending the money himself, he could sue for triple damages. He is equally entitled to protection where the Government spends it for him.

The question arises, Why should not the Government recover triple damages just as private persons do, instead of being limited to actual damages? It has been suggested that the wrongdoers might be ruined if the Government were permitted to sue for triple damages, in view of the size of the Govern-

ment's purchases and the consequent magnitude of the damages that might be awarded. We do not find this argument controlling, however. If a wrongdoer imposes extensive injuries, he should be prepared to bear the burden of extensive damage awards.

A more persuasive justification for limiting recovery to actual damages is that no special inducement need be held out to the Government to institute suit against wrongdoers. The Government, already charged with enforcement of the antitrust laws, needs no incentive.

Liability for damages to the Government resulting from antitrust violations should cause one to think twice before engaging in such violations. The Government buys almost every known type of commodity and there are few businessmen today who do not have occasion to deal with it, often to a substantial extent. Knowledge that they will be liable for damages will serve as a substantial deterrent, especially since the Government does not labor under the handicap of many private victims of antitrust violations who, having suffered financial loss at the hands of the violators, find themselves hard put to obtain the necessary resources to support adequately an action for damages.

We strongly recommend this amendment, and urge its enactment by Congress without further delay—both as an act of fairness to the Government and the taxpayer and as a further deterrent to antitrust violations.

(2) A uniform 6-year statute of limitations: The bill would amend section 4 of the Clayton Act to provide for a 6-year statute of limitations, applicable to both private and United States damage suits resulting from violation of the antitrust laws. It provides that suit may be brought within 6 years after the cause of action accrued. As previously pointed out, it would also amend section 5 of the Clayton Act, which at present provides for tolling the statute covering triple-damage suits during pendency of a civil or criminal antitrust suit by the United States, by providing that the statute would also be tolled by the institution of a suit for damages brought by the United States. The toll could not, however, be invoked by the Government itself in a suit for damages.

At the present time triple-damage actions under the Sherman and Clayton Acts are governed by State statutes of limitations. *Chattanooga Foundry & Pipe Works v. Atlanta* (203 U. S. 390 (1906)). This situation has created confusion and lack of uniformity, with the choice of forum affecting the results in many cases. A threshold question in applying State limitation statutes is whether the law of the forum or the law of the place of injury will govern. In antitrust cases involving Nation-wide conspiracies, injuries may have occurred in many different States. If the limitation statute of the State where the injury took place governs, a plaintiff who has been injured in several States may choose the forum most advantageous to him in this respect. On the other hand, a plaintiff injured in a State with a short statute of limitations may find himself barred from recovery while another plaintiff, more advantageously situated in a State with a longer limitation period, may recover for the identical injury. Other factors causing adventitious results in these cases are the conflict-of-laws problem and the question whether State or Federal determination of when a cause of action accrues shall be controlling.

The Senate Judiciary Committee has previously in the current Congress held hearings on S. 1910, a bill similar in some respects to the limitations portion of the present bill, except that it contained an added provision for retroactivity and had a special application to suits based upon conspiracy violations. In those hearings the Department of Justice stated that in its opinion "a uniform

statute of limitations would be highly desirable and would be consistent with the general policy of making the Federal laws uniform in matters of this character." The consensus of those testifying with reference to S. 1910 was that a uniform statute of limitations in damage suits arising from violations of the antitrust laws would be desirable.

A 6-year limitation appears to be entirely reasonable. Because antitrust violations usually have a complex background, 6 years may well be required to adequately prepare a triple-damage case. Six-year statutes of limitations govern other types of suits, often having less complicated fact structures, such as suits for infringement of patents and claims against the United States. A shorter period here would, in our opinion, be unwarrantedly prejudicial to the injured party. At present it is difficult, if not impossible, in most cases, to determine the applicable period of limitations in the statutes of the various States. Thus, the litigant is often placed at a considerable disadvantage in not being able to make a precise advance determination of whether his suit can be maintained.

To summarize, the provisions which would permit the United States to sue for damages and for a uniform statute of limitations are sound in principle and will undoubtedly have a salutary effect. Private parties in many instances are financially handicapped as a result of the injuries for which they seek redress. They should be given the assistance and encouragement which this bill will give them to move against violators of the antitrust laws. The bill as a whole represents a substantial step forward, both in providing greater protection for those who have been injured and in setting up additional deterrents to violation.

CHANGES IN EXISTING LAW

In compliance with clause 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law in which no change is proposed is shown in roman, new matter is printed in italic, and existing law proposed to be omitted is enclosed in black brackets):

"Sec. 4. (a) That any person [who shall be] *heretofore or hereafter* injured in his business or property by reason of anything forbidden in the antitrust laws may sue therefor in [any district court of] the United States *District Court for* [in] the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the cost of suit, including a reasonable attorney's fee.

"(b) *Whenever the United States is hereafter injured in its business or property by reason of anything forbidden in the antitrust laws it may sue therefor in the United States district court for the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover actual damages by it sustained.*

"(c) *Any action (including an action brought by or on behalf of the United States) to enforce any cause of action under this section shall be forever barred unless commenced within six years after the cause of action accrued.*

"Sec. 5. (a) [That a] A final judgment or decree hereafter rendered in any [criminal prosecution or in any suit or proceeding in equity] civil or criminal proceeding, but not including a suit or proceeding under section 4 (b), brought by or on behalf of the United States under the antitrust laws to the effect that a defendant has violated said laws shall be prima facie evidence against such defendant in any [suit or] proceeding brought pursuant to subsections 4 (a) and 4 (b) [by any other party] against such defendant under said laws as to all matters respecting which

said judgment or decree would be an estoppel as between the parties thereto: *Provided, [That] This section shall not apply to consent judgments or decrees entered before any testimony has been taken. [; Provided, further, This section shall not apply to consent judgments or decrees rendered in criminal proceedings or suits in equity, now pending, in which the taking of testimony has been commenced but has not been concluded, provided such judgments or decrees are rendered before any further testimony is taken.]* (b) Whenever any [suit or proceeding in equity or criminal prosecution] *civil or criminal proceeding* is instituted by the United States to prevent, restrain, or punish violations of any of the antitrust laws, or to recover damages under section 4 (b) of this Act, the running of the statute of limitations in respect of each and every private right of action arising under [said laws] *section 4 (a)* and based in whole or in part on any matter complained of in said suit or proceeding shall be suspended during the pendency thereof."

The SPEAKER. The question is will the House suspend the rules and pass the bill.

The question was taken; and (two-thirds having voted in favor thereof) the bill was passed.

OUR FIRST JOB

Mr. HOFFMAN of Michigan. Mr. Speaker, among all the numerous unpleasant facts revealed to the American people by current events in South Korea, two stand out high above all the others; two facts which are so alarming in their implications that they should not be permitted to go unnoticed.

One is the fact that invasion of the South Korean Republic by the Communists of Russia's North Korean satellite marks the essential failure of what at first was called the Marshall plan, and which later became known as foreign aid through the Economic Cooperation Administration.

The other is the fact that national-defense funds appropriated by Congress in the 5 years since VJ-day have not been expended with the good judgment upon which the security of any nation ultimately depends.

Taken together, these two facts add up to a situation wherein this Nation has become involved in a war—and war it is, even though designated as a police action in behalf of the United Nations—relatively unprepared, and far less strong economically than should be the case.

Since 1945 nearly \$50,000,000,000 have been appropriated for all forms of national defense, including economic and military assistance to other free nations, and expenditures for maintenance of our own armed services.

Of this amount, approximately \$400,000,000—nearly half a billion—has been expended in economic aid by ECA to the Republic of South Korea. Considering the comparative smallness of South Korea in area and population, this is a tremendous sum.

At the same time, Senator ROBERT A. TAFT, who should be well informed, if anyone is, has stated that direct expenditures for military aid in South Korea have totaled only about \$200. This, of course, in addition to 140,000 rifles, and little else, left behind when American occupation troops were withdrawn.

Just prior to the invasion from the north, we were told by the White House and the Defense Department that the American officers delegated to train the South Korean Army had done such a good job that the infant republic was well prepared to withstand any possible assault.

Within 24 hours after the invasion started, it became painfully manifest that the expenditure of \$400,000,000 in economic aid had not instilled the spirit of freedom in the hearts of the South Koreans. They did not fight as our forefathers fought to create and preserve the American Republic.

The tremendous ECA expenditures in South Korea had made of that country nothing but a sitting duck—and a fat one, at that—to be knocked off at will by the Kremlin stooges from the north.

Undoubtedly the American officers who trained the South Korean Army did the best job possible with the equipment available. And perhaps the South Korean troops should not be blamed too much for running away, instead of standing to fight. Army rifles, of which nearly a third were obsolete, were poor equipment with which to combat 50-ton tanks, machine guns and long range artillery.

Then American troops were thrown into action by the impulsive and unconstitutional act of a President who apparently knew little of the situation. Seemingly he was ignorant of the facts, even though the Korean ambassador has said in a public statement that he warned the White House a month in advance.

Almost at once it became evident that General MacArthur never had been given the additional troops and equipment for meeting all emergencies in the areas for which he now has been made responsible—troops and equipment for which he had pleaded in vain. Troops and equipment which might have been available were scattered around the world, it may be in areas less vulnerable to Communist attack.

Now it appears likely that we shall have to endure a long and bitter fight; a fight which threatens to explode into a world-wide conflict. It may take all of the sacrifice, the loyalty, the utter devotion of which the American people are capable, before we attain ultimate victory. It may be that those for whose freedom we have spent our money, for whom our men are now dying, will fail adequately to assist us.

China was lost as a result of mistaken and well-nigh treasonable foreign policy followed in the Far East by the Fair Deal administration. Now we are fighting in Korea, without the millions of Chinese Nationalist troops we might have had, except for that mistaken policy; troops whose loyalty to us probably would have prevented the present situation entirely. But the Administration has committed us to fight, now at excessive cost in lives and treasure.

It is my own conviction that Congress now should put a stop even to talk about the socialist proposals of the Fair Deal Administration for excessive expenditures in connection with its legislative program. This is not the time to increase domestic expenditures, whether

for so-called social gains or for the political advantage of the party in power.

Let us cut our expenditures here at home to those essential for only the barest necessities. Let us spend the billions thus saved in further arming ourselves and those allies whom the present conflict may prove trustworthy.

Our first duty is to those who are sent to fight and win the war into which gullibility and incompetency have plunged us; and, in the meantime, let us get rid of the friends of "Good Old Joe," of the Achesons, of all of those who do not believe that the liberty of our people, the security of our Nation, is our first duty.

On a dark street, in a tough neighborhood, with men of doubtful purpose about, there is nothing that makes a man feel so safe and gives him so much courage as a club in one hand, a gun in the other.

PURCHASE OF BONDS TO COVER EMPLOYEES OF GOVERNMENT

Mr. KARSTEN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8706) to provide for the purchase of bonds to cover officers and employees of the Government.

The Clerk read as follows:

Be it enacted, etc., That section 14 of title 6 of the United States Code is amended to read as follows:

"PURCHASE OF BONDS TO COVER OFFICERS AND EMPLOYEES OF THE GOVERNMENT

"SEC. 14. Under regulations promulgated by the Secretary of the Treasury, the heads of the departments, and independent establishments of the Government shall, and the appropriate officials of the legislative and judicial branches of the Government may, obtain blanket, position schedule, or other type of surety bonds covering their civilian officers and employees, and military personnel, required by law or administrative ruling to be bonded. Each bond shall be of the most economical type available for the number and type of personnel required to be bonded, and shall be conditioned upon the faithful performance of the duties of the persons so bonded, and the term 'faithful performance of the duties' shall be deemed to include the proper accounting for all moneys or property received by virtue of the bonded persons' positions or employment and all responsibilities and accountabilities imposed by statute or regulation issued pursuant thereto. The bond may cover a period not exceeding two years and the premium shall be paid from funds available for administrative expenses when the contract, or renewal thereof, is made. No bond shall be purchased at a premium rate per individual covered which is more than 35 per centum in excess of the rate of premium for coverage in a like penal sum for a person holding a similar position during the calendar year 1908. If the initial or renewal premium cost exceeds \$500 for any bond procured under authority of this section, advertisement for bids shall be required therefor and procurement shall be made from the lowest responsible bidder and through the Administrator of the General Services Administration when so required by him."

Sec. 2. (a) The first sentence of section 3 of title 6 of the United States Code is amended to read as follows: "Every officer whose duty it is to take and approve official bonds (except those procured pursuant to section 14 of this title) shall cause all such bonds to be renewed every four years after their dates, but he may require such bonds

to be renewed or strengthened oftener if he deems such action necessary."

(b) The last sentence of section 6 of title 6 of the United States Code is amended to read as follows: "Except with respect to bonds procured pursuant to section 14 of this title, no officer or person having the approval of any bond shall exact that it shall be furnished by a guaranty company or by any particular guaranty company."

Sec. 3. The analysis of title 6 of the United States Code, immediately preceding section 1 of such title, is amended by striking out the item "Sec. 14. Rate of premium on bond; premiums not to be paid by United States," and inserting in lieu thereof the following: "Sec. 14. Purchase of bonds to cover officers and employees of the Government."

The SPEAKER. Is a second demanded?

Mr. HOFFMAN of Michigan. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, we have no requests for time on this side, if the gentleman will just explain the bill.

Mr. KARSTEN. I intend to make an explanation of the bill, I may say to the gentleman.

Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, this legislation had its origin in one of the recommendations of the Commission on Organization of the Executive Branch of the Government. The Hoover Commission's Report on Budgeting and Accounting recommended the Congress study the whole problem of bonding Federal employees in order to provide a simplified and a less expensive procedure. This measure is based on that recommendation and it will provide the Government with a modern, efficient, and economical system for bonding Federal personnel.

Before the proposed bill was drafted, the Public Accounts Subcommittee, working in close collaboration with practically all of the departments and agencies of the Government, including the Bureau of the Budget and the General Accounting Office, made an exhaustive study of the existing cumbersome and expensive procedure for bonding employees of the Government.

It was found that there are 1,103,000 Federal officers and employees—including 515,000 temporary and seasonal employees of the Post Office Department—who are required to furnish surety bonds in connection with the performance of their official duties. The premiums paid for surety bonds by these employees for 1949 amounted to \$1,685,779.90, while the recoveries from the surety companies for the same period amounted to \$207,303.70. In other words, the surety companies received over eight times more money than they paid out in losses.

The Hoover Commission also made a thorough study of bonding procedures in the Government and their figures were substantially the same as those compiled by the committee.

This sizable income to the surety companies is at the expense of the Federal employees. It is contrary to the practices of private industry, and State and local governments, which absorb the

costs of furnishing surety bonds for their employees who are required to be bonded.

The committee found further that the outmoded bonding procedures existing in the Federal Government today are the result of a 1909 statute, section 14, title 6 of the United States Code, which prohibits the United States from paying any cost of the premium for surety bonds covering Federal personnel. As a result of this old law, Government records of the 1,103,000 individual bonds must be written and maintained in the various Government departments and agencies. It is a tremendous task and very costly. Periodic examination of all these bonds is required from time to time to ascertain whether the Government is amply protected and the bonds are sufficient in penal sum, that they are in force and have not expired, and that the surety is reliable and is on the approved list of the Treasury Department.

All this administrative handling of over a million records is not only burdensome but also it is a very expensive operation for the Government. Although no figures for the actual cost of this function are available, the committee has informal advice from seven of the major departments that approximately \$292,789 is spent each year in connection with the maintenance of records for bonded personnel. Considering all of the departments and independent offices concerned with this operation, it is not unreasonable to believe that the annual cost to Government is close to \$350,000. This item is really a hidden administrative expense for the reason that it is never budgeted or otherwise indicated in the appropriation of any department or agency.

There are three possible approaches to the problem of bonding Federal employees. The first is to continue the present unsatisfactory system. The second would be to set up a revolving fund financed either by the Government or the employees to which shortages and losses could be charged. This, however, would practically amount to putting the Government into the bonding business. Moreover, it would destroy the desired and wholesome effect which naturally attaches to commercial surety bonds in protection against fraud, negligence, and other wrongful acts. The third course would be to establish a modern bonding program patterned after sound commercial practices, employing blanket and position schedule bonds. The committee chose the latter course.

In drafting legislation to provide a bonding procedure which is efficient and economical for the Government and in line with commercial practices, the committee found that section 14 of title 6 of the United States Code should be amended so as to permit the Government to bear the cost of bonding its employees. With this change of law in mind the subcommittee, while working with the Surety Association of America and the Association of Casualty and Surety Companies, ascertained that the 1,103,000 individual bonds could be reduced to 20,628 by use of the blanket or position schedule bonds, and at the same time give the Government the same

amount of coverage and protection for its fiscal and property operations. This enormous reduction in the number of bonds now required to be written will have two effects:

First. It will virtually eliminate the \$350,000 hidden expense paid each year by the Government for maintenance of records and files on bonded personnel.

Second. It will create a sound and simplified bonding practice which will give the Government greater protection over its fiscal and property operations, and at the same time promote more efficiency and economy.

Provision is made in the proposed legislation for the payment of premiums 2 years in advance. This will permit the Government to take advantage of a 6½ percent discount which the surety companies grant if premiums are paid in this manner. There is also a provision in the bill which requires competitive bidding. In consideration of these two provisions, and also having in mind the virtual elimination of \$350,000 hidden administrative expense which the Government now absorbs for maintaining records on bonded personnel, in addition to approximately \$225,000 in recoveries that will be received from the surety companies on account of liability, it is believed that the net annual cost for this legislation should not exceed \$275,000.

It is the view of the committee that a further reduction in bond premiums can be accomplished by the various departments and agencies. The information developed by the committee disclosed that there are many positions requiring bonds where the employees have no access to property or Government funds. On the other hand, there are positions in which there are employees who should be under bond but are not and there are still other cases where the present bonds are insufficient to adequately protect the Government. It is the belief of the committee, therefore, that the new bonding program proposed by H. R. 8706 should be carefully reviewed during the next 2 years for the purpose of ascertaining what further improvement, economy, and efficiency can be achieved. By doing this, the committee feels that additional savings can be realized not only through a further reduction in the proposed number of blanket and position schedule bonds, but also through a corresponding reduction in premium costs. Moreover, these savings can be accomplished without decreasing the bond protection which the Government must maintain to completely safeguard its fiscal and property transactions.

While it is expected the passage of the bill will result in a small initial cost, I believe this is a wise expenditure because in return the Federal Government will receive insurance against fraud, negligence and dereliction of duty of its employees. It will also receive the tremendous benefits of deterrence against mis-handling of the Government's enormous fiscal and property operations which naturally flows from coverage by commercial bonds.

The bill has the approval of the Comptroller General as well as the Bureau of the Budget. It is supported by numerous

other departments and agencies of the Government and by various employee organizations. No opposition to the modernization of the Government's bonding program was voiced during the hearings.

Because of the great benefits and protection which will be afforded the Government under this measure for a very modest cost, and because it will provide an up-to-date bonding procedure, efficient and economical and in keeping with sound business practices, I hope the bill will be passed.

Mr. WAGNER. Mr. Speaker, the figures on bonded personnel of the Federal Government compiled by the Public Accounts Subcommittee, in collaboration with the various departments and agencies of the Government, indicate very clearly an urgent need for modernizing and improving the existing surety bonding procedure for employees and officers within the Federal service.

The House report on H. R. 8706 reveals that under the present law 1,103,036 individual surety bonds are written and maintained in Government records. Although the Federal Government does not now pay the premium cost for these bonds, undoubtedly administrative cost for handling all these records is an expensive operation for our Government when consideration is given to the fact that each of these bonds must be carefully reviewed from time to time for the purpose of ascertaining whether the bond is sufficient in penal sum, that it has not expired, and the surety company involved is on the approved list of the Treasury Department.

As further pointed out in the report on the proposed legislation, these 1,103,036 individual bonds can be reduced to 20,628 if blanket and position schedule bonds are employed. The use of blanket and position schedule bonds will modernize our present bonding system and bring it in line with the sound practices of private industry, State and local governments. Furthermore, by this enormous reduction in individual bonds, the administrative cost for handling the records of Federal bonded personnel will be virtually eliminated. The subcommittee has information from the departments indicating that the administrative expenses for this operation now costs the Government approximately \$350,000 annually.

In comparing this cost alone, with the annual cost of premiums which the Government will absorb under H. R. 8706, sufficient savings will be realized by the Government to pay for the proposed Federal bonding procedure envisioned by this bill.

Because this measure is a great improvement over existing law and will in fact pay for its own operation through savings on our existing bonding system, I hope that the bill will be passed.

Mr. HUBER. Mr. Speaker, I ask unanimous consent to address the House with reference to the statement made by the gentleman from Missouri [Mr. KARSTEN] concerning H. R. 8706, a bill to provide for the purchase of bonds to cover officers and employees of the Government.

The gentleman from Missouri has done an outstanding job in sponsoring

this piece of legislation and I wish to compliment him. The measure is a progressive step in the field of suretyship and its relation to Federal employees, and it will provide a splendid means for improving our present bonding system. There is no doubt that it will promote more efficiency in our Federal service and undoubtedly in time the Government will realize a great saving in operating under this proposed system for modernizing surety bonding requirements with the Federal Government.

I hope that the whole program of surety bonds as it affects Federal personnel will be reviewed carefully under the provisions of H. R. 8706 with a view toward further improvement.

Mr. HOFFMAN of Michigan. Mr. Speaker, we have no requests for time.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

AMENDING MUTUAL DEFENSE ASSISTANCE ACT OF 1949

Mr. DELANEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 696, Rept. No. 2573), which was referred to the House Calendar and ordered to be printed:

Resolved, that immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3809) to amend the Mutual Defense Assistance Act of 1949, and all points of order against the said bill are hereby waived. That after general debate which shall be confined to the bill and continue not to exceed 1 day, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AMENDING FEDERAL DEPOSIT INSURANCE ACT

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 697, Rept. No. 2574), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee on the Whole House on the State of the Union for the consideration of the bill (S. 2822) to amend the Federal Deposit Insurance Act (U. S. C., title 12, sec. 264). That after general debate, which shall be confined to the bill, and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted

and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

REFUNDING OF CUSTOMS DUTIES TO PREPARATORY COMMISSION FOR THE INTERNATIONAL REFUGEE ORGANIZATION

Mr. LANE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 5863) for refund of customs duties to the Preparatory Commission for the International Refugee Organization, as amended.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Preparatory Commission for the International Refugee Organization the sum of \$120,000, paid by the Preparatory Commission for the International Refugee Organization to the United States as duties on property brought into the United States for sale to provide funds for the rehabilitation and resettlement of victims of German action pursuant to the agreement entered into on June 14, 1946, by the Government of the United States with the Governments of the United Kingdom, France, Czechoslovakia, and Yugoslavia: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The SPEAKER. Is a second demanded?

Mr. MICHENER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. LANE. Mr. Speaker, I yield myself 5 minutes, and I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LANE. Mr. Speaker, it was neither the desire nor the intent of this Government to profit from sales of looted property, the proceeds of which were designated to promote the rehabilitation of the victims of Nazi persecution.

These exact words are quoted from a State Department letter to the Committee on the Judiciary, in recommending the enactment of H. R. 5863.

But customs duties to the amount of 120,000 have been taken from reparation goods sold in this country to provide funds for the resettlement of those victims of Nazi aggression who could not be repatriated.

This is not only a contradiction of our solemn commitments. If we do not return this money which has been taken to provide revenue when it should have been spared to provide relief, a number of victims will suffer, unjustly.

This may seem like a small matter in the march of great events.

At a time, however, when we are planning a global truth campaign to win the moral support of people everywhere it behooves us to practice what we preach.

The world will judge our words by our ability to back them up. Every time we cut corners on a definite obligation, we sacrifice that much of our credit and our prestige in the eyes of the world.

This is one of those situations where an international agreement that we made in good faith is compromised by one of our domestic laws. The purpose of this bill is to refund the sum collected as duties on reparations sold in this country for the relief of the Preparatory Commission for the International Refugee Organization.

These reparation sales are of a non-recurring nature.

But first let us look at the background of this case.

World war is frightening, even in retrospect, as we recall the millions of its hapless victims who were subjected to methodical and scientific persecution by the Nazis.

When the survivors were finally liberated, large numbers of them were in desperate need of help to promote their rehabilitation and resettlement.

Many of them had no government to represent them and to receive the reparations that would partially satisfy their needs.

In 1945 and 1946, 18 nations—excluding the Soviet Union—met in Paris to divide reparations. They allocated the nonmonetary gold found in Germany by the allied armed forces for the relief of those victims of Nazi aggression who could not be repatriated.

The Preparatory Commission for the International Refugee Organization is the agency of the United Nations entrusted with this task.

This commission was authorized to sell the retrieved goods at the highest possible value in order to secure funds for the relief of these homeless refugees.

The property classified as nonmonetary gold consisted of personal property such as jewelry, rugs, unmounted precious and semiprecious stones, silver, watches, china and glassware, cameras, and the like, which had been seized by the Nazis from their victims, of whom countless numbers later died in concentration camps. This property was unidentifiable both as to previous ownership and national origin.

The bulk of this property was brought to the United States by the commission in order to get the best price for it. It was sold in a manner that did not affect our domestic economy. At the same time there was every hope of securing maximum funds for the relief of refugees.

That is, until the rigid United States customs laws were invoked, requiring the Preparatory Commission to pay duties of \$120,000 on the importation of this property, thereby curtailing the net funds available after final sale and reducing the numbers of victims who might otherwise be helped.

In other words, the Government of the United States promised to assist and then took a profit on its assistance.

If we are to extend charity, it is best that we do so cleanly, and without any kick-backs.

I prefer to think of the customs duties imposed on a special and limited type of

property that is brought to this country for the sole purpose of raising relief funds, as the blind and thoughtless application of a rule which can be corrected in the proper way.

To pass this matter over lightly, is the way we would expect the Soviets to act in a similar situation, but not the United States. There is a moral issue here, which cannot be dismissed by a technicality.

One hundred and twenty thousand dollars represents the sole hope of salvation for more than 100 refugees, which we are taking from them, thoughtlessly up to this moment, but deliberately if we fail to refund this commission we have charged on a humanitarian endeavor.

At the Paris Conference on Reparation, to which we were a party, the sale of nonmonetary gold found by the Allied armed forces in Germany to provide relief funds was approved by the signors to that instrument.

A further sum, not to exceed \$25,000,000, was allocated for the same purpose, said sum to be raised from a portion of the proceeds of German assets in neutral countries which are available for reparation.

Furthermore, the governments of neutral countries were requested to make available for rehabilitation and resettlement those assets in such countries belonging to victims of Nazi aggression who have since died and left no heirs.

In order to concentrate aid on the most needy and deserving refugees, it was decided to limit such aid to those who were victims of Nazi concentration camps, but not including those persons confined in prisoner-of-war camps.

In the Five-Power Agreement of June 14, 1946, it was decided that assets becoming available should be used not for the compensation of individual victims, but solely for rehabilitation and resettlement.

All available evidence indicates beyond any doubt that the overwhelming majority of eligible persons under the provisions of article 8 are Jewish, since they were the principal targets of Nazi hate and terror. Eligible non-Jewish victims of the Nazi extermination policy are refugees from Germany and Austria who can demonstrate that they were persecuted by the Nazis for religious, political, or racial reasons. This latter category also includes German and Austrian nationals, similarly persecuted, whose only hope of mending their broken lives, is in emigration to new environments.

In all cases, loyalty to the United Nations is required, as a further test of eligibility.

The conclusion that 95 percent of the heirless funds made available should be set aside to take care of the Jewish victims, recognizes the fact that these funds are overwhelmingly Jewish in origin. The 5 percent made available for non-Jewish victims is based upon a liberal presumption of heirless funds non-Jewish in origin.

This is the broad picture of the common agreement under which the Preparatory Commission for the International Refugee Organization operates.

You and I are presently concerned with a part of that program and how it is being crippled by one of our own laws.

To resolve this conflict and to live up to our word, it is necessary to pass legislation that will direct the Secretary of the Treasury to refund the \$120,000 in customs duties that have been collected from the Preparatory Commission.

The Committee on the Judiciary and the State Department recommend such action.

The promptings of good faith and conscience tell us that this is the right and honorable thing for us to do.

I hope and trust that the Congress will not default on this obligation and permit a technicality to cheat us of full performance.

The enactment of H. R. 5863 means that we will carry out our pledge to the International Refugee Organization without short-changing the people it is trying to help.

The cost of this is small.

Its value is great.

Mr. MICHENER. Mr. Speaker, we have no requests for time on this side.

The SPEAKER. The question is, will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday of this week may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALL OF THE HOUSE

Mr. MARCANTONIO. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 207]

Allen, Ill.	Chatham	Fogarty
Allen, La.	Chipfield	Frazier
Andrews	Christopher	Gillette
Angell	Cole, N. Y.	Gilmer
Barrett, Wyo.	Combs	Gordon
Blumiller	Cooper	Gore
Blackney	Cox	Gregory
Boggs, La.	Davis, Tenn.	Hall
Breen	Davis, Wis.	Edwin Arthur
Bulwinkle	Dawson	Hare
Burdick	Dingell	Harris
Carroll	Eaton	Hart
Case, S. Dak.	Engel, Mich.	Havenner

Hébert	McMillen, Ill.	Ramsay
Hedrick	Miller, Calif.	Regan
Hill	Miller, Md.	Rivers
Hinshaw	Mitchell	Sabath
Hoffman, Ill.	Monroney	Sadowski
Holtfield	Morgan	Scott, Hardle
Irving	Morrison	Shelley
Jackson, Calif.	Murray, Tenn.	Sims
Jennings	Nelson	Smathers
Johnson	Norton	Smith, Ohio
Jonas	O'Hara, Ill.	Thompson
Kearns	Passman	Towe
Keefe	Patman	Vinson
Keogh	Perkins	Welch
Kilday	Pfeiffer	White, Idaho
Kirwan	William L.	Wickersham
Lovre	Phillips, Tenn.	Wigglesworth
Lyle	Pickett	Willis
McCarthy	Powell	
McConnell	Quinn	

The SPEAKER. On this roll call 334 Members have answered to their names; a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

DEPORTATION OF ALIENS FROM THE UNITED STATES

Mr. WALTER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 10) to facilitate the deportation of aliens from the United States, to provide for the supervision and detention pending eventual deportation of aliens whose deportation cannot be readily effectuated because of reasons beyond the control of the United States, and for other purposes, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is a second demanded?

Mr. CELLER. Unless a second is demanded on the other side, I shall demand a second, Mr. Speaker.

The SPEAKER. Without objection, a second is considered as ordered.

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARCANTONIO. The motion that was made was to pass the bill as amended. The amendments are a part of the bill as reported by the committee, or what is the situation?

The SPEAKER. There are some additional amendments.

Mr. MARCANTONIO. Not reported by the committee?

The SPEAKER. The Chair assumes that the gentleman from Pennsylvania who made the motion was authorized by the committee to make the amendments.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. Is this bill called up under a straight suspension of the rules?

The SPEAKER. Yes.

Mr. MICHENER. Was the motion that the bill be called up under suspension of the rules, together with amendments?

The SPEAKER. That is correct.

Mr. MICHENER. How many amendments? Under the rules, they must designate the amendments.

The SPEAKER. The Chair understands there are committee amendments

and amendments to the committee amendments.

Mr. CELLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CELLER. I think the House should know whether those amendments were approved by the Judiciary Committee.

The SPEAKER. The gentleman from Pennsylvania [Mr. WALTER] will be able to answer that.

Mr. CELLER. I have no recollection, as chairman of the Judiciary Committee, that those amendments were approved by the committee.

The SPEAKER. The gentleman at least makes a motion to suspend all the rules and pass this bill with amendments, which the Chair thinks is a proper motion.

Mr. CELLER. Can that motion be made to suspend the rules and pass the bill with amendments, if those amendments are simply the amendments of the proposer of the bill who makes the motion and not amendments of the committee?

The SPEAKER. The gentleman from Pennsylvania [Mr. WALTER] made the motion to suspend the rules and pass the bill with amendments. The Chair has recognized the gentleman for that purpose.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. I have never known a time when you could maintain a motion of that type. The number of amendments must be specified, not just the general statement "with amendments."

The SPEAKER. If the gentleman insists, the Clerk will report the bill as amended.

Mr. MICHENER. I do not insist, but I should like to know whether there is going to be at least definite amendment or whether it is to be left indefinite.

The SPEAKER. The Chair would assume that in the 20 minutes allotted to the gentleman from Pennsylvania he would discuss the amendments.

Mr. CELLER. Mr. Speaker, is it in order for me to ask that the amendments be read?

The SPEAKER. The Clerk will report the bill as amended.

The Clerk read as follows:

Strike out all after the enacting clause and insert the following: "That section 20 of the Immigration Act of February 5, 1917, as amended (39 Stat. 890; 57 Stat. 553; 8 U. S. C. 156), is hereby amended to read as follows:

"Sec. 20. (a) That the deportation of aliens provided for in this act and all other immigration laws of the United States shall be directed by the Attorney General to the country specified by the alien, if it is willing to accept him into its territory; otherwise such deportation shall be directed by the Attorney General within his discretion and without priority of preference because of their order as herein set forth, either to the country from which such alien last entered the United States; or to the country in which is located the foreign port at which such alien embarked for the United States

or for foreign contiguous territory; or to any country in which he resided prior to entering the country from which he entered the United States; or to the country which had sovereignty over the birthplace of the alien at the time of his birth; or to any country of which such alien is a subject, national, or citizen; or to the country in which he was born; or to the country in which the place of his birth is situated at the time he is ordered deported; or, if deportation to any of the said foregoing places or countries is impracticable, inadvisable, or impossible, then to any country which is willing to accept such alien into its territory. If the United States is at war and the deportation, in accordance with the preceding provisions of this section, of any alien who is deportable under any law of the United States, shall be found by the Attorney General to be impracticable or inconvenient because of enemy occupation of the country whence such alien came or wherein is located the foreign port at which he embarked for the United States or because of other reasons connected with the war, such alien may, at the option of the Attorney General, be deported (1) if such alien is a citizen or subject of a country whose recognized government is in exile, to the country wherein is located that government in exile, if that country will permit him to enter its territory; or (2) if such alien is a citizen or subject of a country whose recognized government is not in exile, then, to a country or any political or territorial subdivision thereof which is approximate to the country of which the alien is a citizen or subject, or, with the consent of the country of which the alien is a citizen or subject, to any other country. If deportation proceedings are instituted at any time within 5 years after the entry of the alien, such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that cannot be done, then the cost of removal to the port of deportation shall be at the expense of the appropriation for the enforcement of this act, and the deportation from such port shall be at the expense of the owner or owners of such vessels or transportation lines by which such aliens respectively came, or, if that is not practicable, at the expense of the appropriation for the enforcement of this act. If deportation proceedings are instituted later than 5 years after the entry of the alien, or, if the deportation is made by reason of causes arising subsequent to entry, the cost thereof shall be payable from the appropriation for the enforcement of this act. A failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Attorney General to take on board, guard safely, and transport to the destination specified any alien ordered to be deported under the provisions of this act shall be punished by the imposition of the penalties prescribed in section 18 of this act: *Provided*, That when in the opinion of the Attorney General the mental or physical condition of such alien is such as to require personal care and attendance, the said Attorney General shall when necessary employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in the same manner as the expense of deporting the accompanied alien is defrayed. Pending final determination of the deportability of any alien taken into custody under warrant of the Attorney General, such alien may, in the discretion of the Attorney General (1) be continued in custody; or (2) be released under bond in the amount of not less than \$500, with security approved by the Attorney Gen-

eral; or (3) be released on conditional parole. It shall be among the conditions of any such bond, or of the terms of release on parole, that the alien shall be produced, or will produce himself, when required to do so for the purpose of defending himself against the charge or charges under which he was taken into custody and any other charges which subsequently are lodged against him, and for deportation if an order for his deportation has been made. When such an order of deportation has been made against any alien, the Attorney General shall have a period of 6 months from the date of such order within which to effect the alien's departure from the United States, during which period, at the Attorney General's discretion, the alien may be detained, released on conditional parole, or upon bond in an amount and specifying such conditions for surrender of the alien to the Immigration and Naturalization Service as may be determined by the Attorney General. If deportation has not been practicable, advisable, or possible, or departure of the alien from the United States has not been effected, within 6 months from the date of the order of deportation the alien shall become subject to such further supervision and detention pending eventual deportation as is authorized hereinafter in this section.

"(b) Any alien, against whom an order of deportation, heretofore or hereafter issued, has been outstanding for for than 6 months shall, pending eventual deportation, be subject to supervision under regulations prescribed by the Commissioner of Immigration and Naturalization, with the approval of the Attorney General. Such regulations shall require any alien subject to supervision (1) to appear from time to time before an officer of the Immigration and Naturalization Service for identification; (2) to submit, if necessary, to medical and psychiatric examination at the expense of the United States; (3) to give information under oath as to his nationality, circumstances, habits, associations, and activities, and such other information whether or not related to the foregoing as the Attorney General may deem fit and proper; and (4) to conform to such reasonable written restrictions on his conduct or activities as are prescribed by the Commissioner of Immigration and Naturalization in his case. Any alien who is found by the Attorney General to have willfully failed to comply with such regulations, or to have willfully failed to appear or to give information or submit to medical or psychiatric examination if required, or to have knowingly given false information in relation to the requirements of such regulations, or to have knowingly violated a reasonable restriction imposed upon his conduct or activity, shall be thereafter detained in accordance with subsection (c) until such time as the Attorney General orders other disposition of the alien's case. Nothing in this subsection shall preclude the Attorney General at any time from directing removal of any alien of the classes described in subsection (c) from supervision under this subsection to detention as prescribed in subsection (c).

"(c) Any alien who is deportable under (1) the Act of October 16, 1918, as amended (40 Stat. 1008, 41 Stat. 1008, 54 Stat. 673, 8 U. S. C. 137); (2) the Act of February 9, 1909, as amended (35 Stat. 614, 42 Stat. 596, 21 U. S. C. 171, 174-175); the Act of February 18, 1931, as amended (46 Stat. 1171, 54 Stat. 673, 8 U. S. C. 156a); (3) so much of section 19 of the Immigration Act of 1917, as amended (30 Stat. 889-890; 54 Stat. 671-673, 56 Stat. 1044; 8 U. S. C. 155) as relates to criminals, prostitutes, procurers or other immoral persons, anarchists, subversives and similar classes, may, in the discretion of the Attorney General, be denied the privilege of release as provided in subsection (a) and instead the alien may be taken into custody

and transported to such place of detention as may be designated by the Attorney General and there, or at any such other place or places as may thereafter be designated by the Attorney General, be detained, though not at hard labor, pending eventual deportation, or until departure from the United States otherwise shall have been arranged, or until the Attorney General, upon sufficient evidence of good cause, shall order supervision of the alien under subsection (b)." In determining whether good cause has been shown to justify releasing the alien and ordering his supervision under subsection (b), the Attorney General shall take into account such factors as (1) the age, health, and period of detention of the alien; (2) the effect upon the national security and public peace or safety; (3) the likelihood of the alien's following a course of conduct which made or would make him deportable; (4) the character of the efforts made by such alien himself and by representatives of the country or countries to which his deportation is directed to expedite the alien's departure from the United States; (5) the reason for the inability of the Government of the United States to secure passports, other travel documents, or deportation facilities from the country or countries to which the alien has been ordered deported; and (6) the eligibility of the alien for discretionary relief under the Immigration laws.

"(d) Any alien subject to detention under subsections (b) or (c) of this section may be released, in the discretion of the Attorney General, from detention under subsection (c) and placed under supervision under subsection (b), on a showing which shall satisfy the Attorney General that the alien has obtained a travel document or made other approved arrangements to leave the United States, and, if considered necessary, upon giving a departure bond conditioned as prescribed by the Attorney General, with good and sufficient sureties approved by the Attorney General. Should any alien return to the United States after having departed pursuant to this subsection and be excluded and his deportation following such exclusion be impracticable, or if he enters the United States unlawfully, he shall again be taken into custody and, regardless of the charges upon which he was deportable, shall be thereafter subject to treatment in accordance with subsection (c). In any such case, the previous warrant of deportation against him shall be considered as reinstated from its original date of issuance. The Attorney General is hereby authorized and directed to arrange for appropriate places of detention for those aliens required by this section to be taken into custody and detained. Nothing in this section shall be construed so as to prevent any alien detained under subsection (c) of this section, from questioning, on petition for writ of habeas corpus filed in the district court of the United States of the district wherein he is detained, the validity of such detention.

"(e) Before the Attorney General may order the release under supervision of any alien detained under subsection (c), he shall prepare and file with all the other papers relating to such case, a synopsis of the evidence upon which such order is to be made, and the reasons for such order.

"(f) If any alien subject to supervision or detention under subsections (b) and (c) of this section is able to depart from the United States, except that he is financially unable to pay his passage, the expense of such passage to the country to which he is destined may be paid from the appropriation for the enforcement of this act, unless such payment is otherwise provided for under this act.

"(g) No court shall have jurisdiction to release on bond or otherwise any alien detained under any provision of law relating to the exclusion or expulsion of aliens at

any time prior to a decision of court in his favor which is not subject to further judicial reviews."

Mr. EBERHARTER (interrupting the reading). Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EBERHARTER. Does the time necessary to read the amended bill come out of the time for discussion?

The SPEAKER. It does not.

Mr. EBERHARTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EBERHARTER. Will the House have an opportunity to vote separately on the amendments just read? Was that only one amendment that the Clerk read or was it several?

The SPEAKER. The gentleman from Pennsylvania made a motion to suspend the rules and pass the bill as amended, the amendment being to strike out all after the enacting clause and insert other matter.

Mr. EBERHARTER. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EBERHARTER. May any further amendments be offered now?

The SPEAKER. No. The gentleman from Pennsylvania [Mr. WALTER] is recognized.

Mr. WALTER. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, at the outset I should like to state to the House that the detention provisions of this bill apply only to those cases where deportation orders have been issued for the deportation of prostitutes and procurers, of dealers in narcotics, of those criminals who have served over a year and a day in the penitentiary, and subversives.

It certainly seems to me that in protecting the sovereignty of this Nation the least we can do is to take out of circulation, pending such time as they can find a country that will accept them, the class of people that I have just mentioned. There are outstanding today nearly 3,000 orders for deportation of that type of person, and by the refusal of a foreign country to take them back or by their refusal to attempt to obtain the necessary travel documents they enjoy complete freedom of movement and action because they are released on bonds of \$500. Furthermore, if it is represented to the court, and the court believes it, that they are unable to provide bonds, they are released on their own recognizance. The records are full of cases of people who have committed one crime upon another, after the order of deportation has been issued. As a matter of fact, the attention of the subcommittee of which I happen to be a member was called to the case of a man who was recently sent to the electric chair after he had twice been ordered deported because of armed robberies. No particular hardship is going to be worked on anyone because, bear this fact in mind, it is not mandatory on the Attorney General to hold people in detention. He is given discretionary power. If in his judgment

one of the class of people I have just mentioned ought to be held for paramount national reasons, he may detain him, but he is not obliged to hold anybody, although I trust that in every case of a subversive or a hardened criminal he will.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. BROWN of Ohio. I have asked the gentleman to yield to point out for the benefit of the House that this bill was reported on August 4 of last year and has been before the Rules Committee for nearly a year; that the gentleman's subcommittee and the Committee on the Judiciary did make a good case before the Rules Committee in favor of this bill; and that in my opinion the great majority of the Rules Committee favored reporting it, but somehow or other there was always delay, delay, delay, and there was never an opportunity for the Rules Committee to vote on this measure.

Mr. WALTER. That of course is true. Today on the floor we witnessed the charge, at least by innuendo, that amendments had been attached to this bill that were not considered by the committee. As a matter of fact, I was directed by the committee to seek the rule with these amendments included in the bill.

Mr. BROWN of Ohio. When the bill was presented to the Rules Committee, it was in the same amended form in which it has been presented to the House today. That is the bill upon which the hearings were held before the Rules Committee, the bill as amended.

Mr. LYNCH. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from New York.

Mr. LYNCH. Will the gentleman explain whether or not any appeal from a court could be had under the bill, or whether it would be possible for the Department to keep a person detained ad infinitum?

Mr. WALTER. No. The remedies available under existing law would in no wise be affected. More than that, the bill was amended by striking out section 2, which insures a hearing under the Administrative Procedures Act, which act was held to be applicable in deportation cases by the Supreme Court of the United States in a recent decision.

No, it certainly seems to me that we have coddled this class of people far too long. I do not know of any other way to deal with the situation, but deal with them we must if we are going to protect the sovereignty of this great Nation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Iowa.

Mr. GROSS. Do I correctly understand that this applies only to convicted aliens?

Mr. WALTER. The detention provisions of this bill apply only to aliens who have been convicted of the crimes I have mentioned and against whom a

warrant of deportation has actually been issued.

Mr. CELLER. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, it is very difficult to oppose a bill of this character. The main purposes of the bill are laudable, but the procedure that is enunciated in this bill to carry out a laudable purpose, to my mind, is palpably unconstitutional.

The amendments that you have just heard to this important bill are most serious in import. They are lengthy, intricate, involved, and certainly should be considered maturely and unhurriedly, and not with 20 minutes of opposition.

It is not easy for me to stand here and to point out even the unconstitutionality of this bill. But somebody has it to do, and, as chairman of the Committee on the Judiciary, I am going to do it, regardless of the consequences or the opprobrium which may be heaped upon me for doing so. I speak undaunted, unafraid, because I know I am right.

Mr. Speaker, this bill provides that the worst kind of people have no rights. Well, that is not so. Even a man guilty of treason has rights, and the dope peddler or murderer has a right to trial by jury before he be imprisoned. He has the rights enunciated in our Bill of Rights. But this bill cancels out all those rights, and in effect says certain classes of people, like narcotic-law violators and criminals and prostitutes and procurers and other immoral persons—I do not know what "other immoral persons" may mean—and "anarchists, subversives, and other similar classes"—I do not know what that means—shall be subject to the penalty of detention—indefinite detention, although "not at hard labor."

But the Attorney General is given the right to say that any one of those classes of persons can be detained for a limited period or for an unlimited period. He has the right to designate the place where they shall be detained. He may have them detained in this country or he may have them detained outside the country. He may induce Great Britain, for example, to set up a place of detention or a stockade on the island of Mauritius in the Indian Ocean. He may persuade the French Government, under penalty of having Marshall plan aid cut off—and that is, of course, an extreme case—to set up a Devil's Island off French Guinea, where these persons may be shipped. I wish to goodness we could ship them there. But we cannot and act according to constitutional safeguards. My purpose in appearing here is to warn you against running amuck as far as our Constitution is concerned.

The point is, can we do the things sanctioned by this bill under our Constitution? Shall we give that uninhibited and untrammelled power to the Attorney General to do those things? If you imprison a person, whether you imprison him at hard labor or not, the courts have held time and time again that this is punishment and it is punishment which cannot be inflicted unless there is trial by jury, confrontation of witnesses, indictment by a grand jury,

and all the other safeguards which are involved in the judicial process.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. MARCANTONIO. In response to the question asked by the gentleman from New York [Mr. LYNCH], and the gentleman from Pennsylvania [Mr. WALTER], Mr. LYNCH inquired specifically whether or not a person who is picked up by the Attorney General and incarcerated or detained had any right to review—any kind of review?

Mr. CELLER. He has only the right of review by habeas corpus.

Mr. MARCANTONIO. And that is not either a trial or a hearing, is it?

Mr. CELLER. No, sir—that only means the court has a right to see whether or not the Government has followed the process laid down by the Congress.

Mr. MARCANTONIO. By law, that is.

Mr. CELLER. By law only. They cannot inquire beyond that.

Mr. MARCANTONIO. So that if this bill became law, the court would be compelled to dismiss the writ of habeas corpus and rule that the law has given the Attorney General the power to incarcerate or detain persons who may make application for the writ.

Mr. CELLER. That is correct.

Mr. O'TOOLE. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I only have a few minutes to explain my position. I hope the gentlemen will forgive me if I do not respond readily to their inquiries.

I yield to the gentleman from New York.

Mr. O'TOOLE. These people that the gentleman has enumerated have already been convicted by a jury, have they not?

Mr. CELLER. Yes; and I am coming to that. Suppose a dope peddler is being detained. He has served his sentence after trial and conviction. The Attorney General seeks to deport him under our laws. It is within the sovereign right of the Government to deport any undesirable person to his country of origin, but his country of origin refuses to give him travel documents. This is all after he has served his sentence.

The country of the port of embarkation or the country through which he passed en route here, refuses to give him travel documents. Then what happens to this dope peddler who has served his sentence? Under this bill the Attorney General would have the power to put him on Ellis Island. That is additional punishment. He can put him under bond under the bill; put him under surveillance, interrogate him as to his activities, cancel the bond, renew the bond, and, in addition, clap him into some stockade or concentration camp and keep him there. Now, that is imprisonment. You cannot imprison under the Constitution without a jury trial. You can do all this sort of imprisonment at Ellis Island as elsewhere.

I say, if you want to get rid of the Communists, if you want to get rid of those who are illegally here—and I want to

get rid of them—do it legally, constitutionally. Do not think for a moment I am standing here trying to obstruct the processes that would rid us of these undesirable aliens—but if you would do that, do it right; do it according to the Bill of Rights. Do not do it in disregard of the Constitution. You must provide, then, that mere presence in this country illegally is a crime. And that being a Communist is a crime, and the two put together would then entitle the illegal entrant to the right of a trial by jury. Give him rights to that extent.

But, unfortunately, our Judiciary Committee in its zeal, because of the shadow of Russia, has imperiled constitutional rights. Heaven knows what crimes we ourselves may commit in our haste because of this overwhelming shadow of Russia. We deprive ourselves of our rights because of this shadow. But I am going to stand here, regardless of the criticisms heaped upon me, as chairman of this great Judiciary Committee, and I am going to point out these transgressions to you.

Apparently this Russian shadow makes us lose all sense of proportion.

A great Nation made great of a great Constitution scuttles that great Constitution because of that shadow. In fighting the shadow we will have shorn ourselves of our locks.

I cannot fail to call attention to the following quotation in the famous *Wong Wing case* (163 U. S. 237), a case almost exactly on all fours with this, involving Chinese laborers. The case goes back to 1895. This Congress, in its unwisdom, passed a statute which said that Chinese laborers, whenever and wherever found, might be placed in a correctional institution, imprisoned by an administrative officer.

The Supreme Court said as follows:

But to declare unlawful residence within the country to be an infamous crime, punishable by deprivation of liberty and property, would be to pass out of the sphere of constitutional legislation, unless provision were made that the fact of guilt should first be established by a judicial trial. It is not consistent with the theory of our Government that the legislature should, after having defined an offense as an infamous crime, find the fact of guilt and adjudge the punishment by one of its own agents.

More recently than that is the case of United States against Moreland, decided in 1922, where we find the following excerpt:

Moreover, the commitment in the *Wong Wing case* was not under sentence of a court or after conviction by a jury. It was by direction of a commission of the United States.

Just as in this bill it shall be by the Commissioner of Immigration and Naturalization, and his superior, the Attorney General.

The SPEAKER. The time of the gentleman has expired.

Mr. CELLER. Mr. Speaker, I yield myself five additional minutes.

To continue, the excerpt reads:

The punishment by imprisonment was thus imposed under an Executive order, and hence was clearly void under the Constitution, whatever its character or incidents, its duration, or the place of confinement.

The authors of this bill seek to avoid the taint or charge of imprisonment without trial by saying that the detention shall not be at hard labor. What kind of legal abracadabra is that? What kind of legal subtlety is it that states that you can change like magic something that is unconstitutional into something that is constitutional? Here we have the words in the case of United States against Moreland, supra, "regardless of the character of the imprisonment." Regardless of the incidents, regardless of its duration, regardless of the place of confinement, it is still imprisonment and cannot or should not be had unless there is a trial by jury.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. JAVITS. The gentleman has mentioned the question of criticism or opprobrium. I would say to the gentleman that every Member of this House feels that the gentleman when he speaks of the Constitution and attacks it on that ground is making a conservative argument and is to be commended rather than sharply criticized for bringing these facts to the attention of the House.

Mr. CELLER. Thank you, Mr. Speaker. Illegal residence is no crime in the sense that it can be punished by imprisonment. If travel documents cannot be obtained then we must say that the illegality of the residence is a crime and punished in the same way as a crime like burglary, robbery, or anything else. But under these decisions which I have just read you cannot imprison unless you accord the offender the right of trial by jury, which is not done under this bill.

I dislike to oppose anything that is espoused by my distinguished colleague, the gentleman from Alabama [Mr. HOBBS], one of the ranking members of my committee. I have the greatest respect for him, but I am sure that he will forgive me if I disagree with him and disagree mightily with him, because I think it would be wrong for this House to pass a bill of this character merely because we cannot constitutionally jail people without judicial process. Yes; we have the right, and the courts have so held, temporarily to detain aliens; we can hold them at Ellis Island for a day, or a week, or a month, pending the determination of their rights, but we cannot hold them indefinitely. Under this bill the Attorney General can hold them for 1 day, 1 year, or for life. We know that power corrupts, and absolute power corrupts absolutely. We give absolute power here.

Mr. HUBER. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. HUBER. How long ago would the alleged offense have to have occurred to escape the penalties of this bill?

Mr. CELLER. A person would be subject to the provisions of this bill if he committed one of the enumerated offenses within a period of 10 years prior to the issuance of the warrant of deportation.

Mr. HUBER. Then a young person could commit an offense but lead an ex-

emplary life throughout the subsequent years and still be deported under this bill.

Mr. CELLER. The power is there to detain him for an indefinite period if he could not be deported.

Mr. HUBER. Detained, I mean.

Mr. CELLER. He could be detained and imprisoned.

I am sure the distinguished gentleman who occupies the office of Attorney General presently would not be guilty of any wrongdoing in that regard, but the power is there and we must be very vigilant as to the powers we grant.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. EBERHARTER. The word "subversive" is in this bill. Subversives can be deported or detained. Is there any definition in the bill of the term "subversive"?

Mr. CELLER. There are a number of definitions in the decisions as to what "subversive" is; and the immigration statutes do contain criteria of subversion. I am not worried on that score, but I am worried in other respects.

The SPEAKER. The gentleman has consumed the additional 5 minutes.

Mr. CELLER. Mr. Speaker, I yield myself three additional minutes.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. HOFFMAN of Michigan. I can see something of the gentleman's argument that there might be some question as to the legality of the bill because it grants discretion to someone. Could not the bill have been drawn to make it arbitrary and lock these people up right off the bat without letting them run around?

Mr. CELLER. I suppose the gentleman would wish to purge them, as Stalin does.

Mr. HOFFMAN of Michigan. I would lock them up. I would convict them and keep them locked up.

Mr. CELLER. And ape the activities of the Communist nations against which we inveigh?

Mr. HOFFMAN of Michigan. I do not want any traitors running around our country.

Mr. CELLER. And you would do what Stalinites would do and what the Communists would do. I do not want that to happen. In endeavoring to kill communism I do not want to kill our own liberties.

Mr. HOFFMAN of Michigan. The gentleman made reference to me. I say that is his talk.

Mr. CELLER. I decline to yield further.

I speak of the undue power that is lodged in the Attorney General. He may be a benevolent Attorney General, but the time may come when we may have a malevolent Attorney General. We do not pass these statutes for temporary purposes. We pass them to endure for years, not for a month or a year. I do not know who the successor of the present Attorney General may be. He may be an arbitrary person. Powers once

granted, however benevolent, have a habit of getting out of control.

Let me repeat what Judge Brandeis well said in that regard:

The greatest danger to liberty lurks in the insidious encroachment of men of zeal, well meaning but without understanding.

Let me also quote from the minority report of the committee:

In our opinion, this bill would, if enacted into law, introduce into the American system of jurisprudence the anomaly of providing prison terms which in some cases might amount to life imprisonment for persons who, through no fault of their own, are unable to obtain travel documents to foreign countries. It contemplates the creation of detention camps in this country, release from which becomes dependent entirely upon the whim of an administrative officer, since the bill provides no legislative standards for administration. It sets up a procedure for the arrest and in some cases permanent detention of persons in a way which contravenes well-established principles of the United States Constitution.

This legislation is at variance with American traditions of due process. It smacks too much of the lettres de cachet of the Bourbon monarchs or the concentration camps of totalitarian governments. Such provision for concentration camps or stockades should only be invoked when gravest danger threatens the sovereignty of the United States.

This committee, however, has not received evidence of the existence of any such menace.

What is the offense for which this bill proposes to subject an alien to indefinite "supervision and detention"? In many instances simply the failure or refusal of the country of the alien's nationality or last place of residence to issue passport or travel documents permitting the alien to journey from this country to a foreign land. The alien becomes subject to this bill, with all its hardships, even though he may make the most sincere efforts himself to obtain his passport or other authorization to return whence he came. . . .

Also deportation may be to a nonnative country where the language, customs, and mores may be strange or unknown to the deportee. Deportation is possible even to a country where one's life may be endangered. That is conceivably possible where a non-Communist or anti-Communist is forced to go back to Soviet Russia or a satellite country of Soviet Russia there to be purged or liquidated. That to my mind is "cruel and unusual punishment" in violation of the eighth amendment to the Constitution. As was indicated by the late lamented Mr. Justice Murphy in his concurring opinion in the *Bridges case* (326 U. S. 135, 163-164):

"It is no answer that a deportation proceeding is technically noncriminal in nature and that a deportable alien is not adjudged guilty of a crime. Those are oversubtle niceties that shed their significance when we are concerned with safeguarding the ideals of the Bill of Rights. The impact of deportation upon the life of an alien is often as great, if not greater, than the imposition of a criminal sentence. A deported alien may lose his family, his friends, and his livelihood forever. Return to his native land may result in poverty, persecution, and even death. There is thus no justifiable reason for discarding the democratic and humane tenets of our legal system and descending to the practices of despotism in dealing with deportation."

Mr. WALTER. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, we all appreciate very much the technical position taken by our distinguished

friend from New York [Mr. Celler] in opposition to this bill. We all know that he is just as good an American as anyone else. But I am constrained strongly to disagree with him on the technical position that he takes.

It seems to me that this bill with the amendment that has been offered is a reasonable and justifiable bill under the conditions that exist in the world today. The gentleman from New York says that the bill was reported out of his committee under hysteria of the Soviet Union, I suppose; but in looking at the bill I notice it was introduced on January 3, 1949, and was reported out of committee on August 4, 1949. That is 8 months of consideration. I am sure that the members of the Committee on the Judiciary, all of whom we respect, addressed themselves very seriously to the consideration of this bill.

The gentleman talks about the rights of these people. They can thank God they are in America. But what about the rights of Americans who have been arbitrarily ordered out of countries abroad? Only a few weeks ago Archbishop O'Hara of the Savannah-Atlanta archdiocese in Georgia and an official diplomat of the Vatican, for example, was ordered out of one of the satellite controlled countries of the Soviet Union.

What about the man who has violated the law, a hardened criminal? The country in which he was born will not take him back. Here is another thing to think about: What about other Americans that he might later assault, attack, rape, or murder? What about the man who is a Communist?

They have all received the benefit that everyone of us is entitled to under the Constitution before this bill if it becomes law goes into operation. They are all entitled to a trial and they have received that, whether in the criminal courts, all that you and I can get, or in the civil courts if deportation proceedings are brought against them.

What I am thinking about is, What are the rights of the United States of America to protect itself against those who would destroy the institutions of government that we have? This bill only operates after they have obtained the benefit of every right the Constitution guarantees to a person.

Further, they are entitled to a hearing under the provisions of the administrative procedures law, and they are entitled to what you and I are entitled if we are arrested or apprehended, and we think our rights have been invaded, the right of a petition of habeas corpus. Those are the things that run through my mind and I think, under the circumstances, with the amendment confined to the classes that it is, it is an entirely justifiable and necessary law.

Mr. WALTER. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska [Mr. STEFAN].

[Mr. STEFAN asked and was given permission to revise and extend his remarks and include excerpts from hearings before the Committee on State, Justice, and Commerce Departments.]

Mr. STEFAN. Mr. Speaker, I rise in support of H. R. 10, known as the Hobbs bill, which has as its purpose the de-

portation of aliens from the United States and provides for the supervision and detention pending eventual deportation of aliens whose deportation cannot be readily effectuated because of reasons beyond the control of the United States. I feel that the passage of this bill is long overdue because of critical conditions that now exist. It is my understanding that the Department of Justice has been urging passage of this bill for a long time. I have read the minority report on this bill, but I feel that the conditions now are considerably changed from the time the report was written.

When the Director of Immigration appeared before our Appropriations Committee justifying appropriations for the present fiscal year, he indicated alarm over the fact that he was unable to cope with the alien criminal problem because these alien criminals were allowed to wander over our country at large. He indicated at that time that he needed legislation to cope with this very serious problem. He stated about 300 of these alien criminals had been sentenced by our various courts for deportation because of various crimes committed. Among them were over 100 alien criminals who come from countries behind the iron curtain and each one of these approximately 100 alien criminals was reported in the Department files as subversives or Communists. He expressed alarm over the fact that these alien-subversive-Communist criminals appeared to be well supplied with funds and were wandering over our country at will. He thought at that time it was absolutely necessary that a law be passed giving the Attorney General the power to incarcerate these dangerous alien criminals until such time they can be deported. Only a few days ago, I contacted the Department of Immigration again and asked for the status of these approximately 100 alien criminals from behind the iron-curtain countries, and I was informed that the situation was worse at this particular time than it was 6 months ago because the Department had lost track of at least 20 of them. The addresses of some other were not known.

In other words, we have at this time the names of 102 alien criminals recorded as subversives and Communists, well supplied with funds, who are wandering around the country at will, but we do not know where all of them are. It is high time that these Communists be rounded up and placed in jail to partially safeguard the United States.

Mr. Speaker, the committee of which I am a member has the duty to appropriate funds each year for the Department of Justice and the Federal Bureau of Investigation. Membership of our committee is well aware of the great danger to our country from the presence of thousands of subversives who are presently here and who represent a fifth column of potential saboteurs. As one member of this committee having studied this matter over a period of years, I feel that it is high time some action should be taken by way of passage of legislation similar to H. R. 10. The Communist Party in the United States has gone underground. We are officially informed that the party's membership as of Feb-

ruary 7 of this year was more than 54,000, that the fact remains that the party leaders themselves have been boasting openly that for every member there are 10 or more others who follow the Communist Party line and who are ready and willing and able to do the party's work. This means that there is a potential fifth column of 540,000 people dedicated to the Communist philosophy which all of us know has as its objective the overthrow of our Government by force and violence.

H. R. 10, if enacted into law, would help plug a wide breach in the internal security of this country—a breach through which the Communists, over the years, have poured traitor after traitor into the heart of America. The inability of the United States Government to deport undesirable aliens, men and women known to have pledged their allegiance to a foreign ideology, represents a tragic and inexcusable restriction upon the right of a free people to defend themselves against a deadly enemy. H. R. 10 should be passed promptly. To delay is to court disaster.

The present immigration laws, with reference to the detention and deportation of undesirable aliens, are grossly inadequate. The hands of American authorities are tied; the evil work of the Communists aided and abetted. The Communists, as might be expected, have played—and are still playing—this loophole in the internal security laws of the United States for all it is worth. They realize that once the foreign agent arrives in this country, nine-tenths of the battle is won. Even if he is identified and exposed, well, getting him out is a tedious, and in some instances, an unsuccessful fight. Even though he has been proven a menace to our country, under our present laws, he cannot be placed in detention quarters continuously until deportation, but may be released on bond. As long as he is in this country he is still available for use by the enemy. The continued presence of these undesirable aliens in this country represents an alarming danger to our national security.

Communist strength in the United States, both open and undercover, is drawn, to a certain extent, from aliens. Many of these individuals have been here for years—yet they have never become citizens. They do not want to become citizens—to do so might necessitate the revealing, in some form or other, their past Communist connections. Rather, they prefer to live as aliens, without the obligations of citizenship. In this capacity they can do their most effective work for the Kremlin masters.

Many of these undesirable aliens are undoubtedly trained espionage and sabotage agents. Some undoubtedly have attended special Communist schools where they have been taught the techniques of civil war and revolution. Many undoubtedly have served the Russian espionage apparatus in other areas of the world. These individuals, now living in the United States, are experienced, professional operators, directing the activities of local party members or lesser members of the espionage ring. They have been sent for a purpose—and they

will utilize every available technique, legal or illegal, to remain until that mission is completed. The present immigration laws, which make most difficult their deportation, represent the cloak behind which they so obligingly hide.

Typical of the type of Communist agent who as an alien worked indefatigably against the interests of the United States is Gerhart Eisler. Eisler, as we all now well know, was a most important Communist, a faithful Soviet servant and a bitter foe of everything we hold dear. The roll call of undesirable aliens could be extended to include a number of individuals now occupying important positions in the Communist Party in the United States.

The world situation is tense—the enemy is working to destroy American democracy. To allow the Communists to snuggle, without fear of deportation, within the bosom of this Nation, is manifestly inexcusable. American authorities must have the tools to handle this grievous situation. To identify and expose these aliens is most vital, but it is not enough. America must have the power to expel these parasites who utilize our freedom as a cloak from which to slay free government.

ALIENS FROM IRON-CURTAIN COUNTRIES

Mr. STEFAN. Now, Mr. Commissioner, as regards to deportation of aliens, those to be deported back to their place of origin, those originated in countries behind the iron curtain?

Mr. MILLER. We almost universally fail to get travel documents from their respective countries.

Mr. STEFAN. How many do you have in the United States you cannot deport because they cannot have any place to go?

Mr. KELLY. I think we have between 3,500 and 4,000 total.

Mr. STEFAN. What country are they sentenced to be deported to?

Mr. KELLY. Well, the iron-curtain countries, Poland. The majority of cases are Russian cases.

Mr. STEFAN. Russia, Poland.

Mr. KELLY. Czechoslovakia, the Baltic States, Hungary, Poland, and so forth.

Mr. STEFAN. And you do deport them because they cannot get a travel order to get into those countries; is that right?

Mr. KELLY. That is right.

Mr. STEFAN. They are left here on bond?

Mr. KELLY. No.

Mr. STEFAN. Are they mixed up with our citizens?

Mr. KELLY. That are at large.

Mr. STEFAN. You do not know where they are, do you?

Mr. KELLY. Well, we do our best to keep them located.

Mr. STEFAN. What were they charged with?

Mr. KELLY. I think approximately a hundred cases were deportable under the act of 1918 as amended.

SUBVERSIVE ALIENS

Mr. STEFAN. What is that?

Mr. KELLY. Former membership in proscribed organizations, subversive activities.

Mr. STEFAN. Communists and people with subversive ideas who believe in overthrowing Government by force and violence, and you have no check on them, and they are scattered in society in the United States, is that true?

Mr. KELLY. We have them all under bond.

Mr. STEFAN. They are loose under bond?

Mr. KELLY. Yes, sir.

Mr. STEFAN. How many?

Mr. KELLY. Approximately 100 in the group, and I cannot give you the breakdown as to

causes of deportation as to the remainder, but many of these are criminals.

Mr. STEFAN. Here we have 3,500 aliens who have been sentenced to be deported back to where they came from, 100 of whom are people with subversive ideas. Why can you not send them back to Russia?

Mr. KELLY. We have no way of getting them back without travel documents, no steamship company will accept them as passengers if they cannot land them.

Mr. STEFAN. So we are helpless here in the United States and they are running at large. They believe in overthrowing our Government by force and violence.

Mr. MILLER. There are other types, like those hundred or more Hungarians that seem to be well fixed with money and that sort of thing. There is no way that I know of of getting rid of them.

Mr. KELLY. There is legislation before the House that is designed to correct them.

Mr. STEFAN. What does that do?

Mr. KELLY. It would authorize us to keep them under surveillance or detain them.

Mr. STEFAN. You do not know where these 3,500 people are, do you?

Mr. KELLY. Not all of them.

Mr. STEFAN. They are scattered all over the United States; are they not?

Mr. KELLY. As to those who have complied with the alien registration law, we do have a record on them, and I suppose we have a record on a substantial number; as to the subversives, we have a record on each one of them.

Mr. STEFAN. These are not Mexicans. These people come from where communism was born.

Mr. KELLY. These are mostly Europeans; yes, sir.

Mr. WALTER. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Speaker, H. R. 10 would amend existing laws relating to the deportation of aliens in such a way as to permit the Attorney General to have an effective control over undesirable aliens who, at the present time, cannot be deported because of reasons beyond the control of the United States. There are nearly 3,000 of these undesirable aliens roaming the country, free to come and go as they please, either because their native country or they themselves will not cooperate to facilitate their departure from this country.

Of these 3,000, 1,293 deportation orders against these aliens are based on criminal charges, while another 112 were ordered deported because of subversive activities.

H. R. 10 would give the Attorney General power either to incarcerate these aliens in some place of detention which he would choose or to keep in constant touch with them through periodic personal reports.

This authority is necessary if the Attorney General is to have the proper means of dealing with these recalcitrant cases, since often when the aliens find that the United States is unable to deport them, because their native land is unwilling to take them back, then they themselves make no effort to obtain the necessary papers to permit them to be deported to other countries. However, if these undesirables were faced with the prospect of detention for an indefinite length of time, they might have a little greater incentive to find a country which would be willing to have them.

Certainly each sovereign State has the right to decide which aliens it shall

exclude. The privilege of residence here is not a right possessed by every alien who may come to our shores.

Another loophole which this bill closes is the one dealing with the granting of bond during judicial proceedings to determine the deportability of aliens. H. R. 10 provides that no court shall have the jurisdiction to release such an alien on bond or otherwise until the final judicial determination in his favor. If such a provision had been contained in existing statutes, the escape of Gerhart Eisler would not have taken place.

Certainly by this time the nature and character of the work in which subversive elements engage must be obvious to all. They are a menace to our way of life, and, indeed, to our national security. It is ridiculous to be fighting them in South Korea, and yet to be forced to allow them to roam at large here at home, enjoying the privileges of freedoms which they are actively attempting to overthrow.

Perhaps it is understandable that this bill should have failed of passage in previous Congresses, since then the nature of the Communist threat was not so clear, but now there should be no question that a bill of the nature of H. R. 10 is urgently needed.

We cannot afford to allow these Communist agitators and organizers to continue their work to disrupt our industrial plants, which may soon be mobilized for war production or to undermine civilian morale with their untruths and distortions. We would be betraying our pledge to the boys who are fighting on the Asiatic front if we allowed their efforts to be sabotaged on the home front. The sacrifices which they are daily making demand that we take steps here at home to ensure that the victories which they win will not be hollow ones. We must make certain that our country remains free from fifth-column activities so that our will to fight Communist aggression wherever necessary is not sapped by clever sabotage and Communist propaganda.

Passage of H. R. 10 must be an integral part of any effort to control these subversive activities.

Mr. FELLOWS. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I am very happy to yield to the distinguished gentleman from Maine, who is one of the minority members of this fine Subcommittee on Immigration that reported this bill.

Mr. FELLOWS. The gentleman from New York is a first-class lawyer. What does he think of the claim that this bill is not constitutional?

Mr. KEATING. In my judgment, the bill is constitutional. In the first place, it has been held time and again that proceedings under the immigration law are civil proceedings and not criminal proceedings. If they are civil proceedings, they are covered by the Administrative Procedure Act, and there is no right to trial by jury.

Secondly, any detention under this act is not imprisonment. It is temporary in character and can be terminated at any time when the detained alien is able to arrange with some country to accept him. Furthermore, his detention can be tested

in court through the medium of a habeas corpus proceeding. It seems to me that it must be the law that detention is a necessary incident to the undisputed right of deportation which has been repeatedly held to be an inherent and inalienable right of every sovereign and independent nation.

Mr. CELLER. Mr. Speaker, I yield one-half minute to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, we have had this bill before us for the past 10 years, and it has never become law. Even though it passed once in this House, the Senate refused to dignify it with any consideration and every other House since 1939 has followed the Senate's action. It has never become law because a reasoning Congress, not motivated by hysteria, has rejected and refused to consider this violent assault upon the Constitution of the United States. Now, of course, it is proposed to pass it, to project it upon us in hysteria, with the beating of war drums, and the Constitution will be again flagrantly violated. The action of this House today only proves again that defense of tyranny abroad only means reaction at home. We witnessed the destruction of the civil service rights of Government employees last week, the civil rights legislation was killed the other day for the remainder of this Congress. The week before the administration broke the railroad strike, tearing the rights of labor into shreds. Yes, this bill is proof of what happens to the civil liberties of the people in the midst of a war which is not in the interests of the American people. I propose to continue to resist every phase of this disastrous operation desperation as a duty to my fellow countrymen.

Mr. Speaker, pursuant to permission, I include at this point the following memorandum on H. R. 10 prepared by the Committee on Immigration and Naturalization of the National Lawyers Guild:

Ten years after the Hobbs bill first came up in Congress the present bill, H. R. 10, is before the Judiciary Committee. The present bill makes three proposals which are foreign to our traditions.

I

Deportable aliens are to be sent not alone to the country of their nativity, citizenship, or residence—in certain instances to the port whence they shipped to the United States—but “to any country which will agree to accept such aliens into its territory.” (Sec. 20 (a), p. 9, P. G. 20.)

One of the issues raised in the Wickersham Report on The Enforcement of the Deportation Laws by Reuben Oppenheimer was the cruelty involved in sending alien Communists resident in the United States to countries where their lives were endangered even though they might be citizens of such countries (pp. 121-123). The report stops to say “the board of review insisted upon making deportation a death sentence.” Under H. R. 10 not only can deportation be made a death sentence, but it may result in deportation to a country, the language and customs of which the alien knows nothing. This is in spirit at least “cruel and unusual punishment” in violation of the Eighth Amendment to the United States Constitution. As was said by Mr. Justice Murphy in his concurring opinion in the Bridges case (326 U. S. 135, 163-164):

“It is no answer that a deportation proceeding is technically noncriminal in nature and that a deportable alien is not adjudged guilty of a ‘crime.’ Those are oversubtle niceties that shed their significance when we are concerned with safeguarding the ideals of the Bill of Rights. The impact of deportation upon the life of an alien is often as great, if not greater, than the imposition of a criminal sentence. A deported alien may lose his family, his friends, and his livelihood forever. Return to his native land may result in poverty, persecution, and even death. There is thus no justifiable reason for discarding the democratic and humane tenets of our legal system and descending to the practices of despotism in dealing with deportation.”

II

The Attorney General is given power of detention over all aliens. Deportable aliens whose deportation cannot be effected within 6 months are, under H. R. 10, subject to the discretion of the Attorney General as to whether they are to be held in custody, paroled under supervision, or released on bond. During the first 6 months it is also put within the Attorney General's discretion whether they will be held in custody, conditionally paroled, or released on bond. Such provision is in violation of the eighth amendment to the United States Constitution providing against the imposition of “excessive bail.” It also flouts the recent decision of the circuit court of appeals of the second circuit, which held that the Attorney General under the present law had in the first instance the right to determine whether to release an alien in deportation proceedings on bond but that his discretion was subject to review so as to establish that he was not abusing it (*U. S. ex rel Potash v. District Director* (169 F. (2d) 747)).

If deportation has not been effected within 6 months “pending eventual deportation” any alien against whom a warrant of deportation has issued shall be subject to supervision under regulations prescribed by the Commissioner of Immigration and Naturalization, with the approval of the Attorney General.

“Such regulations shall require any alien subject to supervision (1) to appear from time to time before an officer of the Immigration and Naturalization Service for identification; (2) to submit, if necessary, to medical and psychiatric examination at the expense of the United States; (3) to give information under oath as to his circumstances, habits, associations, and activities; and (4) to conform to such reasonable written restrictions on his conduct or activities as are prescribed by the Commissioner of Immigration and Naturalization in his case.”¹

¹Sec. 20 (b), p. 13: In connection with the problem of whether incoming immigrants are persons of psychiatric inferiority, the Immigration and Naturalization Service has given some psychiatric examinations. The unsatisfactory character of these examinations is set forth in CONGRESSIONAL RECORD, January 9, 1928 (unbound), pp. 1250 et. seq., especially the statement of Mr. CELLER, in which he says: “Psychiatrists tell me that infinite care and painstaking effort is required in these psychiatric tests. A proper examination takes hours, and sometimes days. The examining agents cannot and would not devote that length of time and care. They have not the time, in the first place. The best type of psychiatrist is the benign, cordial, affable specialist who can draw out his patient. He must act with finesse and never be heavy-handed. Consider the low wages paid in Government service, and I defy anyone to show a psychiatrist worthy of the name in the Public Health or Immigration Service. I do not say this in derogation of these services, but facts are facts, and we have none such” (p. 1251).

Violation of such regulations may result in detention at any place designated by the Attorney General until deported, which may be for life.

In the case of alien criminals or radicals, as well as all those whose arrival has been within the last 10 years, regardless of the reasons for deportation, the Attorney General is given power to transport him to such place of detention as may be designated by the Attorney General and there, or at any such other place or places as may thereafter be designated by the Attorney General, (the alien may) be detained, though not at hard labor, pending eventual deportation, or until departure from the United States otherwise shall have been arranged * * * (sec. 20C, p. 14).

The alien is given the right under H. R. 10 to question the validity of his detention by habeas corpus. This he would have, regardless of the law, and the law provides no grounds for holding the detention invalid, as everything is put wholly within the discretion of the Attorney General. Moreover, under section 20 (g) the courts are expressly denied jurisdiction to order bail unless a decision adverse to the Government has been made which is not subject to further review.

The detention and supervision features of the bill propose radical changes in the treatment of aliens in deportation proceedings. The purpose of these detention provisions—and it must be remembered that parole is in legal effect, imprisonment and "merely an extension of the prison walls" *Anderson v. Corall* (263 U. S. 193, 196)—is apparent. They present not only an important issue of public policy, but also grave constitutional questions.

What the bill, in its detention provisions, patently proposes to do is not to implement deportation but to establish a system of custody for aliens in deportation proceedings, from the inception of the proceedings until they are held indefinitely after the warrant of deportation issues but cannot be executed.

The indefinite detention provided in paragraph (c) of section 4 of the bill is manifestly criminal punishment quite as surely as it was in the case of *Wong Wing v. U. S.* (163 U. S. 237-238), even though here the provision for hard labor has been eliminated and indefinite detention (possibly in a concentration camp) is provided rather than imprisonment for not more than 1 year. The *Wong Wing* case was characterized as follows in a dissenting opinion by Judge Brandeis, which was not in conflict with or challenged by the majority opinion:

"Moreover, the commitment in the *Wong Wing* case was not under sentence of a court or after conviction by a jury. It was by direction of a commission of the United States. The punishment by imprisonment was thus imposed under an Executive order, and hence, was clearly void under the Constitution, whatever its character or incidents, its duration or the place of confinement" (*United States v. Moreland* (258 U. S. 433, 443)).

III

The bill seeks to exempt the Immigration and Naturalization Service from the procedural requirements of the Administrative Procedure Act of 1946 (sec. 2 p. 17). Leaving out of consideration the fact that the service has consistently insisted that it was not covered by that act or required to comply with it (8 Monthly Review 103), it is plain that procedural due process as embodied in the Administrative Procedure Act is more important where human liberty and not mere property rights are involved. "Probably more than any other Government agency the Immigration and Naturalization Service sets in bold relief the most difficult problems of interpreting the Administrative Procedure Act" (56 Yale Law Journal, Federal Administrative Procedure Act, 670, 697). The

separation of functions has long been urged on the Service. Thus, in the Wickersham report, Mr. Oppenheimer writes (supra, p. 144):

"Members of the same local office make the investigations, conduct the preliminary examinations, decide whether an interpreter is needed, act as interpreter and as stenographer, conduct the warrant hearing, and make a recommendation to Washington as to whether or not the suspect should be deported. Often the same individual acts in a number of these capacities."

The Secretary of Labor's Committee on Administrative Procedure in its 1940 report on the Immigration and Naturalization Service, pages 78-82, criticized the combining of the functions of detection and decision, of prosecution and judging.

With a history like this the service, more than any other agency should welcome and abide by the requirements of the Administrative Procedure Act.

The Hobbs bill of 1949, nonetheless than the 1940 version, is a totalitarian measure.² Civil liberty is no less destroyed by indefinite imprisonment in jail by Executive order than by detention in a concentration camp. Under the Constitution all persons—aliens as well as citizens—are protected against the tyranny of government.³ Until now the American people have fully subscribed to the principle that no person is to be punished on account of race or color or alienage. They have recognized that the freedom of all is threatened when the liberty of any group is abridged. If this tradition still persists—and if the Nation is made aware of the implications and the underlying philosophy of the Hobbs bill, it will never become a statute, albeit an unconstitutional statute.

NATIONAL LAWYERS GUILD,

ROBERT J. SILBERSTEIN,

Executive Secretary.

MAY 25, 1949.

(Mr. MARCANTONIO asked and was given permission to revise and extend his remarks and include a memorandum on the constitutionality of the bill.)

Mr. WALTER. Mr. Speaker, I yield such time as he may require to the gentleman from Illinois [Mr. VELDE].

Mr. VELDE. Mr. Speaker, the present world crisis demands that Congress immediately put into law H. R. 10, a bill to facilitate the deportation of aliens from the United States and to provide for the supervision and detention, pending eventual deportation, of aliens whose deportation cannot be readily executed because of reasons beyond the control of the United States. I say that the present world crisis demands it, knowing full well that the bill will affect aliens who are not necessarily subversive or harmful to the security of the United States. The bill, if enacted into law and I assume that it will be, will prevent repetition of such infamous crimes as Gerhart Eisler skipping the country and conveying to a potential enemy information which he obtained while allowed to roam through our beloved country unhampered. The bill, of course, will be too late to remedy the injustice done to American people by his treacherous action. It will, how-

² As observed by Mr. Celler in his minority report of the year, H. Rept. No. 397, 76th Cong., 1st sess., the bill smacks too much of the lettres de cachet of the Bourbon monarchs or the concentration camps of totalitarian governments.

³ *Wong Wing v. United States*; *United States v. Moreland*, both supra. See also *Yick Wo. v. Hopkins* (118 U. S. 356 (1886)); *Truax v. Raich*, (239 U. S. ss, 41 (1915)).

ever, assure Americans that such treacherous action on the part of enemy aliens or potential enemy aliens will not be repeated. Those few radical left-wingers who oppose this bill yell to the high heavens that we are depriving aliens of substantial rights and would attempt to put an alien living in this country in the same classification with loyal natural-born or naturalized citizens of America. It does not take much imagination or intelligence to see through the purpose of this little left-wing group. In the present crisis they are alining themselves with those undesirables and subversives in this country who would use the constitutional guaranties as a cloak for their attempts to overthrow our form of government by force and violence. It is preposterous and hard to understand why any person who has the opportunity to represent real Americans in this Congress would stoop to such behaviour.

The Department of Justice informs us that there are thousands of aliens in this country who have violated our laws or who are potential saboteurs and espionage agents who cannot be handled effectively under the present law. I believe that the Department of Justice is stating the true facts regarding this issue. Who in the United States would be better qualified to recommend this legislation than the Department of Justice? Having had to deal with aliens throughout the history of this country and especially during the wartime periods, the Department of Justice has gained first-hand knowledge of the situation which cannot be overlooked now. This bill is certainly not unconstitutional and I predict if the question of constitutionality is ever tried, the decision of the Supreme Court will be unanimous.

We have been extremely liberal with aliens who have come to this country and probably most rightly so. We have been, however, too unwary of the aliens who have been sent to this country for evil purposes and have classified them with millions of decent God-fearing immigrants who have in the past made America as great as it is today. While this bill gives the Attorney General powers to deal with that small group of aliens who are here for no good reason, they still have the guaranties of the writ of habeas corpus and other legal rights which naturalized or native-born citizens of this country have.

The left-wing group who are opposing this bill say that by passing it we are giving too much authority to the Attorney General, an administrative officer, to use judgment in the matter of imprisoning without bond or deporting undesirable aliens. At the same time this little left-wing group are constantly demanding that Congress sacrifice more and more and deliver over more and more of its rights, as granted by the Constitution, to the executive branch of Government. They think nothing of voting all kinds of power in other cases to the Members of the Cabinet and other independent administrative offices who rule, or are capable of ruling with an iron hand, our very lives and economy—but when we

seek to control a group who are potentially able to destroy the very Constitution under which they seek protection, then they yell to the high heavens. I say it is time that we began thinking of America and the interests of the millions of American citizens who should be protected, and stop sympathizing with the disloyal people in our country who would destroy our American way of life.

Mr. WALTER. Mr. Speaker, I yield the remaining time, 4½ minutes, to the gentleman from Alabama [Mr. Hobbs].

Mr. HOBBS. Mr. Speaker, I wish it were possible in the limited time at my disposal to yield to all who might wish. I see the gentleman from Arizona [Mr. MURDOCK], rising. I am happy to yield to him, but, I beg pardon, I will have to confine my yielding solely to the gentleman from Arizona because I only have 4½ minutes.

Mr. MURDOCK. Mr. Speaker, I appreciate the fact the gentleman has yielded. Before I ask the one question I have in mind, I want to say I have the highest regard for the legal learning and great admiration, as well as appreciation, for the gentleman's fine patriotism. This is the question: I remember in the spring of 1939 a bill of this sort was before the House. I believe it was the gentleman's own bill. I remember I thought highly of that bill and voted for it; my only regret has always been that it failed to become enacted into law then, as I hope it will be now. What is the relationship between the bill at that time and the present bill?

Mr. HOBBS. I must thank the gentleman, both for his graciousness in his complimentary references to me, and for his vote for the 1939 version of the pending bill. This is the sixth or eighth time substantially this same bill has been offered by me. The gentleman from New York [Mr. MARCANTONIO] is right. It has been before the House for more than 10 years. However, the intimation of the distinguished chairman of our committee [Mr. CELLER] is in error in his minority report on this bill when he says: "This bill was first offered in the Seventy-sixth Congress and died there. This is the fifth edition of the same bill." The insinuation seems clear that this bill died when first offered, and had had no better luck since, when, as a matter of fact, it was passed by a vote of 288 to 61 by the same Seventy-sixth Congress, May 5, 1939, as this House is going to do today. There is nothing in the contention of unconstitutionality of this bill, as I will prove as we go along. Not only was it true as gospel, but as our distinguished majority leader so well said, how short is the shrift given Americans, distinguished members of the diplomatic corps, or churchmen behind the iron curtain. Yet we seem impotent in such cases. But when our guests come here, break their oath of entry, abuse our hospitality, violate our laws, and seek to aid in the overthrow of our Government, it seems to be impossible to get them to go home. So it is, as the then Attorney General, Hon. Tom C. Clark, said in his testimony before our committee, that if this bill had been law the Gerhart Eisler case could never have happened. He also refreshed his recol-

lection from the then head of the Immigration and Naturalization Service, Hon. Ugo Carusi, and asked him how many foreigners who had been finally ordered deported but cannot be deported were then in our country. The reply was: "Five thousand of all countries." Attorney General Clark filed a written statement with Chairman EMANUEL CELLER on May 20, 1949, which the chairman, of course, filed with the committee. From that statement I quote:

I am informed by the Immigration and Naturalization Service that as of April 15, 1949, there were 3,278 warrants of deportation that were not enforceable. Of the aliens covered by these warrants, 2,147 were so-called iron curtain nationals, and of that number 1,180 were Russians. Of the 3,278 deportation orders, 1,293 were based on criminal or immoral charges and 112 were issued under the act of October 16, 1918, as amended, which relates to subversive classes.

Now that is the case. Not only Gerhart Eisler but every other alien who has committed a crime. As, for instance, Harry Bridges; not because of any hatred of Harry Bridges, but because he was convicted, by due process of law, of the crime of perjury in his application for his naturalization. His application was granted, but having been granted on perjury, his naturalization has since been canceled by proper court decree. Now his nation, Australia, says it will not take him back.

Whether there be 5,000, 3,278, 500 criminal aliens free in this land of ours, who have been ordered deported, but who are thumbing their noses at Uncle Sam, and paying no attention to those orders, we should not longer fail to do our duty.

I say that this bill should be passed. It is constitutional. There can be no question about it. I will cite in my remarks the cases that prove it.

Mr. Speaker, the pending measure, H. R. 10, when it becomes law, will effectuate one single purpose: the restoration of the sovereign power of our Government to deport criminal aliens who have been finally ordered deported but who have never obeyed that order, the vast majority of whom are here enjoying just as much freedom as any law-abiding citizen, although they have been adjudged unfit to remain here after having been given their day in court and every right guaranteed by statute, Constitution, or known to American justice!

Please let me emphasize at the very beginning of our consideration that deportation is not a criminal procedure. It is purely civil. No alien has ever been forced to come here. He agrees in his contract of entry that if we allow him to enter he will observe our laws and will not do anything inimical to our Government. If he abuses our hospitality and violates our laws or seeks to overthrow our government, it ought not to be considered too great a hardship for us to require that he go back home. Like Br'er Rabbit in the Uncle Remus story, he may protest, but the chances are he would be happy to be turned loose in his home briar patch.

Mr. Justice Tom C. Clark, when he was Attorney General, appeared before our Committee on the Judiciary, pleading for

the enactment of H. R. 10. I hope every Member of the House will read his letter and testimony. But I wish to invite your attention to one statement which I quote from that letter. Referring to H. R. 10, he said: "Had the legislation here proposed been in effect, such incidents as occurred recently in the Gerhart Eisler case might have been avoided."

The Supreme Court has repeatedly and uniformly held that the right to exclude or to expel aliens, or any class of aliens, absolutely or upon certain conditions, in war or in peace, is an inherent and inalienable right of every sovereign and independent nation.

The exercise of that sovereign power by the United States of America should not be hampered, limited, nor thwarted by any other nation. If it be, by just so much has our Nation lost its sovereignty and independence. The right to detain an alien subject to deportation is but a necessary incident of the right to exclude or deport. Such detention or temporary confinement is not imprisonment nor punishment, so of course there can be no question of double jeopardy.

The decisions of the Supreme Court which established these principles will be cited during the course of these remarks, giving the book and page.

Mr. Speaker, Bishop Warren A. Candler, then the distinguished senior bishop of the Methodist Episcopal Church South, was holding a conference upon one occasion and he preached upon a text from that portion of the Scriptures containing the story of Ananias and Sapphira. "God did not strike Ananias and Sapphira dead for lying," that great preacher said. "God does not strike people dead for lying. If He did, where would I be?" A titter which grew into laughter swept that vast audience; that this distinguished prelate should thus involve himself. But immediately he continued. "I will tell you where I would be. I would be standing here preaching to a bunch of corpses."

I am glad that God does not strike people dead for lying, but if He did, it would certainly relieve us of some of the responsibility we are trying to discharge by passage of this bill, for the Red press has been reeking with falsehood concerning this needed reform.

One of the leading opponents of this bill, Mr. Lee Pressman, wrote a letter to every Member of Congress back in 1939 expressing a most reiterated point of opposition, which would be rather serious if it were true:

This bill would authorize the detention of any alien who has been ordered deported, but who, through no fault of his own, is unable to secure a passport from the government of his native country.

Mr. Pressman continued:

The result would be that such individuals would be placed in concentration camps for the rest of their lives.

The first one of these quotations is not what men of long experience in the Immigration Service tell me. They say that 9 out of 10 of the aliens who would be affected by this bill remain here as a result of slipping a bribe to one of their local consular agents, or by collusion with their home governments. They re-

main here, mark you, in spite of a solemn warrant of deportation duly made in conformity with our law, after full and fair hearing in which they had the right to be represented by counsel of their own choosing, and to disprove by any evidence they could adduce, the charges against them. The important ones, who have qualified as efficient propagandists for the overthrow, by force and violence, of our Government and for the establishment of some communistic or anarchistic heaven on earth, have made themselves so valuable to Red Russia, for instance, that Russia will not receive them back, but wishes to keep them here on the job as a part of the fifth column. The unimportant ones—the small fry—have to go down and slip a hundred-dollar bill to some local agent of their foreign government and say: "Now remember, this is not a bribe. I have been trying ever since Christmas to think of something nice to buy for you. Here is something I want you to take and use just as you see fit. There is just one thing I want you to remember, and that is I do not want to go back to Italy"—or to whatever may be his homeland. That is why most of them are still here, so the experts tell me. Occasionally there may be one who, through no fault of his own, is unable to secure a passport from the government of his native country. I grant that. But may I inquire how Uncle Sam is to blame for that? Are the people of the United States to continue being compelled to suffer merely because some criminal alien is so rotten, or so good a propagandist for rottenness, that his home folk refuse to take him back?

And note this well: There is nothing in this bill which requires a detention of any alien until a passport for him can be secured.

There are three other ways by which any alien covered by this bill may be released from the detention required: First, by shipping as a seaman on some vessel bound for a foreign shore, without passport or other authority; second, by obtaining from some foreign government a visitor's visa; third, by obtaining from some foreign government any other form of travel document when passport is not forthcoming. It is inconceivable that many aliens will find it impossible to arrange for their departure from the United States in one of these four ways. By making departure arrangements of any kind, any alien detained under this bill can escape further detention.

Thousands of aliens are coming into our country every month. They know how to get in. Is it conceivable that they could not find a way to get out?

Some of you may not agree with me, or with the law of this land, or with the determination of our duly constituted authorities that such deportable aliens should not be permitted to live here in freedom, merely because of the pretense that they cannot make departure arrangements of some kind. But I say to you that men like Cesare Valenti have never made a valuable contribution to the life of America. They have frequently taken lives which would. And

if the deportation proceedings now pending against him result in a final order of deportation, and if arrangements cannot be made for him to return somehow to his native Italy, then I reiterate and insist that some such measure as the pending one should require that he be separated from the free life of America, even though it means detention for life. Keep them here, if you wish, but I do not.

The next question which naturally arises is: Why are they here? The obvious answer is that our laws have been set at naught. Our sovereign powers have failed. In some instances that failure has been due to the whim of caprice of foreign governments; but in the main, they act with solemn assurance in vetoing our right of deportation. They seem to know what they want, and how to get it. Collusion and bribery undoubtedly play their part in forcing us to retain these undesirables. But if none of these things be true, then the only alternative answer is that they are so bad nobody wants them, but the opponents of this bill.

The next question is, What would this bill do? It would simply detain until the aliens themselves or their families or friends see fit to arrange for them to go home.

The effect of this bill is, merely, to extend section 20 of the act of February 5, 1917, to cover cases, not then anticipated, in which the deportees are so bad that no country will suffer their re-entrance.

In such cases the beneficent provision of the pending bill is, that they are to be made parlor boarders of Uncle Sam until they can persuade their homefolk to let them come back home. Thereupon they get a free trip back home, at our expense, and are as free as they ever were.

This may be subject to the criticism that it would place an unwarranted burden on Uncle Sam and be too kindly treatment of the worst alien enemies who have outraged our hospitality and bitten the generous hand that fed them; but it cannot be justly said to be harsh, much less cruel.

This detention is in no sense penal. No punishment whatever is inflicted or provided. Hard labor is expressly inhibited. Many a good citizen would welcome an exchange of lots with one of these alien enemy hand biters who will get three good square meals a day and a kindly, comfortable home as long as he wishes.

The "sob sisters," who have joined the Reds in fighting this bill, simply fail to appreciate the meaning of our sovereign right of deportation. Deportation means more than the making of an ineffectual order. It means banishment—the removal of the deportee from the free life of America. Until we banish and remove these poisonous alien elements from circulation in the bloodstream of our body politic we are but a laughing stock—our national sovereignty, in this regard, but a joke.

As long as we acquiesce in the shameful thwarting of our right of deportation, while every Nation that may wish thumbs her nose at us, and, by refusing to take back her poisonous dregs, converts them into free residents of our

homeland, our laws are set at naught—our solemn adjudications are as vain as the hand-washing of Pontius Pilate.

What does the word "deportation" mean? Of course, it comes from the Latin "deportare." De—from; portare—to carry or transport. The New Century Dictionary defines it in these terms:

To carry away, transport, banish, to carry off, remove, especially: transportation from a country by way of banishment or expulsion.

It means nothing less than banishment, and we must see to it that our Nation's deportation orders resume that outmoded connotation. Every free and independent nation has the right of deportation, indisputably. Yet in many cases in past years other nations prevented us from exercising that sovereign right. What are we going to do about it? This bill is an honest attempt to answer that question. Let us pass it.

CONSTITUTIONALITY

The Supreme Court of the United States has repeatedly held that the right to exclude or to expel aliens is an inherent and inalienable right of every sovereign and independent nation. As a sovereign and independent nation, the United States of America has that right, indisputably.

Mr. Chief Justice Fuller, writing for the majority of the Supreme Court in the case of *Turner v. Williams* (194 U. S. 279, 289) says:

Repeated decisions of this Court have determined that Congress has the power to exclude aliens from the United States; to prescribe the terms and conditions on which they may come in, to establish regulations for sending out of the country such aliens as have entered in violation of law, and to commit the enforcement of such conditions and regulations to executive officers; that the deportation of an alien who is found to be here in violation of law is not a deprivation of liberty without due process of law, and that the provisions of the Constitution securing the right of trial by jury have no application.

Citing a number of supporting cases: *Chae Chan Ping v. United States* (130 U. S. 581); *Nishimura Ekiu v. United States* (142 U. S. 651); *Fong Yue Ting v. United States* (149 U. S. 698); *Lem Moon Sing v. United States* (158 U. S. 538); *Wong Wing v. United States* (163 U. S. 228); *Fok Yung Yo v. United States* (185 U. S. 296); *Japanese Immigrant case* (189 U. S. 86); *Chin Bak Kan v. United States* (186 U. S. 193); *United States v. Sing Tuck* (194 U. S. 161).

Further quoting from the same opinion:

Detention or temporary confinement as part of the means necessary to give effect to the exclusion or expulsion was held valid, but so much of the act of 1892 as provided for imprisonment at hard labor without a judicial trial was held to be unconstitutional (*Idem*, p. 291).

The following quotation from the opinion of the Court in the case of *Fong Yue Ting v. United States* (149 U. S. 698, 705) further establishes the general proposition:

In the recent case of *Nishimura Ekiu v. United States* (142 U. S. 651, 659), the Court, in sustaining the action of the executive department, putting in force an act of Congress

for the exclusion of aliens, said: "It is an accepted maximum of international law that every sovereign nation has the power, as inherent in sovereignty, and essential to self-preservation, to forbid the entrance of foreigners within its dominions, or to admit them only in such cases and upon such conditions as it may see fit to prescribe." In the United States this power is vested in the National Government, to which the Constitution has committed the entire control of international relations, in peace as well as in war.

Quoting from the Chae Chan Ping case, the opinion in the Fong Yue Ting case proceeds:

Those laborers are not citizens of the United States; they are aliens. That the Government of the United States, through the action of the legislative department, can exclude aliens from its territory is a proposition which we do not think open to controversy. Jurisdiction over its own territory to that extent is an incident of every independent nation. It is a part of its independence. If it could not exclude aliens, it would be to that extent subject to the control of another power. The United States, in their relation to foreign countries and their subjects or citizens, are one nation, invested with powers which belong to independent nations, the exercise of which can be invoked for the maintenance of its absolute independence and security throughout its entire territory.

It is interesting to note that Mr. Justice Brewer, in his dissenting opinion in the Fong Yue Ting case, sets out substantially and clearly the very arguments which the opponents of the bill are now making. I quote from his dissenting opinion, page 733:

I rest my dissent on three propositions: First, that the persons against whom the penalties of section 6 of the act of 1892 are directed are persons lawfully residing within the United States; secondly, that as such they are within the protection of the Constitution and secured by its guaranties against oppression and wrong; and, third, that section 6 deprives them of liberty and imposes punishment without due process of law and in disregard of constitutional guaranties, especially those found in the fourth, fifth, sixth, and eighth articles of the amendments.

But the majority of the Court did not agree with Mr. Justice Brewer. They held the act constitutional.

In the case of *Colyer v. Skeffington* (265 Fed. 17, 23) the following significant language is used:

There is no constitutional limit to the power of Congress to exclude or expel aliens. He has no vested right to remain.

Mark this well, from the same opinion:

While deportation proceedings are not criminal proceedings, aliens who are thereby deprived of their liberty may have their legal rights to liberty tested on habeas corpus proceedings.

Reverting to the Fong Yue Ting decision, this part, quoted with approval in the *Colyer* case, is illuminating:

An order of deportation is not a punishment for crime. . . . It is but a method of enforcing the return to his own country of an alien who has not complied with the conditions upon the performance of which the Government of the Nation, acting within its constitutional authority and through the proper department, has determined that his continuing to reside here shall depend.

There are three cases which have been argued strenuously by the opposition,

which, when casually read, may be considered as authorities militating against the constitutionality of the pending bill. They are *Wong Wing v. United States* (163 U. S. 228); *United States v. Wallis* (279 Fed. 401); and *Petition of Brooks* (5 F. (2d) 338).

From the *Wong Wing* case I quote as follows:

We regard it as settled by our previous decisions that the United States can, as a matter of public policy, by congressional enactment, forbid aliens or classes of aliens from coming within their borders, and expel aliens or classes of aliens from their territory, and can, in order to make effectual such decree of exclusion or expulsion, devolve the power and duty of identifying and arresting the persons included in such decree, and causing their deportation, upon executive or subordinate officials.

But when Congress sees fit to further promote such a policy by subjecting persons of such aliens to infamous punishment at hard labor or by confiscating their property, we think such legislation, to be valid, must provide for a judicial trial to establish the guilt of the accused.

No limits can be put by the courts upon the power of Congress to protect, by summary methods, the country from the advent of aliens whose race or habits render them undesirable as citizens or to expel such if they have already found their way into our land and unlawfully remain therein. But to declare unlawful residence within the country to be an infamous crime punishable by deprivation of liberty and property would be to pass out of the sphere of constitutional legislation, unless provision were made that the fact of guilt should first be established by a judicial trial. It is not consistent with the theory of our Government that the legislature should, after having defined an offense as an infamous crime, find the fact of guilt and adjudge the punishment by one of its own agents.

In *Ex parte Wilson* (114 U. S. 428) this Court declared that for more than a century imprisonment at hard labor in the State prison or penitentiary or other similar institution has been considered an infamous punishment in England and America, and that imprisonment at hard labor, compulsory and unpaid, is, in the strongest sense of the words, "involuntary servitude for crime," spoken of in the provision of the ordinance of 1787, and of the thirteenth amendment of the Constitution, by which all other slavery was abolished, and which declares that such slavery or involuntary servitude shall not exist within the United States or any place subject to their jurisdiction except as a punishment for crime whereof the party shall have been duly convicted.

Applying this reasoning to the fifth and sixth amendments, it must be concluded that all persons within the territory of the United States are entitled to the protection guaranteed by those amendments, and that even aliens shall not be held to answer for a capital or other infamous crime unless on a presentment or indictment of a grand jury, nor be deprived of life, liberty, or property without due process of law.

Our conclusion is that the commissioner, in sentencing the appellants to imprisonment at hard labor at and in the Detroit house of correction, acted without jurisdiction, and that the circuit court erred in not discharging the prisoners from such imprisonment without prejudice to their detention according to law for deportation.

From the *Wallis* case I quote as follows:

The right to deport does not include any right of indefinite imprisonment under the guise of awaiting an opportunity for deportation.

In the *Wallis* case the immigration authorities used as an excuse for their procrastination and failure to deport that alien that they could not get transportation back to England. The court said in effect, and very properly, "The war is over; your excuse will not hold water; your alleged inability to secure transportation is a sham; and 4 months is unreasonably long to detain this alien under the pretense that you cannot get transportation for him." But no such case could be presented under this bill. Transportation is no longer a problem. It is landing permits that we lack. Foreign governments are denying landing permits for their own nationals, and by thus refusing are thwarting our Nation's sovereign right to deport those who have been adjudged by our constituted authorities unfit to live here. We cannot run other countries, but we should be able to run our own. So, if we cannot send these, the worst aliens, who have been ordered deported, back home, we can at least keep them out of circulation until they arrange to leave.

From the third case, I quote as follows:

The right to arrest and hold or imprison an alien is nothing but a necessary incident of the right to exclude or deport. There is no power in this court or in any other tribunal in this country to hold indefinitely any sane citizen or alien in imprisonment, except as a punishment for crime. Slavery was abolished by the thirteenth amendment. It is elementary that deportation or exclusion proceedings are not punishment for crime.

It will, of course, be noted at a glance that this decision in *Petition of Brooks* is predicated and built upon the words "in imprisonment." Therefore, we have no quarrel with this decision, since the Supreme Court of the United States has held in the *Wong Wing* case that detention of an alien pending deportation is not imprisonment. This is necessarily true, for everyone knows that imprisonment is one of the well-recognized punishments for crime and usually includes hard labor. The *Brooks* case itself says:

It is elementary that deportation or exclusion proceedings are not punishment for crime.

And again:

The right to arrest and hold or imprison an alien is nothing but the necessary incident of the right to exclude or deport.

But even if all three of these supposedly adverse cases said and meant that the detention prescribed by this bill would be *prima facie* unconstitutional, because not specifically limited, this bill could not be declared unconstitutional. The present bill has made absurd any such contentions by appropriate changes made to meet such hypercriticisms.

These provisions not only eliminate all possibility of the requirement of hard labor of any detained alien but they also strictly limit the period of detention so that it could not possibly extend 1 minute beyond the conclusion of departure arrangements. No one could be held in detention under the provisions of this bill longer than absolutely necessary to effectuate the deportation order against

him. And, in the second place, in order to make sure that there would never be any unreasonable detention, it is provided that the Attorney General may at any moment, with or without rescinding the warrant of deportation, release any alien in detention. If there should develop sufficient evidence that the detention of any alien was being prolonged unreasonably, so as to satisfy the Attorney General that this unreasonable duration of detention had become good cause for release, the Attorney General could so order.

But I submit that none of these three cases is subject to the interpretation put upon it by the opposition. I am convinced that the Congress did not pass this Nation's deportation statute in order to place a plaything in the hands of the immigration authorities. Deportation is not a game of tag, just for fun. It is not a trivial matter. It is a solemn duty. When, after full hearings, fairly conducted, in pursuance of the law we have laid down, our duly constituted authorities decree the banishment of an alien, that decree ought to mean something. And that something should be no less than the complete separation from the free life of our Nation.

It is well said by the Supreme Court in the *Wong Wing* case:

Proceedings to exclude or expel would be vain if those accused could not be held in custody pending the inquiry into their true character, and while arrangements were being made for their deportation. There is no authority contra.

It is also well said in the case of *Becharias v. United States* (208 Fed. 143):

Until the man was actually deported, . . . the proceedings was "pending" within the meaning of the law.

It is thus supported both by authority and reason that Congress has the constitutional right to require detention of an alien ordered to be deported, while arrangements are being made for his deportation, during the whole pendency of negotiation for some kind of departure authority and until deportation shall have become an accomplished fact.

DETENTION IS NOT IMPRISONMENT

We think it clear that detention, or temporary confinement, as part of the means necessary to give effect to the provision for the exclusion or expulsion of aliens would be valid. Proceedings to exclude or expel would be vain if those accused could not be held in custody pending the inquiry into their true character, and while arrangements were being made for their deportation. Detention is a usual feature of every case of arrest on a criminal charge, even when an innocent person is wrongfully accused; but it is not imprisonment in a legal sense (*Wong Wing v. United States* (163 U. S. 228, 238)).

DETENTION IS NOT PUNISHMENT

The right to arrest and hold or imprison an alien is nothing but a necessary incident of the right to exclude or deport. . . . It is elementary the deportation or exclusion proceedings are not punishment for crime (*Petition of Brooks*, 5 F. (2d) 238, 239).

DETENTION IS NEITHER DOUBLE JEOPARDY NOR DOUBLE PUNISHMENT

Since we have seen clearly that detention is but a part of the necessary proceeding to effectuate deportation, and

that it is in no legal sense imprisonment, and not by any stretch of the imagination can it be said to be punishment, it is manifestly absurd to prate of double jeopardy or double punishment by reason of the detention prescribed in this bill in aid of deportation.

CONSTITUTION PRIMARILY FOR CITIZENS, NOT ALIENS

Please let me conclude this discussion of the constitutionality of the pending bill by inviting your attention to that which probably should have been the first point emphasized. Our Constitution and all its amendments were written primarily for citizens of the United States. It is true that in criminal cases, aliens being persons, they are protected by the same guaranties as are citizens. Of course, the courts have held many times that aliens are not entitled to trial by jury nor the ordinary rules of evidence nor procedure in deportation proceedings. They are entitled to due process of law, both in criminal cases and in this strictly civil proceeding for deportation, but they have due process of law shown them in every case, and if the immigration authorities have not given the alien a fair hearing, or if for any other reason he feels himself aggrieved, he may sue out the writ of habeas corpus at any time. But in a number of cases it has been held that no alien has a primary or inherent right to bail, and whatever right in this regard may accrue to him must be granted to him by Congress (*United States v. Commissioner* (297 F. 946); *United States v. Sing Tuck* (194 U. S. 161); *Wong Wing v. United States* (163 U. S. 228)).

And in *Li To Hong v. Ebe* (25 F. (2d) 714) we read:

An alien remaining unlawfully in this country, having no right to a hearing unless such a hearing is accorded him by Congress.

So, from a consideration of the decisions from the highest court of our land and many other courts of the most respectable authority, it is as clear as the noonday sun that even the best of our alien population are not entitled to the same rights under our Constitution as is a citizen. Aliens who are not the best, but the worst, are entitled under our law to a great many more rights than they are willing to accord us. Every one of these rights is safeguarded and assured to every alien within the purview of this bill. Fairly construed, it cannot be held unconstitutional.

Let us strain out and remove from the stream of our national life the polluting and poisonous elements.

Aliens because they are alien? No—a thousand times no. Good immigrants have built our Nation. But not the four classes—white slavers, dope peddlers, criminals, and anarchists—which this bill, in kindly way, would urge to go back whence they came. These who have outraged our hospitality, broken our laws, debauched our youth, or plotted to overthrow our Government are not builders. They are wreckers. Their lives stain our flag. Like termites, they undermine and destroy.

Good aliens, who come here as our laws provide they may, and who try to

build—not destroy, pollute, or poison—are welcome and appreciated. Millions of such are here. Who of us in this House is not an immigrant per stirpes?

We all pay tribute of grateful homage to those millions of good aliens who have helped make America great. Few may be named, but all in mind.

From Lafayette, Rochambeau, Alexander Hamilton, John Paul Jones, Commodore John Barry, Count d'Estaing, Count de Grasse, Maj. Pierre L'Enfant, General von Kalb, Baron Von Steuben, Gen. Richard Montgomery, Haym Salomon, Gen. Thaddeus Kosciuszko, Gen. Casimir Pulaski, Gen. William Alexander, Dr. James Craik, Robert Erskine, Gen. Alexander McDougal, Gen. Lachlan McIntosh, Gen. Hugh Mercer, Gen. Arthur St. Clair, James Wilson, John Witherspoon, Robert Morris, and Albert Gallatin, down through the years to Dr. Sizoo, Dr. Peter Marshall, Mr. Justice Felix Frankfurter, Albert Einstein, and Eduard Benes, aliens have here wrought mightily for good.

Alexander Agassiz, Hjalmar Hjorth Boyesen, Leopold Damrosch, Walter Damrosch, Pierre du Pont de Nemours, Mayor William R. Grace, Franklin K. Lane, Mr. Justice Sutherland, Peter Henderson, Ales Hrdlicka, Ludwig Lewissohn, Jacques Loeb, James McCosh, John Edward McCullough, Henry Morgenthau, Hugo Munsterberg, Thomas Nast, John Boyle O'Reilly, Abraham Mitrie Rihbany, Anton Seidl, Pierre Soule, Karl Spreckles, Matthew Vassar, Henry Villard, Alexander Wilson, William B. Wilson, James Wilson, Karl Bitter, Gustav Lindenthal, James J. Hill, Jacob A. Riis, Edward D. Baker, Samuel Gompers, Anna Howard Shaw, Eleuthere Irénée du Pont, Stephen Girard, Felix Adler, John Jacob Astor, Emile Berliner, Oscar Hammerstein, Otto Kahn, Franz Lieber, Ottmar Mergenthaler, Albert Abraham Michelson, Johann August Roebling, Jacob Henry Schiff, Carl Schurz, Charles Proteus Steinmetz, Nathan Straus, Theodore Thomas, Michael Anagnos, Joseph Pulitzer, John Philip Holland, Augustus Saint-Gaudens, Alexander Turney Stewart, Edward W. Bok, Knute Kenneth Rockne, Michael Heilprin, Judah Peter Benjamin, James Burnie Beck, Alexander Graham Bell, James Gordon Bennett, Andrew Carnegie, John S. Kennedy, James Pugh Kirkwood, James Laurie, Walter Lowrie, John Muir, Archibald Russell, Michael Pupin, John Ericsson, Louis Agassiz, Dr. Henry Detweiller, Meyer Guggenheim, Henry Rosenberg.

We honor ourselves by honoring such men—American patriots.

Do opponents cry against this bill, "undemocratic"?

If it be undemocratic for us, the duly elected representatives of a sovereign people, to stop a loophole in our deportation law through which hundreds of aliens have escaped their decreed banishment, then we should be just that undemocratic.

Do some say "un-American"?

If it be un-American to restore the last sovereignty of our Nation over deportation, we ought to glory in being just that un-American.

Make no mistake, that flag there—Old Glory—was not the product of silkworms and a dye vat.

Our flag—the most significant in all the world—is a living symbol of America's soul. We 150,000,000 people are in truth the flag.

The purity of common purpose for peace and freedom, plus the morals of the many, put that white honor stripe in our living flag. Our lives besmirch it or keep it white.

The red is not a stripe of shame, nor wrath, but of virility; of flaming youth; of new, aspiring, conquering blood which flows in us and to us from the ends of the earth.

That field against which the stars shine is put into our living flag by the loyalty and devotion of those of us who are "true blue."

Those stars are kept bright by the fervor of the love of those who "star" in our national life.

More than a hundred million souls, by the quiet might of righteous living, keep this symbolic silken flag waving proudly over the real living flag their lives compose. Are we impotent to root out contaminating influences which stain our flag? Do we lack the courage?

Mr. WALTER. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days within which to revise and extend their remarks at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FURCOLO. Mr. Speaker, the issue is not whether this be a good bill or a bad one. Rather the choice is whether we will be fair to America at the expense of the subversive aliens covered in this bill or whether we will be fair to the subversive aliens at the expense of America.

We must give full and complete protection either to the few hundred people hurt by this bill or to the more than 150,000,000 this bill seeks to protect. We must vote in the full realization that we risk either the liberty of a few non-citizens or the life of this action.

Whatever choice there might be in peacetime, there certainly can be no choice in these days.

If any person covered by this bill has cause to complain, it is not against America. His grievance is against the nation of which he is a citizen, to which he owes allegiance, and to which he is entitled to look for protection and justice. That nation can immediately restore to him every right and privilege that he may lose under this bill. America will quickly cooperate to achieve that end.

Under the circumstances, gladly or reluctantly, we must vote for this bill.

Mr. EBERHARTER. Mr. Speaker, the passage of this measure is a step toward either dictatorship or fascism. It would deny constitutional guaranties to certain accused persons, and give absolute power to one person to detain those accused of their freedom of movement for life. I shall vote against its passage.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

Mr. MARCANTONIO. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 326, nays 15, not voting 89, as follows:

[Roll No. 208]
YEAS—326

Abbott	Fenton	McGregor
Abernethy	Fernandez	McGuire
Addonizio	Fisher	McKinnon
Albert	Flood	McMillan, S. C.
Allen, Calif.	Fogarty	McSweeney
Andersen,	Forand	Mack, Ill.
H. Carl	Ford	Mack, Wash.
Anderson, Calif.	Fugate	Macy
Andresen,	Fulton	Madden
August H.	Furcolo	Magee
Arends	Gamble	Mahon
Aspinall	Garmatz	Mansfield
Auchincloss	Gary	Marsalis
Bailey	Gathings	Marshall
Barden	Gavin	Martin, Iowa
Baring	Golden	Martin, Mass.
Barrett, Pa.	Goodwin	Mason
Bates, Ky.	Gorski	Marrow
Bates, Mass.	Gossett	Meyer
Battle	Graham	Michener
Beall	Granahan	Miles
Beckworth	Granger	Miller, Nebr.
Bennett, Fla.	Grant	Mills
Bennett, Mich.	Green	Morris
Bentsen	Gross	Morton
Bishop	Gruhl	Moulder
Boggs, Del.	Gwinn	Murdock
Bolling	Hagen	Murphy
Bolton, Md.	Hale	Murray, Wis.
Bolton, Ohio	Hall,	Nicholson
Bonner	Leonard W.	Nixon
Bosone	Halleck	Noland
Boykin	Hand	Norblad
Bramblett	Harden	Norrell
Brehm	Hardy	O'Brien, Ill.
Brown, Ga.	Harrison	O'Hara, Minn.
Brown, Ohio	Hart	O'Konski
Bryson	Harvey	O'Neill
Buchanan	Havener	O'Sullivan
Buckley, Ill.	Hays, Ark.	O'Toole
Buckley, N. Y.	Hays, Ohio	Pace
Burdick	Heffernan	Patten
Burke	Heller	Patterson
Burleson	Herlong	Peterson
Burnside	Herter	Philbin
Burton	Heseltun	Phillips, Calif.
Byrne, N. Y.	Hobbs	Poage
Byrnes, Wis.	Hoeven	Polk
Camp	Hoffman, Mich.	Potter
Canfield	Holmes	Poulson
Cannon	Hope	Preston
Carlyle	Horan	Price
Carnahan	Howell	Priest
Case, N. J.	Hull	Rabaut
Cavalcante	Jackson, Wash.	Rains
Chelf	Jacobs	Rankin
Chesney	James	Redden
Clemente	Jenkins	Reed, Ill.
Clevenger	Jenkins	Reed, N. Y.
Cole, Kans.	Jensen	Rees
Colmer	Jones, Ala.	Rhodes
Cooley	Jones, Mo.	Ribicoff
Corbett	Jones, N. C.	Richards
Cotton	Judd	Riehlman
Coudert	Karst	Robeson
Cox	Karsten	Rodino
Crawford	Kean	Rogers, Fla.
Crook	Kearney	Rogers, Mass.
Crosser	Keating	Rooney
Cunningham	Kee	Sadlak
Curtis	Kelley, Pa.	St. George
Dague	Kelly, N. Y.	Sanborn
Davenport	Kennedy	Sasser
Davies, N. Y.	Kerr	Saylor
Davis, Ga.	Kilburn	Scott, Hardie
Deane	King	Scott,
DeGraffenried	Kruse	Hugh D., Jr.
Delaney	Kunkel	Scrivner
Denton	Lane	Scudder
D'Ewart	Lanham	Secrest
Dolliver	Larcade	Shafer
Dondero	Latham	Shelley
Donohue	LeCompte	Sheppard
Doughton	LeFevre	Short
Douglas	Lichtenwalter	Sikes
Doyle	Lind	Simpson, Ill.
Durham	Linehan	Simpson, Pa.
Elliott	Lodge	Smathers
Elston	Lucas	Smith, Kans.
Engle, Calif.	Lynch	Smith, Va.
Evins	McCormack	Smith, Wis.
Fallon	McCulloch	Spence
Feighan	McDonough	Staggers
Fellows	McGrath	Stanley

Steed	Underwood	Wickersham
Stefan	Van Zandt	Widnall
Stigler	Velde	Wigglesworth
Stockman	Vorvy	Williams
Sullivan	Vursell	Wilson, Ind.
Sutton	Wadsworth	Wilson, Okla.
Taber	Wagner	Wilson, Tex.
Tackett	Walsh	Winstead
Talle	Walter	Withrow
Tauriello	Welchel	Wolcott
Taylor	Werdell	Wolverton
Teague	Wheeler	Wood
Thomas	Whitaker	Woodhouse
Thornberry	White, Calif.	Woodruff
Tollefson	Whitten	Young
Trimble	Whittington	Zablocki

NAYS—15

Blatnik	Hollifield	Multer
Celler	Huber	O'Brien, Mich.
Chudoff	Javits	Powell
Dollinger	Klein	Roosevelt
Eberharter	Marcantonio	Yates

NOT VOTING—89

Allen, Ill.	Gregory	Murray, Tenn.
Allen, La.	Hall,	Nelson
Andrews	Edwin Arthur	Norton
Angell	Hare	O'Hara, Ill.
Barrett, Wyo.	Harris	Passman
Biemiller	Hébert	Patman
Blackney	Hedrick	Perkins
Boggs, La.	Hill	Pfeifer
Breen	Hinshaw	Joseph L.
Brooks	Hoffman, Ill.	Pfeiffer
Bulwinkle	Irving	William L.
Carroll	Jackson, Calif.	Phillips, Tenn.
Case, S. Dak.	Jennings	Pickett
Chatham	Johnson	Plumley
Chipfield	Jonas	Quinn
Christopher	Kearns	Ramsay
Cole, N. Y.	Keefe	Regan
Combs	Keogh	Rich
Cooper	Kilday	Rivers
Davis, Tenn.	Kirwan	Sabath
Davis, Wis.	Lovre	Sadowski
Dawson	Lyle	Sims
Dingell	McCarthy	Smith, Ohio
Eaton	McConnell	Thompson
Ellsworth	McMillen, Ill.	Towe
Engel, Mich.	Miller, Calif.	Vinson
Frazier	Miller, Md.	Welch
Gillette	Mitchell	White, Idaho
Gilmer	Monroney	Wier
Gordon	Morgan	Willis
Gore	Morrison	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Andrews with Mr. Allen of Illinois.
Mr. McCarthy with Mr. Towe.
Mr. Keogh with Mr. Angell.
Mr. Mitchell with Mr. Barrett of Wyoming.
Mr. Dawson with Mr. Phillips of Tennessee.
Mr. O'Hara of Illinois with Mr. Blackney.
Mr. Biemiller with Mr. William L. Pfeiffer.
Mr. Hébert with Mr. Case of South Dakota.
Mr. Breen with Mr. Nelson.
Mr. Carroll with Mr. Miller of Maryland.
Mr. Regan with Mr. Chipfield.
Mr. Irving with Mr. McConnell.
Mr. Sadowski with Mr. Davis of Wisconsin.
Mr. Hedrick with Mr. Lovre.
Mr. Gore with Mr. Cole of New York.
Mr. Frazier with Mr. Keefe.
Mr. Morrison with Mr. Engel of Michigan.
Mr. Welch with Mr. Gillette.
Mr. Thompson with Mr. Jackson of California.
Mr. Gregory with Mr. Kearns.
Mr. Harris with Mr. Edwin Arthur Hall.
Mr. Gordon with Mr. Jennings.
Mr. Gilmer with Mr. Hill.
Mr. Boggs of Louisiana with Mr. Johnson.
Mr. White of Idaho with Mr. Jonas.
Mr. Sabath with Mr. Hoffman of Illinois.
Mr. Cooper with Mr. Hinshaw.
Mr. Dingell with Mr. Smith of Ohio.
Mr. Willis with Mr. Rich.
Mr. Wier with Mr. Plumley.
Mr. Morgan with Mr. McMillen of Illinois.
Mr. Chatham with Mr. Ellsworth.
Mr. Kilday with Mr. Eaton.

Mr. BARRETT of Pennsylvania and Mr. DAVENPORT changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

OUR LEFT HAND VERSUS OUR RIGHT HAND

Mr. MASON. 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 Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, today is the fifth anniversary of the Potsdam Conference. It was at that conference that President Truman sat down with "Pal Joey" to determine the future of the world. It was at that conference that President Truman became convinced that "Pal Joey" was not a bad sort of a fellow at all, but that he was "a man to ride the river with" as they say out West. As late as July 11, 1948, President Truman told an Oregon audience: "I like old Joe. He is a decent fellow, but he is a prisoner of the Politburo." Because this is the fifth anniversary of the Potsdam Conference, and because of the situation we face today in Korea and Asia, and because the crisis in Asia today stems from the Potsdam and Yalta Conferences, this is an opportune time to take stock, to look over the past, and to wonder about the future. I propose to do that today—very briefly but very frankly—because I feel the American people should be given the salient facts that are involved in the present crisis.

Mr. Speaker, Uncle Sam's left hand does not know what his right hand does. Uncle Sam's hands lack coordination, are inconsistent; they work against each other. The result is costly and disastrous. The following are a few examples of the inconsistency that prevails in the activities of Uncle Sam's two hands:

First, Uncle Sam's left hand, being close to his big heart, has decided through President Truman's point 4 program to hand out billions to industry and business in all the backward nations of the world, guaranteeing the loans made for this purpose; but Uncle Sam's right hand is proposing to strangle American industry and American business with new wartime controls and heavier taxes. Are Uncle Sam's leaders in following this program either sensible or consistent?

Second, Uncle Sam's left hand at Yalta, at Potsdam, and elsewhere, handed to "Pal Joey" without hesitation and without strings (a) all of eastern Europe to incorporate behind the iron curtain, (b) \$11,000,000,000 worth of war supplies to keep "Pal Joey" on his feet, and (c) all of Manchuria, the Kurile Islands, the half of Sakhalin Island—which paved the way for the present mess in Asia. As a result of this blind generosity, Uncle Sam's right hand has had to spend some thirty-five billions through the Marshall plan for Europe, the Berlin airlift, and aid for China, Greece, and Turkey; but in spite of our spending "Pal Joey" has been able to

spread his control, by means of the cold war, over an additional 600,000,000 people since World War II has ended. Should not Uncle Sam's left hand and his right hand get together and work together on the things involving our so-called foreign policy?

Third, Uncle Sam's left hand—the hand nearest the heart—has been coddling, supporting, and protecting Communists and Communist sympathizers in our own Government in Washington ever since F. D. R. recognized "Pal Joey" back in the early thirties, thus enabling these rats to gnaw away at our Government vitals and steal our precious war secrets; while Uncle Sam's right hand has been carrying on a losing fight—the cold war—to contain and limit the spread of Communist influence and control over other parts of the globe. Does it make good sense to spend billions to try to control and contain communism elsewhere in the world, and at the same time coddle, and protect Communists at home?

Mr. Speaker, why does Uncle Sam's left hand work contrary to his right hand? The answer, of course, is that our leaders are confused, shortsighted, and poorly fitted by background and experience to handle either our foreign affairs or our domestic affairs—and they have made just as great blunders at home as they have abroad.

Why cannot we Americans insist upon better team work between our left hand and our right hand? Uncle Sam's hands are our hands. We condone, overlook, and excuse the mistakes our leaders make, and hand out unnecessary billions in taxes to pay for these mistakes. Then we blindly reflect the same leaders or similar ones to repeat the same mistakes over and over again.

We fought World War I "to make the world safe for democracy"—"a war to end all wars." Then our leaders, through the peace treaties they signed, created or made possible a Mussolini, a Hitler, a Stalin, and thus forced the world to go through hell again—World War II—in order to correct the mistakes made by our leaders in settling the problems of World War I.

Mr. Speaker, are we facing world war III as a result of the mistakes our leaders made at Yalta, Potsdam, Cairo, and Tehran? If so, do we want these same leaders to carry on world war III, and do we want these same leaders to make the peace arrangements for us after world war III is over?

These are serious questions that should be given serious consideration by all Americans. Is it not about time that we take it upon ourselves to make Uncle Sam's left hand cooperate with and work with Uncle Sam's right hand? They are our hands, and we are responsible for their actions and activities.

PROGRAM FOR TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to inquire of the majority leader as to the program for tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. McCORMACK. The program for tomorrow will be general debate on the military assistance bill.

Mr. HALLECK. Do I understand from that the reading of the bill will go over until Wednesday?

Mr. McCORMACK. The first section of the bill will be read tomorrow, and on Wednesday the bill will be read for amendment under the 5-minute rule. I am glad my friend asked the question so that I could advise the Members of the House that tomorrow will be confined to general debate.

Mr. HALLECK. I have had a number of inquiries on this side, so it is well that the Members may know definitely.

CONGRESS SHOULD STAY ON THE JOB

Mrs. HARDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

Mrs. HARDEN. Mr. Speaker, the American people today are becoming increasingly fearful that the terrible events in Korea are leading up to a third world war and the possible destruction of the world as we know it.

I do not propose to outline in detail the mistakes, the bungling, and, at times, the treachery which brought about the tragedy which confronts the Christian world today. Rather, I wish to voice the plea that this Congress rise to its responsibility, forego all plans for adjournment, and agree to stay on the job continuously until both victory and lasting peace are in our grasp.

American boys are dying in Korea, faced with tremendous odds and a brutal, Godless enemy. Our immediate task is to reverse those odds, to render every possible aid to those heroic few who man the defense lines of decency and righteousness in far-off Asia. Then, we must seek with all the means at our command to make certain that there will be no more Koreas, no more bloodletting, no more war.

I, for one, do not wish to entrust this job entirely to the executive branch of our Government. Rather, I believe that we, as the elected Representatives of our people, must stay on the job to make sure that everything which must be done is done.

It will involve personal sacrifice on our part. Some of us may lose our seats in this body because of our inability to return home to campaign for reelection. But the life of a single American soldier is far, far more important than dozens of seats in Congress, and I propose that we cast personal comfort and ambition aside and stay on the job here in Washington.

KOREAN ACTION EMPHASIZES THAT ALL BRANCHES OF OUR ARMED FORCES ARE INDISPENSABLE

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore (Mr. THORNBERRY). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, as a Naval Reserve captain and a veteran of World War I and World War II, I have always been in favor of any organization, agency, or department that adds strength to our national defense.

While my career in the United States Navy is one of which I am proud, my efforts as a legislator have not been confined to that branch of the service. I have maintained a deep interest in the Army, Air Force, Marine Corps, Coast Guard, Public Health Service, Coast and Geodetic Survey, and the Civil Air Patrol.

The best way to examine a legislator's position with respect to national defense is to examine his record. My legislative record is based upon 9 years of congressional service. Four of these years have been served since World War II.

As you know, I am a member of the House Committee on Armed Services. This committee has jurisdiction in general, over legislation affecting all of the armed forces. We deal with Navy, Air Force, Army, and Marine Corps problems, and in time of war the Coast Guard as part of the Navy. We do not deal with appropriations, as such.

It is of interest to review what our committee did during the Eightieth and Eighty-first Congresses. I am particularly gratified that our activities bore no trace of favoritism toward any particular branch of the service, and that at no time did we deviate from our solemn resolve to assist in maintaining an adequate national defense.

In view of the Nation-wide interest in building superior air power as a vital arm of national defense, I should like to discuss the efforts of the House Committee on the Armed Services in behalf of the Air Force.

The National Security Act of 1947, which unified the armed services, was not considered by the House Committee on Armed Services. Because of the complex jurisdictional situations which exist in Congress, the House Committee on Expenditures handled the Unification Act. That is the law that made the Air Force a separate department. But it was the Committee on Armed Services, in 1949, that reported the legislation that made the Department of Defense a single department and made the Departments of the Navy, Army, and Air Force parts of the Department of Defense.

During the Eightieth Congress, we passed a law which, for the first time in the history of the Nation, provided inactive duty training pay for Army and Air Force Reservists on the same basis as that heretofore received by Navy and Marine Corps Reservists and members of the National Guard. I might add that I was a member of the subcommittee that originally reported that bill to the full committee and the House.

We passed an act during the Eightieth Congress, known as Public Law 810, which provided retirement benefits for Reservists in all branches of the service. This law applies to the Air Force as well as the Army and Navy, and, in my opinion, has done a great deal to stimulate interest in our Reserve program. This legislation was perfected by a subcommittee of which I was a member.

We enacted legislation during the Eightieth Congress which authorized the Secretary of the Air Force to proceed with construction at military installations of many items needed for the further development of air power.

For example, that law authorized the appropriation of \$410,000 for the completion of a supersonic wind tunnel at the California Institute of Technology. It authorized the appropriation of \$152,000 for helicopter engine testing facilities at Kelly Field, Tex. It permitted the expenditure of \$2,746,000 for the construction of rocket static testing facilities, a control tower and an all-altitude speed course at Muroc Air Field, Calif. It authorized millions of dollars for the construction of quarters, control towers, utilities, crash truck stations, jet engine testing facilities, gunnery ranges, ammunition storage facilities, rotor wing testing facilities, armament laboratory testing facilities, low-approach instrument landing systems, high frequency direction-finding systems and radio range stations, just to name a few projects at various places through the United States.

It also authorized the expenditure of millions of dollars for facilities in air fields outside the United States such as Ladd Field and Elmendorf Field, in Alaska, Adak Air Field in the Aleutian Islands, and other Air Force bases on the Marianas, the Canal Zone, Iceland, Bermuda, and so forth.

We passed other legislation during the Eightieth Congress which affected the Air Force favorably just as it did the other services. We passed a bill permitting women to become members of the armed services. We passed the Officer Personnel Act of 1947, and we made Air Force General Spaatz a permanent 4-star general.

So far during the Eighty-first Congress we have passed considerable legislation directly affecting the Air Force. We authorized the construction of a guided missiles proving range at Banana River, Fla. This proving range is an Air Force installation, although its facilities can be used by other services. It is the longest guided missile proving range known in the world today, and I wholeheartedly supported this measure. I was a member of the subcommittee that originally considered the bill.

We authorized the construction of a radar fence around the United States. This law permits the Secretary of the Air Force to establish a land-based air warning system and control installations which will enable us to detect the approach of enemy aircraft at long distances. It is now under construction. The United States Air Force is charged with the responsibility for the defense of the United States against air attack, as a result of the so-called Key West conference of the Joint Chiefs of Staff, and I completely supported the legislation which authorized the Secretary of the Air Force to proceed with this highly significant defense project. I was also a member of the subcommittee that reported that measure.

We authorized a public works bill for all of the armed services during the Eighty-first Congress. Approximately \$238,000,000 of the \$596,000,000 author-

ized in that law will go into Air Force projects in various parts of the world.

We passed a new pay bill for all the armed services which equalizes the pay for all members of the armed services. This was the first complete review of the pay scales of the armed services in 40 years, and I might add that a very determined effort was made on the floor of the House to eliminate flight pay. I objected to the elimination of flight pay. Had this special inducement pay been eliminated, it would have very seriously affected the United States Air Force.

The unitary wind-tunnel bill, which was approved by our committee and the Congress, authorized the construction of nine transonic and supersonic wind tunnels. Six of these tunnels were allotted to the NACA, two to the Air Force, and one to the Navy. It is significant to note that the Navy tunnel was 2 feet by 2 feet at a cost of \$6,500,000; whereas the two Air Force tunnels were 8 feet by 8 feet tunnels at a total cost of approximately \$70,000,000. While the Navy's contribution in the field of supersonic speeds has been outstanding, I supported the Air Force position in this legislation because of their primary interest in this field. I might also mention that this same law authorized the establishment of an Air Engineering Development Center, which will be operated by the Air Force. It will be devoted to research and development and evaluation studies in connection with every conceivable aspect of the operation of aircraft, guided missiles, and their components in supersonic flight. The ultimate plans for this installation envisage a supersonic center comparable in magnitude to Wright-Patterson Air Force Base in the subsonic field and patterned after similar centers for supersonic experimental work in Germany. Eventually it should be one of the foremost air development centers in the world. I was a member of the subcommittee that reported this extremely important measure.

At this point I should like to discuss the question of the 70-group air force about which we have heard so much. A bill was signed by President Truman on July 10, 1950, which for the first time would authorize by statute in peacetime an Air Force of not to exceed 70 groups. This does not mean that we are going to get it. The bill signed by the President is merely an authorization.

We have heard a lot of talk about the 70-group air force. I would like to call attention to the fact that on April 7, 1948, or over 2 years ago, a subcommittee of the House Committee on Armed Services approved a resolution, which was forwarded to the President of the United States, to the effect that this Nation should have an Air Force with a minimum strength of 70 combat groups, supplemented by the necessary special squadrons, Air National Guard and Air Reserve groups.

The committee further resolved that the funds necessary for a 70-group air force should be appropriated. I was a member of the full committee that unanimously approved that resolution. It was the outgrowth of the findings of the Air Policy Commission, headed by the present Secretary of the Air Force,

Thomas Finletter, the Joint Aviation Policy Board, the then Secretary of the Air Force, Stuart Symington, the then Chief of Staff of the United States Air Force, Gen. Carl Spaatz, and many other officials charged with the responsibility for our national defense. And now, 2 years later, we are finally authorizing the statutory existence of a 70-group air force.

Prior to that time, we fought for larger appropriations for the Air Force. My record in this matter is clear. I advocated the 70-group Air Force in 1948. I voted for additional appropriations for the Air Force in 1948, 1949, and 1950, and I have consistently championed the cause of a large, hard-hitting-highly effective Air Force, just as I have championed the cause of the Navy and the Army and all the other services.

In other words, I have been concerned about air power as deeply as any veteran who has experienced air attacks. No one has to sell the Air Force to me. I worked with the Fifth Air Force in the South Pacific during World War II, and I admired their ability, courage, and efficiency.

I was sufficiently concerned, however, as a result of disturbing reports and ugly rumors in newspapers and magazines, to join Chairman CARL VINSON of the House Armed Services Committee in requesting a complete investigation of all matters surrounding the B-36. The B-36 investigation, that followed, and which resulted in what is officially known as the Report of the Investigation on Unification and Strategy, in the opinion of unbiased observers has done more to bolster the theory of unification than any single project since 1947. It cleared the air of ugly rumors and disturbing reports. It brought the issues out in the open, and our committee gave praise and criticism wherever we felt it was justified. I trust that those who desire to study the B-36 investigation with fairness and objectivity will read the committee report again, in the light of current events.

In this discussion I wish to briefly comment on my attitude with respect to the Navy. I favored a big flush-deck carrier, and I still do. In addition, I favor task forces, and the further development of the art of submarine warfare. I strongly advocate a well-trained, fully equipped, freely operating Marine Corps. I take the position that air power alone, despite its mighty contribution to our national defense, cannot win a war. We are using Infantry, we have called in the Marines, and we have ordered additional fleet units to join the task forces now in the North Pacific. In other words, we are operating in Korea as we must always operate in any kind of a conflict—on a team basis. No single department, no single branch of the service, no single weapon of war ever won a war or ever will win a war. In the words of the poet—

It's not the individual,
Nor the Army as a whole,
But the everlasting teamwork
Of every bloomin' soul.

During my terms in Congress I have steadfastly maintained that all branches of the service must be given equal con-

sideration. I do not mean that all branches of the service must receive the same amount of money, but I do mean that we cannot weaken one branch of the service to strengthen the other.

In short, our national defense to be adequate depends upon all branches of our Armed Forces coordinating the overall effort to protect this Nation. In such a common endeavor, each branch is indispensable, for together they are our only bulwark against the forces of aggression that if permitted will run hog-wild in this turbulent world without a moment's notice.

ADJOURNMENT RUMORS

Mr. CORBETT. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. BYRNES] may extend his remarks in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, every Member of this Congress will agree that we are facing a serious crisis. The extent and magnitude of the crisis is unknown. We do know, however, that there is the threat of total war. Under these circumstances who among us will contend that the Congress of the United States should close its eyes and proceed on a "business as usual" basis? Unfortunately there are some, because that is just what we are doing now. Under these circumstances who among us will contend that Congress should close its eyes, hide its head in the sand, and go home? Unfortunately there are some, because the rumors of a recess or an adjournment rise from every corner of this Capitol. That we should even talk about going home, under these circumstances, is, in my judgment, foolhardy.

Mr. Speaker, there is work to be done. There are plans to be drawn.

The job of planning for the mobilization of wealth, of industry, of manpower is primarily the job of the Congress. It should not be left entirely to the President.

These plans require careful study. The Congress should be at work on them now.

I am not contending that such mobilization plans should be put into effect at this time. I do contend that these plans should be ready. They should be on the statute books for the time when they may be needed.

LOBBYING ACT OF 1946

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, for the first time since the Lobbying Act was passed, you will find in the CONGRESSIONAL RECORD of Friday, July 14, which was placed upon the Members' desks this morning, the most complete compilation ever assembled of the information filed by Congress in any calendar year under

the Registration Act of 1946. It contains reports from 333 lobbying organizations, which is more than was ever filed for any previous quarter. It contains 961 quarterly reports from paid lobbyists or legislative agents, which was also more than were ever filed in any previous quarter in the history of the act.

Third, both the organizational and individual lobbying reports filed this time are more complete and more candid and give infinitely more information, generally speaking, than those filed for any quarter before this.

CONGRESS SHOULD STAY ON THE JOB

Mr. McGUIRE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. McGUIRE. Mr. Speaker, in the past several weeks, there has been a great deal of talk about probable adjournment time for the Eighty-first Congress. That such talk could emanate from any Member of this body at the very time that our Nation is undergoing its most dangerous crisis since the close of World War II is shameful indeed. As long as our boys are combating the totalitarian enemy, as long as our Nation stands unprepared for the horrendous eventualities that are within the realm of possibilities, we have no right to pause in our legislative duties. Every member of this House must stand for reelection this November. Some face long drawn out campaign battles. But these are secondary to the national interest today. Our national requirements demand daily, attentive work for their solution, and we must prepare ourselves sufficiently so that the peoples of this earth will have a secure opportunity for a democratic and peaceful life. To do otherwise would lead only to national suicide.

THE CHINESE PEOPLE'S REPUBLIC

Mr. JUDD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD. Mr. Speaker, in an official broadcast from India the other day, Mr. Nehru, the Prime Minister of the Indian Government, stated that India as one of the nations which had given de jure recognition to what he called the Chinese People's Republic, had been working through diplomatic channels to secure that country's admission to the United Nations.

Mr. Speaker, communism in Asia is such a threat to the United States that we are spending hundreds of millions of dollars and sending American boys to die in fighting it. It cannot be right for our Government to be passive in the face of efforts to build the Communist conspiracy up by giving Communist China the recognition, respectability, prestige, and power that admission to the United Nations would give it. Therefore, I hope and

trust that our State Department is properly protecting the interests of the United States by working diligently through diplomatic and all other channels to make sure that the Chinese Communist regime will not be admitted to the United Nations, where it could only make trouble for the organization and for all peoples who want to work together to prevent further Communist aggression.

SUPPORT FOR MILITARY FORCES IN KOREA

Mr. FULTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON. Mr. Speaker, I urge the United States Government to send full aid, men, and materials, to Korea to make sure that our men there have the fullest support.

I believe that "business as usual" must be out as long as the Korean question is unsolved and that the United States Government agencies and the Congress should proceed upon this basis. Government agencies must act quickly and give the Korean supply problem the highest priority.

We must give our fighting men at the front the full reassurance we are all 100 percent behind them with needed and overdue equipment, and the best we have. Let us really put our shoulders to the task and meet the challenge of the situation now.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. FULTON. I yield to my friend the gentleman from Pennsylvania [Mr. BUCHANAN].

Mr. BUCHANAN. I commend my colleague from Pennsylvania and join with him in his request.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

FEDERAL SCHOLARSHIP PLAN

Mr. FURCOLO. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes and to revise and extend my remarks and include a chart with figures.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FURCOLO. Mr. Speaker, may I please the House: Back in January of 1949 I called the attention of the Congress to a plan I was proposing that, for convenience, I had termed the "Federal scholarship plan." Although this session of Congress is drawing to a close, I still hope that legislation putting the Federal scholarship plan into effect may be passed by the Eighty-first Congress.

I wish to again call it to the attention of all the Members in the hope that they will give my suggestion their consideration.

The bill I have introduced to carry out the terms of my suggested Federal scholarship plan is H. R. 5852.

The aim of the Federal scholarship plan is to enable at least 5,000 high-school students a year to complete a college education when in the absence of the Federal scholarship plan they would be unable to do so. The plan also serves the same purpose for at least 500 college students a year to continue through postgraduate work.

For the sake of brevity, I will refer only to college and postgraduate higher education, although actually the plan is intended to include students who will continue their education after high school, whether it be in a college or some other institution of learning. The figures used in the appended chart are based on a college period of 4 years or a postgraduate period of 4 years. Since many courses would not take that length of time, it is probable that the Federal scholarship plan would benefit 7,000 or 8,000 students a year, rather than the figure of 5,500 on which the plan is based. And, of course, there would necessarily be some corresponding minor adjustments to be made in the financial figures.

The benefits of the Federal scholarship plan are intended to be furnished at no actual cost to the Federal Government. The Federal Government does provide money in the initial period of operation of the plan, but this money is not provided in the form of the usual appropriation. It is with this understanding that I say that the benefits are made possible by the Federal Government, but still at no actual cost to the Federal Government.

The Federal scholarship plan is based on two major premises: First, no qualified high school or college student should be deprived of a higher education because of financial inability to pay for it; and, second, in its present financial condition, the country is unable to provide that education free of charge.

I hope that eventually the time will come when this country can offer higher education to scholastically qualified students at absolutely no expense to the student. Post-high-school education should be free to those of our students who want and are qualified to continue higher education.

The country has not yet reached the stage where it feels able to provide higher education free of charge. Until that time comes, I advocate the expedient of what I am terming "the Federal scholarship plan."

We must not lose sight of the fact that the country suffers in losing the potential qualities that have not been brought to fruition simply because thousands of individuals have been deprived of educations to fit their individual abilities. It is a public problem directly affecting the welfare of the community, State, Nation, and world. It is for that reason that I am introducing legislation to inaugurate what I have termed "the Federal scholarship plan."

The Federal scholarship plan provides for a method of advancing money to a limited number of qualified students by appropriation of Federal funds for that purpose. The money so advanced is to be repaid by the students at stated in-

tervals over a period of 10 years, beginning after the educational period.

The plan calls for the cooperation of the States in two ways: First, some financial assistance; and, second, selection of students.

The total yearly number of high-school students who will receive money for higher education is set at 5,000. The number of college students who are eligible for Federal assistance to continue postgraduate studies is set at 500. Incidentally, the ratio of these figures can be adjusted to meet the educational needs of the country if a survey shows that the greater need is for postgraduate students.

The amount of money to be advanced to those students continuing on from high school to college studies is fixed at a maximum of \$1,000 per year. College students who are going on to postgraduate schools will receive a maximum of \$1,500 a year.

The maximum time period for either group is 4 years of college studies for high-school students; or 4 years of postgraduate work for college students.

On the basis of a 4-year term, those granted aid for college or post-high-school studies will repay the Government at the rate of \$250 a year for the first 4 years and \$500 a year for the next 6 years. Postgraduate students will repay the Government at the rate of \$250 a year for the first 2 years, \$500 a year for the next 2 years, and \$750 a year for the next 6 years. Repayments do not begin until the first year after the study period is completed.

In the year after such payments have been completed so that the entire loan has been repaid to the Federal Government the student will make a "gratuity payment" equal to 10 percent of the total amount advanced to him by the Federal Government. For students who have accepted aid for less than the 4-year basis, the amount of repayment is determined proportionately so as to be fully repaid at the expiration of 10 years from the time of completing their institutional studies.

On the above basis, the Federal Government would "appropriate" about \$167,000,000 over a period of 14 years or a little less than \$12,000,000 a year for the Federal scholarship plan. Fourteen years after the commencement of the Federal scholarship plan it is unnecessary for the Federal Government to make further "appropriations" because the plan has then become a self-sustaining revolving fund that finances itself. The Federal Government does not get back its "appropriations" for the initial 14-year period until 10 years after the Federal scholarship plan is ended, whenever that may be. The necessary "appropriations" for the first 14 years for the Federal scholarship plan are shown chronologically in the appended chart under "Appropriations."

In addition to the above Federal appropriations, those States that accept the terms of the Federal scholarship plan will contribute at the ratio of \$100 for every \$1,000 advanced by the Federal Government. The total yearly contribution of all the States is shown

on the appended chart under "States." After the first 14 years of operation of the Federal scholarship plan the total expense to the States is figured at \$1,150,000 a year or \$50 for every \$1,000 loaned to the student. The amount per State of course depends upon the population of the State—the students being apportioned among the States by population. The yearly contribution of an average State would be about \$48,000 for the first 14 years and about \$24,000 thereafter.

The contribution of the States differs from that of the Federal Government in that the Federal Government's contribution is simply a loan, where as that of the States is an outright gift.

The money advanced by the Federal Government to the students is repaid by the students over a 10-year period in the amounts indicated on the chart under "Student repayments." The amounts in that column of the chart are figured after deducting an estimated 10-percent loss on loans not repaid by students because of death, poor risks, and so forth. By the fourteenth year, the yearly repayments of students come to \$20,700,000. In addition to that amount, the student also makes a gratuity payment to the Federal Government of 10 percent of the total amount of aid received by him. The total amount of this gratuity payment is \$2,300,000, or, again deducting the estimated 10-percent loss, \$2,070,000. That gratuity payment is made the year after the student has repaid his entire loan. That amount is shown on the chart under the column headed "10-percent gratuity."

The estimated expenses of administration of the Federal scholarship plan are shown on the chart under "Administration." Beginning with the fifteenth year, and continuing at that yearly figure after that time, the yearly administration expenses are estimated at a maximum of \$500,000.

A summary of the plan, as shown on the chart, indicates that when the plan gets under way a total of \$23,000,000 a year is being given to approximately 20,000 college students and 2,000 postgraduate students. During the first 14 years the Federal Government has appropriated an average of \$12,000,000 a year to make the plan possible. Beginning with the fifteenth year, the Federal scholarship plan is self-sustaining in that the yearly expenses of aid to students and administrative costs run to \$23,500,000 a year and the Federal Government is taking in approximately \$23,920,000 a year, which consists of student repayments in the amount of \$20,700,000 a year—after 10-percent bad-debt reduction—and \$2,070,000 a year gratuity repayment—after 10-percent bad-debt reduction—and \$1,150,000 per year from the States. That leaves a balance of approximately \$420,000 a year which would be available to the Federal Government either to reduce the amount of the States' contribution or to cover an error in the estimated administrative expenses or bad-debt losses.

The Federal scholarship plan must be considered beginning with the fifteenth year after its inauguration, which is when it becomes a revolving, self-sustaining fund. Beginning that year, the Federal Government makes no further appropriation but simply carries the total \$167,000,000 appropriation during the initial 14-year period as an accounts receivable, which will be repaid in full 10 years after the completion of the Federal scholarship plan, whenever that may be.

The Federal scholarship plan is not financed by one single appropriation in the true sense of the word. The money advanced by the Federal Government is not an appropriation, but is simply a loan, a continuing loan.

If this continuing loan be interpreted as an appropriation, it is important to note that the appropriations by the Federal Government are simply made for the initial period of the Federal scholarship plan. After the first 14 years the Federal scholarship plan is self-financed and the Federal Government makes no further appropriations.

I will not at this time outline in detail the method of selection of students or the type of administration necessary. Briefly, the number of students allotted to each State would be in proportion to the population of the State. As far as possible, the selection of students would be a function of the individual State, subject only to the restriction that there be no discrimination based on race, creed, or color. As far as possible, the student himself would select the institution in which he wished to continue his higher education. The Federal Government's administrative duties and expenses would simply be in connection with supervising the entire Federal scholarship plan to see that all students were given a fair opportunity to compete within the State and that there was no discrimination based on race, creed, or color. I have felt that the students should be apportioned on a State rather than a National basis, so that students of those States on a lower educational level would not be foreclosed from the plan. If students are not apportioned among the States, the result of national competition might see students from the more highly edu-

cated States being the only beneficiaries of the Federal scholarship plan.

The Federal scholarship plan does not interfere in any way with the curriculum of any institution of learning. It does not put the Federal Government into the field of education. Using the same educational system that we now have, it simply enables worthy students to continue their education, where, in the absence of the Federal scholarship plan, they would be financially unable to do so.

The Federal scholarship plan is intended to help only those students who meet two qualifications: (1) Their high-school work established beyond question that they are good material for post-high-school study; and (2) they are unable financially to pay for higher education. The Federal scholarship plan has suitable safeguards to see that those two requirements are not evaded.

Let me emphasize that the Federal scholarship plan is in no way associated with and is not intended in any way to interfere with any Federal-aid-to-education program. Whatever is done to put the Federal scholarship plan into effect is not to be at the expense of Federal aid to education. Any Federal Government money used in the Federal scholarship plan is not to come from any Federal-aid-to-education appropriation.

There may be some who will feel that the Federal scholarship plan will not function because the students will not repay the loan. That is a possibility. I, for one, am willing to risk that possibility. I will have some statistics to present when the legislation comes up that I believe will warrant my stand.

The Federal scholarship plan may perhaps be an answer to that part of the President's budget message—page 146, CONGRESSIONAL RECORD, January 10, 1949—that read as follows:

It has become increasingly obvious that the national welfare demands that higher education be made available to more of our talented young people. We should now determine the soundest and most practical means of providing additional opportunities for capable young people who could not otherwise afford a college or university education.

I respectfully submit my proposed Federal scholarship plan for the consideration of Members of the Congress.

Federal scholarship plan

[Basis of 5,000 college and 500 postgraduate students a year; college students \$1,000 a year, postgraduates \$1,500 a year. Repayments over 10-year period beginning after education completed]

Year	Expenditures			Total expenses	Receipts			Total receipts ¹	Appropriation
	To college	To post-graduate	Adminis-tration		From States	Student repayments ²	10 percent gratuity ³		
1.....	\$5,000,000	\$750,000	\$150,000	\$5,900,000	\$575,000	0	0	\$575,000	\$5,325,000
2.....	10,000,000	1,500,000	175,000	11,675,000	1,150,000	0	0	1,150,000	10,525,000
3.....	15,000,000	2,250,000	200,000	17,450,000	1,725,000	0	0	1,725,000	15,725,000
4.....	20,000,000	3,000,000	225,000	23,225,000	2,300,000	0	0	2,300,000	20,925,000
5.....	20,000,000	3,000,000	250,000	23,250,000	2,300,000	\$1,237,500	0	3,537,500	20,712,500
6.....	20,000,000	3,000,000	275,000	23,275,000	2,300,000	2,475,000	0	4,775,000	18,500,000
7.....	20,000,000	3,000,000	300,000	23,300,000	2,300,000	3,825,000	0	6,125,000	17,175,000
8.....	20,000,000	3,000,000	325,000	23,325,000	2,300,000	5,175,000	0	7,475,000	15,850,000
9.....	20,000,000	3,000,000	350,000	23,350,000	2,300,000	7,702,500	0	10,002,500	13,287,500
10.....	20,000,000	3,000,000	375,000	23,375,000	2,300,000	10,575,000	0	12,875,000	10,500,000
11.....	20,000,000	3,000,000	400,000	23,400,000	2,300,000	12,637,500	0	14,937,500	9,062,500
12.....	20,000,000	3,000,000	425,000	23,425,000	2,300,000	15,525,000	0	17,825,000	5,600,000
13.....	20,000,000	3,000,000	450,000	23,450,000	2,300,000	18,112,500	0	20,412,500	3,037,500
14.....	20,000,000	3,000,000	475,000	23,475,000	2,300,000	20,700,000	0	23,000,000	475,000
15.....	20,000,000	3,000,000	500,000	23,500,000	1,150,000	20,700,000	\$2,070,000	23,920,000	0

¹ After 10-percent deduction for "bad debts."

² After fourteenth year, figures are constant.

³ Surplus \$420,000.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 10 minutes.

THE KOREAN SITUATION

Mr. SIKES. Mr. Speaker, this is a time for calm and quiet determination at home—not a time for panic. Obviously, things are not going well in Korea. But we are not through there.

Do not forget we were spread thin. Our defenses have to cover three-fourths of the world. We have to depend upon ourselves alone for most of the job. There is not enough at any one point to enable us to fight a war—only enough for a delaying action in a case of full-scale aggression.

But we are rapidly getting in position to do the job in Korea, and we will do the job. We will not be thrown out. These are the things to remember.

We are not in any trouble that we are unable to handle. It will take some time and require the tightening of belts. It will be necessary that we realize that the Communists are playing for keeps; that trouble may break out elsewhere and probably will. We shall need to accept partial mobilization; the substitution of tanks for automobiles on the assembly lines; some curtailment of profits as usual.

Now just why are we in trouble in Korea. Wisely or unwisely, the South Koreans were not trained or equipped for war. It has been our purpose to build for peace.

The American military advisory mission in Korea had for its task the training of Korean security forces to deal with internal security. The armament for such a mission, consequently, consisted of small weapons, a few coastal vessels, and no combat aircraft.

Our troops were withdrawn last June in conformity with arrangements setting up the Republic of Korea. Several hundred persons, comprising the American military mission, remained behind to train the Korean constabulary.

The situation along the thirty-eighth parallel was only one of six in which the Russians maintained military build-ups.

Those six Soviet-backed military build-ups were threats against the following countries: Iran, Indochina, Formosa, Germany, Yugoslavia, Greece—the whole Macedonian area.

Because of its military power in being along the borders of these countries, the Soviet camp can move against any particular target or groups of targets, just as they did against South Korea.

Obviously, the United States, with its ever-mounting responsibilities, could not maintain military forces of equal strength in being at all those particular areas, in addition to meeting the other requirements we have.

For the past 18 months, northern Korean forces have been massed in strength on the north side of the thirty-eighth parallel. There were frequent border incidents involving as many as several thousand troops. In the face of this knowledge on our part, it was still possible for the aggressor to achieve tactical surprise, and this is understandable. The Korean situation constituted

a calculated risk weighed against the over-all global military-political situation.

Once the North Korean forces moved against the Republic of Korea, the aggressor had a great advantage. He had superiority of numbers, equipment, fire power, and was aided and abetted by saboteurs, fifth columnists, and his cause was served by confusion and disorganization.

The history of aggressors in our day attests to the strong advantage which accrues to the ruthless international criminal when he violates all rules of international law, justice, and decency and resorts to naked force as a policy of aggrandizement.

The decision of President Truman to join the fight was a recognition on his part of the moral issue at stake, as well as the political-ideological issues involved, above and beyond the actual military factors; when we moved into the battle as a result of his order as Commander in Chief we were in effect reversing purely military policy. The public expression of opinion which attended the Chief Executive's decision was confirmation of the fact that the rank and file of Americans agreed with him that the time had come to call a halt to Communist aggression, and that, with other members of the United Nations, we were prepared to meet force with force to rid the world of this threat and restore peace.

The task of getting adequate forces into Korea, once we had joined the fight against aggression, was a most formidable one. Railroad facilities left much to be desired, roads are a far cry from what we understand in America as modern highways; the logistics problems incident to a build-up operation, under such circumstances, are enormous.

We not only have the job of endeavoring to get troops there from Japan in as short a time as possible and rush them into the interior, but we also have to rush equipment and supplies in such volume as to enable them to fight an effective delaying action. In addition, and at the same time, we must get on with the task of bringing in the men, equipment, and supplies which would enable us to make a really firm stand at a selected line and in turn, when the situation allows, mount a counterattack.

Our military efforts in Korea were, in the early stages, handicapped by poor weather, which worked against continuous air attacks. The break in the air attacks allowed the North Koreans to make hasty but adequate repairs to bridges and roads in the interval when poor flying weather militated against the effectiveness of our air arm. The Air Force was also handicapped because the several more important airports fell into enemy hands almost at the outset.

The North Koreans, in contrast to the Republic of Korea's internal security forces, massed and trained and heavily equipped purely military forces. These included units which saw former service in conjunction with the Chinese Communist forces. They were veterans, seasoned in tactics, and trained to a specific, aggressive purpose. Their combat effi-

ciency has weighed heavily against our limited forces.

Everything considered, and despite the actual reverses suffered by our forces to date, an outstanding performance has been given by those United States forces who have been committed to action. Of necessity, we were outnumbered, outfired in equipment, and harassed by fifth columnists turned snipers. Our forces were pressed into duty on unfamiliar terrain, with many natural hazards; in the face of strong, well-mounted, highly-trained and disciplined enemy forces. They have made the enemy pay a stiff price for his advances.

Now, as the symbol of the free world's determination to halt Communist aggression Korea is a testing ground of the will to freedom and survival—free of unprovoked international assault.

Then what is next?

To support more intensive action in Korea—and meet the threat of trouble elsewhere—it is becoming apparent that limited industrial mobilization will be necessary. Selective industrial mobilization probably could be carried out without great disruption; for example, television set manufacture could be diverted in favor of radar, and automobile production curtailed to furnish more tanks. The National Guard and the Reserves should be utilized in the conduct of the war.

It is even more important to take seriously the Korean lessons as they apply to defense planning. In addition to continued contribution to the defense of western Europe we must be prepared for other prompt police actions. For the Russians, unless they are stopped in Korea, can tie us down all over the world in a series of incidents without ever committing their own troops. To counter this we need not only the military support of other countries in the United Nations, but also a change in the composition of our forces. In other words, we need to have both better intelligence and the trained men, supplies, and transportation necessary to get into action quickly. To do these things we at home must accept the fact that we are in the struggle too—the men on the Korean front cannot do the job alone.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Tennessee [Mr. GORE] is recognized for 10 minutes.

GORE FARM BILL

Mr. GORE. Mr. Speaker, I rise on the floor of the United States Congress to refute a falsification of the record—a falsification of the contents of the so-called Gore farm bill. Untrue statements have been widely published in paid advertisements in the course of a senatorial Democratic primary campaign in the State of Oklahoma. I arise to state the facts in order to protect my own record and the record of a great majority of this body, who, along with our able, distinguished, and beloved colleague, the Honorable MIKE MONRONEY, voted for passage of this farm bill which bore my name as author.

When the publication of these grossly unfair and untrue statements came to my attention, I wired the senior Member

of the other legislative body at the other side of the Capitol, from the State of Oklahoma, advising him that these falsified advertisements had been published in support of his candidacy and that his own photograph had been used in these advertisements clearly implying his affirmation of the statements. I requested that the gentleman make correction of the misstatements by telling the truth about the bill or publicly disassociate his name therefrom. I also told the gentleman in my wire that unless he did so I would be compelled to set the record straight on the floor of Congress in order to protect my own record from being severely prejudiced. Thus far the gentleman has taken no such action. The canards have been left to stand; therefore, as I said a moment ago, I now rise on the floor of Congress to refute them.

In a bold and bald-faced manner, the advertisements describe the so-called Gore bill as providing price supports for farm commodities at only 60 percent of parity. Now that is utterly, completely, wholly, and deliberately untrue. These false advertisements have appeared in nearly all, if not all newspapers in the State of Oklahoma. It is apparent that this is done for the purpose of unjustly besmirching the record of one of the ablest and finest men ever to serve in the United States Congress, the Honorable MIKE MONRONEY. I say this is the purpose, because, in the advertisements, the gentleman from Oklahoma, Congressman MONRONEY, is charged with the heinous crime of supporting the Gore bill because, as the ads erroneously say, this was a 60 percent of parity bill. What is the truth? Well, the gentleman from Oklahoma [Mr. MONRONEY] did support the Gore bill, but it was not a 60 percent of parity bill. As a matter of fact, he made the ablest and most influential speech made for the bill. Of course, many of my colleagues here today remember that fine, eloquent argument he made. But, Mr. Speaker, he made no argument in favor of a 60 percent of parity price-support program. Not at all. It was in favor of continuing the existing 90 percent of parity price-support program that Representative MONRONEY spoke. In fact, MIKE MONRONEY never favored 60 percent of parity price support upon any commodity, except potatoes. I say this unreservedly because I know MIKE MONRONEY's record. He and I took the oath of office together in the United States Congress. We soon became fast friends and we have been together in the thick of many, many legislative battles. I have followed him on many, many important decisions, and I will tell you now that I hold his judgment in highest esteem. I teamed with MIKE MONRONEY in the early days of World War II to increase the price-support program from 52 to 90 percent of parity on basic commodities. Our amendment was accepted. Moreover, our amendment provided price support for a large number of nonbasic commodities which had never before had the benefit of price support. MIKE MONRONEY thought this was right, and we know what a hard fighter MIKE MONRONEY is for what he thinks is right.

Yes; MIKE MONRONEY played a very

important part in establishing the 90 percent of parity price-support program in the first instance; and, then last year, he made the strongest, the ablest, and the most effective speech in support of the Gore bill, which continued this 90-percent-of-parity price-support program. Why, then, should he, of all people, be charged with favoring a 60 percent of parity price-support program? Well, of course, it could be nothing but politics and the cheapest sort of politics at that. I call that hitting below the belt.

Of course, I do not have to speak for MIKE MONRONEY. He has already demonstrated that he can quite adequately take care of himself. But, I do feel the need to refute this falsification of the Gore bill, lest, by allowing these publicized falsehoods to go unanswered, other Members who voted for this bill, as well as myself, would be similarly attacked, and that is why I have risen today on the floor of Congress to set the record straight.

Now, I have said that MIKE MONRONEY made the most effective speech in favor of the Gore bill. He also made the most influential argument against the Brannan plan, and, mind you, Mr. Speaker, we offered the so-called Gore bill as a substitute for the so-called Pace-Brannan bill, which, as you know, embodied the principles and a large part of the objectionable features of the familiarly known Brannan plan. Yes, MIKE MONRONEY was not only in favor of continuing the 90 percent of parity price-support program, but he was very much against the regimentation and impracticability of the Brannan plan. I, too, was against the Brannan plan. Now, who was it who voted for the so-called Gore bill along with MIKE MONRONEY and myself? At least three-fourths of all Congressmen from the real farm districts, whether Democrat or Republican, voted for the Gore bill. That brings up another falsification in these ads. It is plainly said that my bill was supported by the big-city Congressmen. Well, I have looked up the record on that and I find that very, very few Members from any large city in the entire United States voted for the so-called Gore bill as a substitute for the Pace-Brannan bill. The facts are quite to the contrary and quite the reverse of these ads appearing in Oklahoma for the purpose of defaming and besmirching the record of a colleague of ours who is so loved and respected by the membership of this body.

Now, as I said a moment ago, I do not feel that MIKE MONRONEY needs me to rise on the floor of Congress to defend him. That, I am not doing. The results of the Oklahoma primary July 4 showed that MIKE MONRONEY can take care of himself in Oklahoma. But what about the rest of us who supported this sound farm program? Our records are prejudiced, too. I have a right and you have a right to have the record set straight. That is what I intend to do today.

Now, it just so happens that the same gentleman in whose behalf these false advertisements were published has within the last few days introduced a farm bill himself. What kind of bill is it? What

is that farm bill? Is it the Brannan plan? Oh, no. He introduced that last year. Is he still for the Brannan plan? Well, that is not for me to answer. That is beside the point. What about the last bill that this gentleman introduced? It provides for an extension of the 90 percent of parity price support program. Now, that is exactly what MIKE MONRONEY and I did last year. If it was so wrong last year, why is it so right now? It is said that unless this is done now, the flexible price support program will go into effect next year. These flexible provisions of the law were not in the Gore bill which MIKE MONRONEY and I supported. Those provisions were added by the Agriculture Committee of another body which this same gentleman supposedly presided over as chairman prior to his departure for Sweden. If those provisions are so wrong now, why did the Agriculture Committee of the other body put them into the bill last year? If the provisions which MIKE MONRONEY and I supported in the Gore bill last year were so wrong then, why are they so right now? If the Brannan plan was right last year, why is it that the same gentleman who introduced the Brannan plan last year would now introduce a bill entirely unlike the Brannan plan? Well, the answer to these questions is obvious. The people who supported the so-called Gore bill last year are faring pretty well with the electorate, while many supporters of the Brannan plan are dodging the issue in every conceivable way.

What did the Gore bill provide? Here is what it provided. Here is the truth which I state in order that no one else will attempt such deception and falsification. Here are the facts. The Gore bill that passed the House last year provided for two things: First, the extension of the existing 90 percent of parity price support program; second, repeal of the Hope-Aiken law of sliding scale supports. It is under the provision of this so-called Gore bill, later becoming law, that prices of basic commodities and some others are today being supported at 90 percent of parity. It is not a perfect program but it is the product of years of experience and farmer cooperation and is basically sound.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. O'HARA of Illinois (at the request of Mr. McKINNON) for an indefinite period on account of official business.

EXTENSION OF REMARKS

Mr. JACKSON of Washington (at the request of Mr. MANSFIELD) was given permission to extend his remarks in the Appendix of the RECORD.

Mr. McCORMACK (at the request of Mr. PRIEST) was given permission to extend his remarks in three instances and in each to include extraneous matter.

Mr. BREHM asked and was given permission to extend his remarks in two instances; in one to include an editorial.

Mr. POULSON asked and was given permission to extend his remarks and include two editorials.

Mr. **HERTER** asked and was given permission to extend his remarks and include an article.

Mr. **HALLECK** (at the request of Mr. **CORBETT**) was given permission to extend his remarks and include an editorial on the Korean situation.

Mr. **POWELL** asked and was given permission to extend his remarks in four instances and include newspaper clippings in each.

Mr. **McSWEENEY** asked and was given permission to extend his remarks and include the ceremonies at the awarding of an honorary degree by Trinity College upon the American Ambassador to Ireland.

Mr. **BUCHANAN** asked and was given permission to extend his remarks on the first quarter lobbying report of 1950.

Mr. **THORNBERRY** (at the request of Mr. **PRIEST**) was given permission to extend his remarks and include extraneous matter.

Mr. **HELLER** asked and was given permission to extend his remarks in four instances, in each to include extraneous matter.

Mr. **ZABLOCKI** asked and was given permission to extend his remarks and include an editorial.

Mrs. **KELLY** of New York asked and was given permission to extend her remarks and include extraneous matter.

Mr. **RODINO** asked and was given permission to extend his remarks in two instances, in each to include extraneous matter.

Mr. **JUDD** asked and was given permission to extend his remarks and include an article, notwithstanding the fact that it is estimated by the Public Printer to cost \$191.34.

Mr. **TEAGUE** (at the request of Mr. **PRIEST**) was given permission to extend his remarks and include extraneous matter.

ENROLLED BILLS SIGNED

Mrs. **NORTON**, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 8568. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1951, and for other purposes.

The **SPEAKER** announced his signature to enrolled bills of the Senate of the following titles:

S. 441. An act to redefine the units and establish the standards of electrical and photometric measurements;

S. 2046. An act to provide authority for certain functions and activities in the Department of Commerce, and for other purposes;

S. 2201. An act to amend section 2 of the act of March 3, 1901 (31 Stat. 1449), to provide basic authority for the performance of certain functions and activities of the Department of Commerce, and for other purposes; and

S. 2507. An act to authorize the Secretary of Commerce to grant to the East Bay Municipal Utility District, an agency of the State of California, an easement for the construction and operation of an interceptor sewer pipe line in and under certain Govern-

ment-owned lands comprising a part of the Maritime Alameda Shipyard, Alameda, Calif.

BILL PRESENTED TO THE PRESIDENT

Mrs. **NORTON**, from the Committee on House Administration, reported that that committee had this day presented to the President for his approval a bill of the House of the following title:

H. R. 8568. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1951, and for other purposes.

ADJOURNMENT

Mr. **PRIEST**. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 18 minutes p. m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 18, 1950, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXVI, executive communications were taken from the Speaker's table and referred as follows:

1558. A communication from the President of the United States, transmitting a deficiency estimate of appropriation for the fiscal year 1950 in the amount of \$10,000 for the legislative branch (H. Doc. No. 643); to the Committee on Appropriations and ordered to be printed.

1559. A letter from the Attorney General, transmitting a letter requesting that the case of Irene Psaros nee Irene Evangelos Pagonia, file No. ~~XXXXXXXX~~ CR 27225 be withdrawn from those cases involving suspension of deportation now before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

1560. A letter from the Archivist of the United States, transmitting a report of lists or schedules covering records proposed for disposal by certain Government agencies; to the Committee on House Administration.

1561. A letter from the Chairman, United States Advisory Commission on Information, transmitting the semiannual report, pursuant to the provisions of section 603, Public Law 402, Eightieth Congress; to the Committee on Foreign Affairs.

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. **DOUGHTON**: Committee on Ways and Means. House Joint Resolution 502. Joint resolution to suspend certain import taxes on copper; without amendment (Rept. No. 2563). Referred to the Committee of the Whole House on the State of the Union.

Mr. **SPENCE**: Committee on Banking and Currency. S. 2822. An act to amend the Federal Deposit Insurance Act (U. S. C., title 12, sec. 264); with amendment (Rept. No. 2564). Referred to the Committee of the Whole House on the State of the Union.

Mr. **SPENCE**: Committee on Banking and Currency. S. 3105. An act to amend section 10 of the Federal Reserve Act, and for other purposes; without amendment (Rept. No. 2565). Referred to the Committee of the Whole House on the State of the Union.

Mr. **COOLEY**: Committee on Agriculture. H. R. 9109. A bill to amend the Agricultural Adjustment Act of 1938, as amended; the Soil Conservation and Domestic Allotment Act; Public Law 74, Seventy-seventh Con-

gress; the Agricultural Act of 1949; and for other purposes; without amendment (Rept. No. 2566). Referred to the Committee of the Whole House on the State of the Union.

Mr. **DAWSON**: Committee of conference. H. R. 7477. A bill providing for the conveyance to the town of Nahant, Mass., of the Fort Ruckman Military Reservation; without amendment (Rept. No. 2567). Ordered to be printed.

Mr. **DENTON**: Committee on the Judiciary. H. R. 544. A bill to provide for terms of court to be held at West Palm Beach, and at Fort Myers, in the southern district of Florida; with amendment (Rept. No. 2568). Referred to the Committee of the Whole House on the State of the Union.

Mr. **DENTON**: Committee on the Judiciary. H. R. 5810. A bill relating to the furnishing of accommodations at Klamath Falls, Oreg., for the United States District Court for the District of Oregon; without amendment (Rept. No. 2569). Referred to the Committee of the Whole House on the State of the Union.

Mr. **DENTON**: Committee on the Judiciary. H. R. 7869. A bill to provide for the furnishing of quarters at Newnan, Ga., for the United States District Court for the Northern District of Georgia; without amendment (Rept. No. 2570). Referred to the Committee of the Whole House on the State of the Union.

Mr. **KEE**: Committee on Foreign Affairs. H. R. 8944. A bill authorizing the Ogdensburg Bridge Authority, its successors and assigns, to construct, maintain, and operate a bridge across the St. Lawrence River at or near the city of Ogdensburg, N. Y.; without amendment (Rept. No. 2571). Referred to the House Calendar.

Mr. **PETERSON**: Committee on Public Lands. H. R. 6807. A bill to provide for the expansion and disposition of certain national cemeteries; with amendment (Rept. No. 2572). Referred to the Committee of the Whole House on the State of the Union.

Mr. **DELANEY**: Committee on Rules. House Resolution 698. Resolution for consideration of and waiving points of order against S. 3809, an act to amend the Mutual Defense Assistance Act of 1949; without amendment (Rept. No. 2573). Referred to the House Calendar.

Mr. **SMITH** of Virginia: Committee on Rules. House Resolution 697. Resolution for consideration of S. 2822, an act to amend the Federal Deposit Insurance Act (U. S. C., title 12, sec. 264); without amendment (Rept. No. 2574). Referred to the House Calendar.

Mr. **REED** of New York: Committee on Ways and Means. H. R. 7303. A bill to amend section 120 of the Internal Revenue Code; without amendment (Rept. No. 2575). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. **WOLVERTON**:

H. R. 9128. A bill to establish the Southern Medical College, to assist in the establishment of mental health clinics, to facilitate the provision of medical care to areas insufficiently provided therewith, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. **BOLLING**:

H. R. 9129. A bill to amend the Federal Property and Administrative Services Act of 1949, and for other purposes; to the Committee on Expenditures in Executive Departments.

By Mr. **McGUIRE**:

H. R. 9130. A bill to create the War Damage Corporation; to the Committee on Banking and Currency.

By Mr. RAMSAY:

H. R. 9131. A bill to promote the national defense, and to insure against shortages of petroleum and petroleum products in the United States by promoting the production and stockpiling of synthetic liquid fuels; to the Committee on Banking and Currency.

By Mr. STAGGERS:

H. R. 9132. A bill to authorize the Secretary of the Interior to prospect for manganese and other resources in certain lands in West Virginia; to the Committee on Public Lands.

By Mr. BRYSON:

H. R. 9133. A bill to revise and codify the laws relating to patents and the Patent Office, and to enact into law title 35 of the United States Code entitled "Patents"; to the Committee on the Judiciary.

By Mr. NICHOLSON:

H. R. 9134. A bill to amend title 46, United States Code, section 251; to the Committee on Merchant Marine and Fisheries.

By Mr. SHELLEY:

H. R. 9135. A bill to amend the Career Compensation Act of 1949 to provide that certain service rendered by disabled retired officers be computed as double time for retirement; to the Committee on Armed Services.

H. R. 9136. A bill to direct the survey and repair of certain vessels in the national defense reserve fleet; to the Committee on Merchant Marine and Fisheries.

By Mr. SHEPPARD:

H. R. 9137. A bill to authorize the erection of an addition to the existing Veterans' Administration facility, San Fernando, Calif.; to the Committee on Veterans' Affairs.

By Mr. GAMBLE:

H. R. 9138. A bill to amend certain provisions of Public Law 378, Eighty-first Congress; to the Committee on Ways and Means.

By Mr. SIMPSON of Pennsylvania:

H. R. 9139. A bill to amend section 107 of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. ELLIOTT:

H. R. 9140. A bill to authorize payment of endowment policies of national service life insurance in the form of annuities; to the Committee on Veterans' Affairs.

By Mr. COOLEY:

H. R. 9141. A bill to encourage the improvement and development of marketing facilities for handling perishable agricultural commodities; to the Committee on Agriculture.

By Mr. KLEIN:

H. J. Res. 503. Joint resolution to restore to the President all powers of the Price Control Act of 1942, including those of rationing or allocation; to the Committee on Banking and Currency.

By Mr. PLUMLEY:

H. J. Res. 504. Joint resolution to provide that the housing developments known as Westview and Southview in the town of Springfield, Vt., shall for the purposes of the Seventeenth Decennial Census be treated as a part of the village of Springfield, Vt.; to the Committee on Post Office and Civil Service.

By Mr. MACY:

H. J. Res. 505. Joint resolution to provide for voluntary agreements with respect to priority allocation and inventory control of steel and steel products, and for other purposes; to the Committee on Banking and Currency.

By Mr. BATTLE:

H. Con. Res. 243. Concurrent resolution to favor a Pacific pact and United States participation therein; to the Committee on Foreign Affairs.

By Mr. KLEIN:

H. Res. 694. Resolution to authorize an investigation of profiteering and the cost of living; to the Committee on Rules.

By Mr. PETERSON:

H. Res. 695. Resolution authorizing the printing of the manuscript relative to ac-

celerated mapping and water resources basic-data programs to be printed as a House document; 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. BAILEY:

H. R. 9142. A bill for the relief of Mrs. Rosie Lu Hall; to the Committee on the Judiciary.

By Mr. CURTIS:

H. R. 9143. A bill for the relief of Humi Nagano and her child; to the Committee on the Judiciary.

By Mr. DINGELL:

H. R. 9144. A bill for the relief of Mrs. Olga Kowalik and Czeslawa Kowalik; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H. R. 9145. A bill for the relief of Tomoko Yamaya; to the Committee on the Judiciary.

By Mr. FURCOLO:

H. R. 9146. A bill for the relief of George M. Sanger; to the Committee on the Judiciary.

By Mr. HERTER:

H. R. 9147. A bill for the relief of Jan Krizik; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 9148. A bill for the relief of Josef Stuchal; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H. R. 9149. A bill for the relief of Dr. Coloman S. Perjessy; to the Committee on the Judiciary.

By Mr. McGUIRE:

H. R. 9150. A bill to amend the act entitled "An act for the relief of Margarita Funakura"; to the Committee on the Judiciary.

By Mr. O'TOOLE (by request):

H. R. 9151. A bill for the relief of Giulio Blengino; to the Committee on the Judiciary.

By Mr. PETERSON:

H. R. 9152. A bill for the relief of Arthur B. Kline; to the Committee on the Judiciary.

By Mr. SADOWSKI:

H. R. 9153. A bill for the relief of Janina Wojciechowska; to the Committee on the Judiciary.

By Mr. TEAGUE:

H. R. 9154. A bill for the relief of Mrs. Hana Bolton; to the Committee on the Judiciary.

By Mr. YATES:

H. R. 9155. A bill for the relief of Masaka Tsutsumi; 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:

2259. By Mr. PLUMLEY: Resolutions of Chelsea Grange; Essex Center Grange, No. 155; Lakeview Grange, Danville; Mirror Lake Grange, No. 393, Berlin; Prospect Grange, No. 331, Lincoln; Sutton Grange, No. 252, Sutton; Vermont and Lyndon Unit, No. 30, American Legion Auxiliary, opposing any form of compulsory health insurance or any system of political medicine; to the Committee on Interstate and Foreign Commerce.

2260. By Mr. RABAUT: Resolution unanimously passed by the Common Council of the City of Detroit at its regular formal session on July 5, 1950, relative to the Korean situation; to the Committee on Foreign Affairs.

2261. By Mr. SMITH of Wisconsin: Resolution of Janesville Conservation Club, Janesville, Wis., opposing passage of H. R. 3843, a bill providing for the transfer of some 13,000 acres of submarginal land which contain some of the finest trout streams and some of the best hunting land in the entire

United States to the Stockbridge Indians, because the land is unfit for agriculture and incapable of supporting either red or white men and because the land is part of Wisconsin playground and summer-resort attraction and the gift of said land to the said Stockbridge Indians would close the area for hunting and fishing by the sportsmen of Wisconsin and work a hardship on both the sportsmen and the resort and property owners who depend on the sportsmen for their business, and the State of Wisconsin has spent and is spending huge sums of money to protect the wildlife and plant trout and protect such property from forest fires; to the Committee on Public Lands.

2262. By the SPEAKER: Petition of Dr. John M. Chang, Ambassador, Korean Embassy, Washington, D. C., transmitting an appeal from the Korean Government relative to the Korean situation and requesting increasing aid during their national crisis; to the Committee on Foreign Affairs.

2263. Also, petition of A. Borelli, secretary, Interparliamentary Travel Association, Genes, France, relative to an invitation to send a delegation from Congress to attend the Interparliamentary Travel Congress to be held in Paris toward the end of next November; to the Committee on Foreign Affairs.

SENATE

TUESDAY, JULY 18, 1950

(Legislative day of Saturday, July 1, 1950)

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

Rev. F. Norman Van Brunt, associate minister, Foundry Methodist Church, Washington, D. C., offered the following prayer:

We bless Thy name, O Thou Almighty and Everlasting God, for the inspiring struggle which is the story of Thy people to find the way to truth and light. For those who have held high the torch of truth in perilous times and have brought it through to triumph at great costs, we give Thee thanks. Now at the crossroads of history where decisions of mountainous proportions must be made, we pray for that stamina to stand in this hour. When the odds are high let us turn to Thee knowing that truth is rooted and grounded in Thy holy will. Thus, may we not falter, but, with great faith, go forward knowing that—

"Though the cause of evil prosper,
Yet 'tis truth alone is strong:
Though her portion be the scaffold,
And upon the throne be wrong;
Yet that scaffold sways the future,
And behind the dim unknown
Standeth God within the shadow
Keeping watch over His own."
Amen.

THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Monday, July 17, 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