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PE TITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

268. By Mr. BRAMER: Petition of Members of Post N, Travelers Protective Association, opposing Federal increase in gasoline taxes; to the Committee on Ways and Means.

269. By Mr. SADLAK: Petition of American citizens of Wold-Chamberlain Field, Minn., having no objection to paying a fair share of the cost of protecting our Nation and our American way of life, but opposing all nonessential expenditures causing resentment to an increase in income taxes while business profits of cooperatives and mutual corporations are exempted from Federal income taxes. Urging enactment of legislation to tax the untaxed prior to increasing personal income taxes again; to the Committee on Ways and Means.

270. By the SPEAKER: Petition of Dr. Warren T. Brown, president of the Texas Society for Mental Health, Austin, Tex., relative to the President's budget to Congress involving a cut in mental health funds; to the Committee on Appropriations.

271. Also, petition of Charles C. Swanson, clerk, Minneapolis, Minn., relative to opposing localites Air Force Base at Wold-Chamberlain Field; to the Committee on Armed Services.

272. By Mr. GOODWIN: Petition of Davd. J. Stone, B. N., and others, favoring H. R. 911 and S. 651, to authorize commissions in the military services of nursing for qualified graduate nurses; to the Committee on Armed Services.

273. Also, proposal of H. E. Harris & Co. (Boston, Mass.) protesting any increase in third and fourth class postal rates; to the Committee on Post Office and Civil Service.

274. Also, proposals of Everett (Mass.) Motor Ad Agency Service Co.; Moeys Chevrolet Co., Inc. (Newton, Mass.); Granite Chevrolet Co., Inc. (Quincy, Mass.); and Massachusetts Automobile Dealers Association protesting increase in automotive excise taxes; to the Committee on Ways and Means.

S E N A T E

MONDAY, MAY 7, 1951
(Legislative day of Wednesday, May 2, 1951)

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

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

Most merciful God, the strength of our weakness, the refuge of our weariness, the Good Shepherd of our waywardness: As we front the clamant duties of this new week we come beseeching that Thou wilt steady our spirits with the realization of untapped power available to servants of Thy will, if only they are quiet and confidently about their appointed tasks. As those into whose unworthy hands has been placed the crying needs of stricken humanity, may the thoughts of our minds and the sympathies of our hearts, and the words of our lips and the decisions of our deliberations be acceptable in Thy sight, O Lord, our strength and our Redeemer.

Saveth us from every sin, implying by the radiant belief that this evil time is not the end of history, nor is Thy hand shortened that it cannot save. Knowing that out of the travail of many a violent age a great birth has come, by Thy providence keep our faith steady lest for the lack of it it perish as Thou dost intend in this prophetic day. We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. McPARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 4, 1951, is dispensed with.

LEAVE OF ABSENCE

On request of Mr. McPARLAND, and by unanimous consent, Mr. McCARRAN was excused from attendance on the sessions of the Senate beginning today and continuing for the next 10 days, on official business.

COMMITTEE MEETING DURING SENATE RECESS

Mr. MAYBANK. Mr. President, I ask unanimous consent that the Committee on Banking and Currency may be permitted to hold hearings this afternoon and on subsequent days in order to make some progress on the consideration of amendments to the Defense Production Act, which are now before the committee.

Mr. LANGER. Mr. President, I object. I have no objection to permitting the committee to meet this afternoon, and I would have no objection to similar requests being made from day to day, but I do not think we should agree to a request covering an indefinite period.

Mr. McCARRAN. Very well. I make my request for this afternoon only. Mr. Wilson and Mr. Sawyer are to appear before the committee this afternoon. I ask that the committee be authorized to meet this afternoon.

The PRESIDING OFFICER: Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had passed a bill (H. R. 3860) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1952, and for other purposes, in which it requested the concurrence of the Senate.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The Vice President laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION, DEPARTMENT OF INTERIOR (S. Doc. No. 39)

A communication from the President of the United States, transmitting proposed supplemental appropriation in the amount of $3,672,000, for the Department of the Interior, fiscal year 1951 (with an accompanying paper); to the Committee on Appropriations.

RELIEF OF CERTAIN AUTHORIZED CERTIFYING OFFICERS

A letter from the Secretary of State, transmitting a draft of proposed legislation to authorize relief of authorized certifying officers from exceptions taken to payments pertaining to terminated war agencies in lieu of payments by the Department of State, with an accompanying paper; to the Committee on the Judiciary.

REPORT ON CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE, UNITED STATES AND MEXICO

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, a report on cooperation of the United States with Mexico in the control and eradication of foot-and-mouth disease, for the month of March 1951 (with an accompanying report); to the Committee on Agriculture and Forestry.

FRANCHISES ENANCED BY PUBLIC SERVICE COMMISSION OF PUERTO RICO

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of franchises enacted by the Public Service Commission of Puerto Rico (with accompanying papers); to the Committee on Interior and Insular Affairs.

GRANTS FOR DEVELOPMENT OF CERTAIN CLASS IV AND LARGER AIRPORTS

A letter from the Acting Secretary of Commerce, requesting, pursuant to law, authority to make grants for the development and improvement of certain Class IV and larger airports, which, in his opinion, should be undertaken during the fiscal year 1952 (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

REPEAL OF CERTAIN GOVERNMENT PROPERTY LAWS

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, the twenty-seventh quarterly report on contract settlement, for the period ended January 1 through March 31, 1951 (with an accompanying report); to the Committee on Appropriations.

REPORT ON CONTRACT SETTLEMENT

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, the twenty-seventh quarterly report on contract settlement, for the period ended January 1 through March 31, 1951 (with an accompanying report); to the Committee on Appropriations.

PETITIONS AND MEMORIALS

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

Mr. VICE PRESIDENT:

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Appropriations:

"Senate Concurrent Resolution 49"

"Concurrent resolution extending appreciation to Congress of the United States, Secretary of Agriculture, Bureau of Entomology and Plant Quarantine for splendid assistance rendered to Hawaii in appropriated funds for study and control of oriental fruit fly pest"

"Whereas the Twenty-fifth Legislature of the Territory of Hawaii, did request the Congress of the United States to authorize such funds for study and control of the oriental fruit fly pest in Hawaii through House Concurrent Resolution No. 34; and

"Whereas the Bureau of Entomology and Plant Quarantine, United States Department of Agriculture, did initiate a major project
The President pro tempore opened the Senate at 2:15 o'clock, and announced that he had received a message from the House of Representatives. The clerk read the message, as follows:

Resolved, That certified copies of this concurrent resolution be forwarded to the President of the Senate of the United States, the Speaker of the House of Representatives, the Secretary of Agriculture, the Director of the Federal Bureau of Investigation, the Attorney General, the Secretary of the Navy, and the Secretary of the Treasury, publishing the location of United States military installations, fortifications, and other agencies in 1949 with appropriations on this subject in cooperation with other agencies.

SUPPLEMENTAL APPROPRIATIONS, 1951—AMENDMENT

Mr. KNOWLAND submitted an amendment intended to be proposed by him to the bill (H. R. 3597) making supplemental appropriations for the fiscal year ending June 30, 1951, and for other purposes, which was ordered to lie on the table and to be printed.

HOUSE BILL REFERRED

The bill (H. R. 3590) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1952, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

SUSPENSION OF APPLICATI0N OF CERTAIN FEDERAL LAWS RELATING TO EMPLOYMENT OF ATTORNEY BY COMMITTEE ON RULES AND ADMINISTRATION—MOOTION TO RECONSIDER VOTE CAIN

Mr. Fergusen, Mr. President, I enter a motion to reconsider the vote on the passage of joint resolution S. 70 (S. J. Res. 70) to suspend the application of certain federal laws with respect to an attorney employed by the Senate Committee on Rules and Administration.

THE VICE PRESIDENT. The motion will be entered.

ADDRESS, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. IVES:

Addresses delivered by him and by Senator Johnson of Colorado at the celebration of the third anniversary of the founding of the State of Israel, at Carnegie Hall, New York City, on May 10, 1951.

By Mr. WILEY:

A statement prepared by him and two editors from the Milwaukee Journal regarding interest and gas rates imposed on the people of Wisconsin.

By Commissioner LAND:


By Mr. DOUGLAS:

Essay entitled "Equal Opportunity in Employment for the Physically Handicapped," by George Kosciusko Weser, winner of second prize in contest conducted by the President's Committee on National Employ the Physically Handicapped.

The President pro tempore directed the Clerk to insert in the journal of the Senate the text of the article entitled "Good Beginning," from the Washington Post of May 7, 1951, relating to General MacArthur and the proposal before the Committees on Armed Services and Foreign Relations.

By Mr. NEELY (for Mr. CHAMBERLAIN):


By Mr. BENTON:


By Mr. UNDERWOOD:

Letter from Mrs. Stella Steele Taylor emphasizing the power of the press in solving the problems of the United States.

By Mr. McCARTHY:

Article entitled "Lavatoni to the Servants of America," by David Lawrence, the second editorial entitled "Who Is the Enemy?" published in the Washington Post of May 7, 1951, dealing with the MacArthur controversy.

By Mr. HUMPHREY:

Letter from Mrs. J. Stuart Taylor expressing the power of the press in solving the problems of the United States.

By Mr. McCARThy:


CONCESSION OF OFFICE OF COLLECTOR OF INTERNAL REVENUE, ST. LOUIS, MO.

The Vice President. Under the unanimous-consent agreement entered into on Friday, the Senator from Delaware (Mr. Williams) is entitled to the floor, and he is recognized.

Mr. WHERRY. Will the Senator from Delaware yield? Mr. WILLIAMS. I yield to the Senator from Nebraska.

Mr. WHERRY. Will the Senator yield so that I may suggest the absence of a quorum?

Mr. WILLIAMS. I shall be glad to yield for that purpose, with the understanding that I do not thereby lose the floor.

The Vice President. Without objection, it is so ordered.

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

The Vice President. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.
Mr. WHERRY. Mr. President, there are quite a number of committee hearings in progress, and the Senate has already granted permission that they may continue. So I think there is no point in continuing the quorum call, unless some Senator insists upon it. I therefore ask unanimous consent that the order for the quorum call be rescinded, and that the time under the call be dispensed with, so that the Senator from Delaware may proceed. As I understand, he intends to use all the time until 2 o'clock.

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

Mr. WILLIAMS. Mr. President, I wish to speak at this time on conditions existing in the office of the collector of internal revenue in St. Louis, Mo., and especially the conduct of the collector, James Finnegan.

Several weeks ago I called to the attention of the Senate the deplorable conditions existing in certain offices of the collectors of internal revenue and suggested that the Secretary of the Treasury should take prompt corrective action.

The Keefauver committee in its recent report likewise denounced the Treasury Department for their laxity in enforcing the law against the racketeers and criminals and called for more aggressive steps. So far such positive steps as are necessary have not been taken.

Today I shall discuss conditions which have been allowed to exist in the tax collection district of St. Louis, Mo., while under the management of James P. Finnegan as collector.

Complaints against Mr. Finnegan, the collector in this office, were first reported to J. Edgar Hoover in April 1950, and beginning on May 3, 1950, an investigation was started.

In March 1951 complaints charging political protection in that office were called to the attention of Federal Judge George H. Moore by Robert L. Sharp, a former collector in that district.

As a result of Mr. Sharp's complaint, Federal Judge Moore ordered the grand jury in St. Louis to investigate these charges, and both the Commissioner of Internal Revenue and the Department of Justice in Washington were requested to cooperate in the investigation.

This grand jury investigation resulted in a few indictments of certain taxpayers, but the report of the grand jury exonerated Collector Finnegan and his office of any improprieties.

Subsequent to that investigation, on April 18, 1951, Mr. Finnegan resigned and, according to the press reports, the President accepted his resignation with extreme reluctance.

I read the evidence which was presented to the grand jury, and I find that neither the Department of Justice nor the Treasury Department submitted to the grand jury the evidence which at that time I urged that he go further and publicly outline the reasons behind Mr. Finnegan's removal, and then I asked him to state what further action his Department contemplated. To this he received a reply from Mr. Snyder dated April 21, 1951, stating that Collector Finnegan's resignation was purely voluntary and that there was nothing wrong in that office.

I disagreed completely with both the Secretary of the Treasury and the Commissioner of Internal Revenue that there is nothing wrong in that office, and in view of the fact that Judge Moore has again requested the grand jury in St. Louis to reexamine this case I shall for the benefit of that grand jury and for the information of the United States Senate and the American people, present to the Senate the evidence which some of the damaging evidence contained in the files which at this moment are in the possession of either the Treasury Department or the Department of Justice here in Washington.

The information which I am about to give to the Senate is documented in those files, and if the grand jury in St. Louis has any difficulty in obtaining those files, I shall be only too glad to forward to them the file numbers.

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

Mr. WILLIAMS. I yield.

Mr. WHERRY. For the Record, and also for my own information, I should like to ask the distinguished Senator a question. Did I correctly understand the Senator to say that the prosecutor in St. Louis called upon the Department of Justice in Washington to help present the evidence to the grand jury?

Mr. WILLIAMS. That is true and both the Department of Justice and the Treasury Department sent their representatives to St. Louis. I read a transcript of what they were supposed to do, and I admit no mention of any improprieties on the part of James P. Finnegan.

Mr. WHERRY. So the allegations were not presented to the grand jury; is that correct?

Mr. WILLIAMS. The Senator is correct.

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

Mr. WILLIAMS. I yield.

Mr. TAFT. Does the Senator blame the departments here rather than the district attorney in St. Louis, Mr. Williams? I do not know. I have not been able to determine whether the information went to the district attorney in St. Louis and he withheld it at that point, or whether it was withheld in Washington. The report does show that the information was in Washington during the months of January and February of this year. In fact, it was common knowledge and was moved to the Senate last year. This information was in the possession of the departments at that time, and it was stopped somewhere down the line between the departments and the grand jury.

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

Mr. WILLIAMS. I yield.

Mr. WHERRY. Was it in the possession of the Department of Justice in Washington?

Mr. WILLIAMS. I traced it into the possession of the Treasury Department. Whether the Treasury Department turned it over to the Department of Justice and the Department of Justice froze it, I cannot say. However, it did go to the Treasury Department in Washington with an accompanying letter addressed to the Collector of Internal Revenue, Mr. Schoeneman.

Mr. WHERRY. Does the Department of Justice try the cases for the Bureau of Internal Revenue?

Mr. WILLIAMS. Yes; they are transferred over to the Department of Justice. The Department of Justice sent its representatives to St. Louis to work with the district attorney in that area.

Mr. WHERRY. Was there evidence available at that time, when those designated from the Department of Justice went to St. Louis to help present this material to the grand jury?

Mr. WILLIAMS. All the evidence I shall give today was documented and on record in Washington prior to that time.

Mr. WHERRY. I thank the Senator. Mr. WILLIAMS. For continuity I shall discuss the conditions in that office in two phases:

First, I shall discuss how James P. Finnegan, while serving as collector of internal revenue, collected as attorney fees substantial payments from corporations who were obtaining financial assistance from the Reconstruction Finance Corporation and other Government agencies.

Second, I shall discuss how James P. Finnegan, while serving as collector of internal revenue, formed an insurance partnership with John Martin Brodsky, of St. Louis, and then furnished to Mr. Brodsky a list of taxpayers who were in tax difficulty as prospective insurance customers with the understanding that he would get a cut of the premiums.

The first letter I shall read from these files is dated June 5, 1950. It is written on the stationary of Walter H. Wolter, St. Louis. It is addressed to James P. Finnegan, St. Louis, Mo., and reads as follows:

St. Louis, Mo., June 5, 1950.

Mr. James P. Finnegan,

St. Louis, Mo.

Dear Jim: This letter is to certify that the checks I paid you in the sum of $6,875 in 1948 were one-half of the amount I received from the St. Louis Browns for arranging a loan for that company, after the sale of the club fell through.

The amount was paid to you as attorney fees, as both Mr. Richard Muckerman and the writer both felt you were entitled to same for the time and effort in behalf of the St. Louis Browns, put in by you.

Best regards,

Walter H. S. Wolter.

The first paragraph of this letter refers to a payment of $6,875 to James P. Finnegan for his time and effort in obtaining a loan for the St. Louis Browns, while in the second paragraph the writer...
Mr. McFARLAND. Will the Senator kindly state when Mr. Finnegan was appointed internal-revenue collector?

Mr. WILLIAMS. I understand it was in 1944; but anyway, at the time this transaction took place he was serving as internal-revenue collector.

Mr. McFARLAND. At the time these loans were made?

Mr. WILLIAMS. Yes.

Mr. McFARLAND. But does the Senator know whether applications for loans were made before his appointment to be internal-revenue collector?

Mr. WILLIAMS. When I asked you to identify the companies, you said if they were I would be even more suspicious. If the applications for loans had been lying around for several years, and if they were approved after Mr. Finnegan became internal-revenue collector, I would be even more suspicious. The record shows when the loans were made in 1946. I might say that I have had a most difficult time ever obtaining this information from the RFC. Apparently the RFC did not know these companies represented baseball groups at all. When I asked the RFC if they had any records in their files of loans to the St. Louis Browns or to any baseball groups, the answer came back repeatedly "No," until finally, after much difficulty, I was able to identify the loans. If the Senator from Arizona, the full hour of extra time that may be given me, if he wishes to discuss the subject at any length, I am not by reason of the Senator from Arizona the full hour of time limit imposed upon me.

Mr. President, I ask unanimous consent that I may have an extra hour of time, so I may yield that extra time to the Senator from Arizona, or such time as he may want to make a statement.

Mr. McFARLAND. Mr. President, I will speak on my own time.

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

Mr. WILLIAMS. Just a moment. I should like to refer back to the letter. The letter addressed to James Finnegan, of which I have

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

Mr. WILLIAMS. Mr. President, if I may, I have an extension of time by unanimous consent. I shall be glad to yield to the Senator from Arizona the full hour of extra time that may be given me, if he wishes to discuss the subject at any length.

Mr. President, I ask unanimous consent that I may have an extra hour of time, so I may yield that extra time to the Senator from Arizona, or such time as he may want to make a statement.

Mr. McFARLAND. Mr. President, I yield.

Mr. WILLIAMS. The PRESIDING OFFICER (Mr. Mons­nowy in the chair). Does the Senator from Delaware yield to the Senator from Missouri?

Mr. WILLIAMS. I yield.

Mr. KEM. In order to complete the record, will the Senator permit me to invite his attention to title XVIII, section 231 of the United States Statutes prohibiting an employee of the United States from receiving compensation for services when involving controversy or other matter in which the United States is a party, and also to title XIX, section 283 of the United States Statutes which prohibits an employee of the United States from prosecuting or aiding in a presentation or support of such a claim or matter?

Mr. WILLIAMS. I have been so advised; and I thank the Senator from Missouri for putting that in the Record at this time.
Mr. KEM. I ask unanimous consent that the sections in full be printed in the Record.

There being no objection, the sections were ordered to be printed in the Record, as follows:

TITLE 18, SECTION 238—OFFICERS OR EMPLOYEES INTERESTED IN CLAIMS AGAINST THE GOVERNMENT

Whoever, being an officer or employee of the United States, or any department or agency thereof, or of the Senate or House of Representatives, acts as an agent or attorney for prosecuting any claim against the United States, or aids or assists in the prosecution or support of any such claim otherwise than in the proper discharge of his official duties, or receives any gratuity, or any share of or interest in any such claim in consideration of assisting in the prosecution of such claim, shall be fined not more than $10,000 or imprisoned not more than 1 year, or both.

Upon receipt of payment for such services so to be rendered by me, during said period, amounting to not more than $30,000, or, in the case of one-third of the net profits of said Warwick Operating Co. during said period shall be greater than said sums so to be received and paid to me, then I am to receive in addition the difference between the sum of $65,000 and one-third of the net profits thereof, upon receipt of which I shall cause to be surrendered said certificate No. 44 for 250 shares of stock, for cancellation.

The second letter which I have just inserted is one dated May 23, 1946, signed by James Finnegan, addressed to the Warwick Operating Co., St. Louis, Mo.

GENTLEMEN: I acknowledge receipt of certificate No. 44, representing 250 shares of capital stock of the Warwick Operating Co., for $22,809, in the name of E. K. Finnegan.

I may say that is Mr. Finnegan's wife—

who stock was received by me as collateral security for the services hereinafter set forth.

For all of the services heretofore rendered by me in assembling all of the stock of said Warwick Operating Co., for acquisition by Saul Lichtenfeld and his associates, I am to be paid the sum of $5,000.

In addition to the above, I have agreed with him to act as the Warwick Hotel property as a first-class hotel project; and for the 2 years to aid him in all legal matters thereof.

The records show that while claims against the Government for settlement. This is the same Department of the Government for the transaction of business with the United States. The section in full is as follows:

TITLE 18, SECTION 434—INTERESTED PERSONS ACTING AS GOVERNMENT AGENTS

Whoever, being an officer, agent, or member of, or directly or indirectly interested in, the pecuniary profits or contracts of any corporation, joint-stock company, or association, or of any other business entity, is employed or acts as an officer or agent of the United States for the transaction of business with such business entity, shall be fined not more than $2,000 or imprisoned not more than 2 years, or both.

Mr. WILLIAMS. I thank the Senator from Missouri for his contribution.

Mr. President, the third loan to which I am referring by which Mr. Finnegan profited while serving as Collector of Internal Revenue was for $858,000, and was made by the RFC to the American Litho­fold Corp., of St. Louis, Mo. The American Litho­fold Corp. is affiliated with the American Carbon Paper Co., of Chicago, Ill.

It is significant that many people were employed by the Warwick Hotel by the Department for settlement. This is the same Department of the Government for the transaction of business with the United States.
Finance Corporation unanimously disapproved the loan.

The subsequent weeks an application was refilled twice, and each time it was unanimously disapproved and rejected.

The reasons for declining are listed by the Board as follows:

First. Unbalanced financial condition with disproportionate total indebtedness as compared to net worth.

Second. Past record of net profit has not evidenced applicant’s ability to service a loan in the amount requested.

Third. Too much of loan proceeds being used to pay existing indebtedness.

The reasons were unanimously agreed to by the rejection committee on three different occasions.

On March 3, 1949, the Board of Directors of the Reconstruction Finance Corporation suddenly reversed themselves and granted the corporation an indemnification of $4,000.00, the credit therefor being charged to the Reconstruction Finance Corporation’s machinery, and reopened the case for consideration of the full request.

It is to be noted that no additional assets were pledged as collateral for this loan, other than those offered on the previous occasions, and it is also to be noted that the same machinery upon which the Bank voted no, the $4,000.00 was loaned on that date was already mortgaged to the Reconstruction Finance Corporation in excess of its valuation.

Subsequently, on July 6, 1949, the loan was increased to $80,000.00, and on November 14, 1949, an additional $100,000 was loaned to the same corporation, bringing the total loan up to $565,000.

The records of the RFC show that during that interval, between the rejection and the approval of the loan, there had been no change in the company’s financial status; on the contrary, they were still losing money, and were doing so faster than ever before in their history.

On March 17, 1949, 14 days after the loan was granted by the RFC, there was held a special meeting of the board of directors of Lithofold Corporation.

I quote from the minutes of that meeting:

Motion was made by R. J. Blauner and seconded by A. M. Bridell that J. F. Finnegan be appointed company administrative legal adviser.

Motion unanimously carried.

The president submitted to the board a copy of the resolution of the RFC dated March 3, 1949, with reference to an additional loan in the amount of $80,000 to be secured as stated in the resolution.

That was 14 days after the loan was approved or granted, although the same loan to the same corporation had previously been rejected by the RFC on three different occasions.

The minutes of this meeting show that Mr. R. J. Blauner, vice president and general manager, talked on long distance with R. A. Blauner, the company’s Washington representative, and reported that after being fully informed, Mr. R. A. Blauner approved of their action.

On April 14, 1949, 4 weeks later, stock certificate No. 68, representing 120 shares of American Lithofold stock, was transferred from R. A. Blauner, the president of the corporation, to Mrs. J. B. Finne­

The second one is signed by James P. Finnegan. It is a letter dated June 10, 1949, written on his stationery, and addressed to the American Lithofold Corp., St. Louis, Mo. It will be noted that this company was paying $1,000 a month on the legal expenses and its half of this being charged to the American Carbon Paper Co. The letter reads:

GENTLEMEN: This letter will serve as a bill for $500 for the month of May and $500 for the month of June for my legal services in advising and counseling during the said months of May and June.

Another memorandum exchanged between the American Lithofold Corp. and the American Carbon Paper Co. is dated June 14, 1949. It is a memorandum from the American Lithofold Corp. to the American Carbon Paper Co. to show that these two charges were excluded between the two corporations.

It reads:

We billed you $500 to cover J. P. Finnegan’s services for the months of May and June, incident to the as the amount paid by us.

Attached hereto is a statement covering the charge from Mr. Finnegan.

I shall read another letter dated July 8, 1949. It is addressed to Mr. James P. Finnegan, St. Louis, Mo., and reads:

DEAR MR. FINNEGAN: We would appreciate your sending us a statement covering ser­vices rendered for the month of July 1949.

Thank you for your prompt attention to this request.

Yours very truly,

AMERICAN LITHOFOLD CORP.
H. W. STANHOPE
Controller.

When Mr. Finnegan’s income-tax returns were examined the auditors made the following notation under the heading “Business expenses”:

It is found that the taxpayer properly included his gross income those amounts received from clients as reimbursement for certain of the above-mentioned business ex­penses.

This was particularly true in the subsequent year 1949 when $7,271.35 received from American Lithofold Corp. as reimbursement for expenses was duly included in tax­payers gross income.

As further evidence that these pay­ments were for services renderd, I quote the following paragraph contained in a special agent’s report dated July 12, 1950:

Beginning on May 2, 1949, the American Lithofold Corp. issued its check for $1,000 each month payable to the Tower Grove Bank and Trust Co. to be applied on the loan in the name of James P. Finnegan. The $1,000 was allocated $500 to legal expenses and $500 to American Carbon Co., which company charged $500 each month to legal expense. This was continued through March 1950. For May and June 1949 Mr. Finnegan submitted invoices in the form of letters for legal services to American Lithofold Corp. and American Carbon Paper Co. for $1,000 each. After that date, the files show that no further invoices were received by the company, although Mr. Stanhope, comptroller of the American Lithofold Co., requested them of Mr. Finnegan. No reply to the requests for these invoices or the files of American Lithofold Corp., although Mr. Stanhope stated that Mr. Finnegan orally told him to several occasions that there would be no more, it is submitted since there was a general misunderstanding con­
cording his fees and that the two invoices already submitted should be withdrawn from the files since they were submitted in error. The documentary evidence in the files of American Lithofohd Corp., copies of which have been made for and attached to the report of the internal-revenue agents, show that thereafter Mr. Stanhope addressed memorandums on several occasions to Mr. R. J. Blauner requesting advice as to how the monthly payments of $1,000 to the bank should be handled and no replies from Mr. Blauner to these memorandums. Mr. Stanhope stated that each time he approached Mr. Blauner in this matter he was told that he (Blauner) and Mr. Finnegan had not reached a final decision as to Mr. Finnegan's attorney fees or as to the amount of stock which he would purchase. Mr. Stanhope stated that in the absence of an explanation from Mr. Blauner as to how the payments should be handled, he continued to handle them in the same manner as for the first 2 months; that is, $600 each month was charged to legal expense and $500 was charged to American Carbon Paper Corp., which company in turn charged the amounts to its legal expense.

This exchange of letters and exerpts from the telephone records substantiate the fact that Mr. Finnegan, while serving as collector of internal revenue in the city of St. Louis, was employed as an attorney by the American Lithofold Corp. of St. Louis, which company, after his employment, negotiated a substantial loan from the Reconstruction Finance Corporation.

Mr. KEM. Mr. President, will the Senator yield? Mr. WILLIAMS. I yield. Mr. KEM. Does the Senator know whether, during this period, Mr. Finnegan received from the American Lithofold Corp. and the American Carbon Paper Co., or either? Mr. WILLIAMS. Yes, I have just read a paragraph taken from the agent's report, and I shall read it again at this point:

This was particularly true in the subsequent periods which Mr. Finnegan returned fees to the American Lithofold Corp. as reimbursement for expenses was duly included in taxpayers' gross incomes.

Mr. KEM. As I understand, a Government employee, such as an internal revenue officer, is required under the law to report to the Commissioner any revenue received by him other than his salary, and to report it upon his receipt, is he not? Mr. WILLIAMS. I understand that is the law.

Mr. KEM. I call the Senator's attention to paragraph 20 of Title 26, Section 4046 of the United States statutes, which provides:

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Title 26, Section 4046—Statement of Fees, Charges, and Allowances
Every internal revenue officer, whose pay is fixed by statute, and who is composed, wholly or in part, of fees, commissions, allowances, or rewards, from whatever source derived, shall be required to render to the Commissioner, under regulations to be approved by the Secretary, a statement under oath setting forth the entire amount of fees, commissions, allowances, or rewards of whatever nature, or from whatever source derived, during the time for which the officer fees, commissions, allowances, or rewards were received. False statements of fees, commissions, allowances, or rewards are false statements within the meaning of this section, or in evidence thereof, shall be deemed willful perjury and punished in the manner provided by law for the crime of perjury. And if any neglect or failure to render such statement when required shall be punished by a fine of not less than $200, nor more than $1,000, or imprisonment in the county jail for not more than one year or in the State penitentiary for not more than ten years:

Mr. WILLIAMS. I do not know, but, in the absence of information to the contrary, I am willing to assume that he did, until it is shown that he did not. I have not checked that.

Mr. President, at this point I may say that the Senator from Arizona, who is not presently on the floor, raised a question as to when Mr. Finnegan was appointed. I have rechecked the records and find that Mr. Finnegan was appointed prior to May 4, 1948, that is, as far back as I have the available records. It was in April of this year, when his resignation was accepted, with extreme reluctance, by the President. He was serving as collector of internal revenue, during the time he was employed by these companies.

Mr. KEM. Mr. President, if the Senator will yield further, does the Senator know what part of Internal Revenue was aware that Mr. Finnegan was receiving this additional compensation at the time it was received? Mr. WILLIAMS. So far as I know, he did not; but I do know that it was reported to J. Edgar Hoover in April 1950. Following the investigation at that time, the results were forwarded to the Treasury Department with an accompanying letter addressed to Mr. Schoeneman, and either Mr. Schoeneman received it or he should make a check in his own office to determine who inter- cepted the letter. The letter came to Washington with accompanying reports and has been in his files for at least 3 months. Mr. President, it is important that the dates which I have previously outlined relative to the transactions be remembered because, after the investigation was started, Mr. Finnegan and the American Lithofold Corp. attempted to dissociate themselves. I want to read the record of what happened after the investigation was started. On May 3, 1950, special investigators arrived in St. Louis, Mo. On May 4, 1950, these agents interviewed Collector Finnegan in his office and advised him:

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

Mr. KEM. The Senator states that special investigators arrived in St. Louis. Were those investigators from the Federal Bureau of Investigation? Mr. WILLIAMS. I think they were from the Treasury Department. Their reports are intelligence reports. I am not sufficiently familiar with the internal workings to tell whether they were from the intelligence squad of the Treasury Department or the intelligence squad of the FBI. My understanding is that they were working in conjunction with each other.

Mr. KEM. At any rate, they were investigators acting on behalf of the United States. Is the Senator correct? Mr. WILLIAMS. That is correct, and they were working under the intelligence squad.

Mr. KEM. On May 3, 1950, special investigators arrived in St. Louis.

On May 4, 1950, these agents interviewed Collector Finnegan in his office and advised him that they had been assigned to conduct an investigation of reported irregularities in his office. The general nature of the charges was discussed with the collector at that time.

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

Mr. WILLIAMS. I yield.

Mr. HENNINGS. I was called to the telephone for a moment while the Senator from Delaware continued with his discourse. As the Senator may or may not be aware, the charge that refers to the former collector about whom he is now talking to the Senate are in the State which I have the honor to represent as junior Senator together with my distinguished colleague, Senator Williams. The Senator from Delaware has not thus far transmitted to me any of the information the benefit of which he has been given the Senate; and I do not know whether the Senator knows that Mr. Finnegan, the former collector, resigned within the past month or so.

Mr. WILLIAMS. That is correct. He resigned, if I recall correctly, on April 4, effective on the 14th or 15th day of April. According to press reports, he persuaded the President to accept his resignation. The Secretary of the Treasury said the resignation was prompted by considerations of health. It was with approximately 4 months after the report to which I am referring, was filed with the Departments in Washington and St. Louis. I think the Senator is trying to get to the bottom of the matter. I think he tried, previously, I understand the grand jury is winding up its business this week. The Judge lectured the grand jury for its failure to uncover conditions which he had understood existed. He was not satisfied with their report, and he told them to go back and do the job over. It is important to remember that this material was not presented by the Treasury Department or the Justice Department to the grand jury. Unquestionably the grand jury should have had the benefit of all information in connection with the question.

Mr. HENNINGS. I thank the Senator.
Mr. President, will the Senator yield for one further question?

Mr. WILLIAMS. I yield.

Mr. HENNINGS. From what is the Senate roll? What are the sources of his material?

Mr. WILLIAMS. The material is documented in files which are now in possession of either the Treasury Department or the Department of Justice and has been for some time. The page number and the file number in each case are available. I shall be glad to make the information available to the Senator from Missouri if he cares to examine it.

Mr. HENNINGS. I thank the Senator from Delaware.

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

Mr. WILLIAMS. I yield.

Mr. KEM. Just for the record, may I ask the Senator if he is a member of the Senate Committee on Finance?

Mr. WILLIAMS. I am.

Mr. KEM. This information has been developed by the Senator in the course of his official duties as a member of that committee?

Mr. WILLIAMS. Partly. I had been questioning some of the practices in the Treasury Department before I became a member of the Finance Committee.

Mr. KEM. The Finance Committee has to do with matters connected with the Bureau of Internal Revenue; has it not?

Mr. WILLIAMS. That is correct.

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

Mr. WILLIAMS. I yield.

Mr. HENNINGS. Since my able friend the senior Senator from Missouri has developed the point to which he has just adverted, may I ask the able Senator from Delaware whether the Senate Finance Committee has taken any action or whether any action is now pending relating to any of the matters contained in the material which the Senator is now yielding?

Mr. WILLIAMS. The Senate Finance Committee has been studying it, and a House committee has asked for $50,000 to conduct an investigation. Since the Senator is in possession of the material, he is in a better position to answer the question of whether or not the Senate Finance Committee has acted.

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

Mr. WILLIAMS. I yield.

Mr. WHERRY. Reverting to the Senator's statement in which three dates—May 3, May 4, and May 5—were mentioned, will the Senator briefly state what happened on those three dates?

Mr. WILLIAMS. As a result of the report to J. Edgar Hoover, special agents of the intelligence squad arrived in St. Louis on May 3, 1950. On May 4, they went to Mr. Finnegan's office and ad-

vised him that he was under investigation.

On the following day, May 5, a special meeting of the board of directors of the American Lithofold Corp. was hastily called at the office of the corporation, 500 Bittner Street, St. Louis, Mo. I shall now reveal the process they went through in trying to evade and dissociate themselves from the question of the payment of money.

Directors present at that meeting were R. J. Blauner, James P. Finnegan, W. F. Leschen, and Joseph Husgen—Mr. William F. Leschen acting as chairman. A waiver of notice of the time, place, and purpose of this meeting was signed by all of the directors of the corporation and attached to the minutes. As of special interest I shall quote the seventh paragraph of the minutes of that hasty meeting on May 5, 1950:

"Motion was made by Wm. F. Leschen and seconded, that we approve payments to Jas. P. Finnegan in the sum of $1,500 for the year 1949, and that the balance of the expense, viz., $5,000, which makes up the total expenditures to the Tower Grove Bank & Trust Co. less American Lithofold Corp.'s charges to the American Lithofold Corp. in the year 1949, to be charged to the liability account of R. J. Blauner covering patents."

Both Mr. Finnegan and the corporation had included the previous amounts in their tax returns.

On June 12, 1950, another special meeting of the directors of the American Lithofold Corp. was held in the office of the corporation, 500 Bittner Street, St. Louis, Mo.

Directors present were R. J. Blauner, James P. Finnegan, and Joseph H. Husgen. A waiver of notice of the time, place, and purpose of this meeting was signed by these three directors. Mr. R. J. Blauner acted as chairman of that meeting. I quote from the minutes of that meeting:

"On motion made by Mr. Joseph H. Husgen, duly seconded and unanimously carried, the board corrected the minutes of its meeting of May 5, 1950, by substituting for the seventh paragraph the following:

"On motion duly made by Mr. Joseph H. Husgen, duly seconded and unanimously carried, the board approved payments to the Tower Grove Bank in the total amount of $6,253.84, of this amount $4,626.91 being charged to the account of American Carbon Paper Corp., and $4,626.91 being charged to the liability account of Mr. R. J. Blauner, covering patents."

"On motion duly made by Mr. Joseph Husgen, seconded and unanimously carried, the board further approved the payment of $1,500 to Mr. James P. Finnegan for compensation for his services rendered during the year 1949."

"There being no further business, meeting was adjourned."

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

Mr. WILLIAMS. I yield.

Mr. KEM. Do the record show whether the amended returns were accepted by the Commissioner without comment?

Mr. WILLIAMS. They do not show either way. I do not know.

Mr. KEM. The record shows that any special report was made by Mr. Finnegan on the additional compensation he had received?

Mr. WILLIAMS. No. The record shows that Mr. Finnegan had already paid a tax on the $9,250. The corporations filed amended returns and paid the tax. If the matter was cleared in that way, Mr. Finnegan would be entitled to a refund. Whether he has filed an application for a refund, I do not know. If we are to assume that the procedure is correct, then certainly he is entitled to a refund.

Mr. KEM. Was the money, which was received by the American Lithofold Corp. as a result of the change in the minutes, accounted for as income by the American Lithofold Corp.?
Mr. WILLIAMS. Of the 120 shares of stock which Mr. Finnegan had held in the Blauner Corporation, and the money which had previously been deducted as being attorney fees, was called payment for this stock. The stock was taken for payment.

Mr. LANGER. Is it not true that under the laws of the United States Mr. Leschen, Mr. Blauner, and Mr. Hiagen would be guilty of conspiracy to commit a crime in connection with Mr. Finnegan? Why would not they or the corporations be subject to indictment?

Mr. LANGER. Not being an attorney, I cannot answer the question. All I can do is state my understanding of the law. The evidence should have been presented to any grand jury which was investigating the cases in St. Louis. There is no excuse for not presenting the evidence to the grand jury, so that the evidence could have been in a position to take the action which it felt was necessary.

Mr. LANGER. The distinguished Senator from Delaware does not have to be a lawyer to know that when two or more persons gather together to conspireadera committed or conspiracy, it is fair to take in only the collector of internal revenue. I think all of them should be taken in together. All the corporations and the individuals ought to be taken in together, including the persons whose names I have mentioned, because they are just as guilty as Mr. Finnegan.

Mr. LANGER. I say to the Senator from North Dakota, I think I know what the investigation was inaugurated. Therefore, there was any of it. There was no evidence forthcoming to the grand jury to determine who should be indicted. I know that if I did not have my own opinion in the matter I would not be presenting the facts on the floor of the Senate.

Mr. LANGER. Has the investigation been presented to any grand jury?

Mr. WILLIAMS. I yield.

Mr. LANGER. Will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. LANGER. Why does not a subcommittee of the Senate's committee subpoena the various persons and make the investigation?

Mr. WILLIAMS. I do not think it is necessary, because the investigation has been made. If we were to subpoena the witnesses, we would merely investigate the investigators to see whether or not they made a proper investigation, and we would find out the same things. The investigation has been made and it is now time for the Senate to consider the committee or any other committee investigate what has been investigated already? The only criticism is that the results of the thorough investigation which has been made have not been submitted to the proper authority. If it is not submitted to the proper authority I think it would take care of itself.

Mr. LANGER. Does the distinguished Senator believe that if Mr. Finnegan were guilty in this case similar cases might be discovered?

Mr. WILLIAMS. I think the grand jury should have gone into the full operations of Mr. Finnegan.

Mr. LANGER. Will the Senator say that his committee or a subcommittee of his committee should not do it?

Mr. WILLIAMS. Our subcommittee could go in it, but, after all, a committee of the Senate could not prosecute. The prosecution must be handled by the Department of Justice. The material is now available in the Department of Justice. If the Department of Justice does not prosecute, I do not know what good a committee could do, except to expose the facts to the American people, and that is exactly what I am doing here today. It is inexcusable that the material has not been presented to the grand jury before.

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

Mr. WILLIAMS. Yes.

Mr. BRICKER. Does the Senator know that the subcommittee of the Committee on Banking and Currency investigating the RFC has had the various loans involved here under consideration?

Mr. WILLIAMS. I could not say. I do not know. I am not a member of the committee. If Mr. Finnegan's name was brought into the investigation being conducted by the Committee on Banking and Currency in relation to the RFC, I think this is in the particular of which I am not familiar.

Mr. BRICKER. That is true; but I do not think that any of the loans referred to have been investigated by the committee. I think they were handled by the subcommittee of the investigation by the committee. I remember, with the Senator from Delaware, trying to find the facts pertaining to the loan made to the St. Louis Browns Holding Co. We could not find out anything about it because the facts that had been very cleverly covered up by the use of certain names in the application.

Mr. WILLIAMS. I know that the Senator from Ohio and I worked for some time on the matter, and we kept getting a negative answer until we reminded the people downtown of the exact name of the company. I was a little surprised to find that the RFC had loaned money to these two corporations, one of which was the Browns, and the other of which owned the St. Louis Browns, and yet they did not even know the type of collateral. They did not even know that the two corporations were connected with the baseball industry. We had to document the complete case before the record could be located.

Mr. BRICKER. Does the Senator from Delaware agree with the Senator from Ohio that it is a proper subject of investigation?

Mr. WILLIAMS. I do.

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

Mr. WILLIAMS. I yield.

Mr. LANGER. I agree with the distinguished Senator from Ohio that it is a proper subject of investigation, with the Senate from Ohio that it is a proper subject of investigation.

Mr. WILLIAMS. I do.

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

Mr. WILLIAMS. I yield.

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

Mr. WILLIAMS. I yield.

Mr. LANGER. Mr. President, may I inquire of the Senator from Oregon what he is referring to? Where did the documents which he is submitting to the Senate come from?

Mr. WILLIAMS. The documents to which I have referred up to this point are documents on which I have been working for several weeks. That part of the investigation to which I am coming now represents material which we obtained through the subcommittee from the Treasury Department. I refer to the subcommittee of which the Senator from Virginia [Mr. Byrd] is chairman.

Mr. GEORGE. My recollection was that that subcommittee was appointed to investigate certain particular matters. This matter has never been brought to the attention of the full committee, and no report has been made to the full committee.
Mr. WILLIAMS. That is correct, the subcommittee is investigating conditions in New York. If it is.
Mr. GEORGE. I do not like to be embarrassed by documents which were submitted to a subcommittee going into the Racons, when the subcommittee is carrying on a legitimate investigation into one or two other matters. The information may have been submitted to the subcommittee as confidential. I do not know. I am at a disadvantage. Of course I would not expect the Senator to abuse any privilege which he enjoys by virtue of his membership on the subcommittee. However, until the subject is brought to the attention of the full committee, obviously the committee itself can know nothing about it. I have never heard of this case at all.
Mr. WILLIAMS. I may say to the Senator from Georgia, that I am speaking here today on conditions in St. Louis. That subcommittee to which he refers is investigating conditions in New York and will report the same.
Mr. GEORGE. The information may have been in the files of the subcommittee, but no report has been made to the full committee.
Mr. WILLIAMS. No. The full committee has never considered the subject. The Senator from Georgia has attended a few of the meetings of the subcommittee. So far as receiving confidential information is concerned, I have previously said, and I now repeat, that I will never recognize any information from any department downtown as confidential information unless a case clearly is a crime. If any department thinks it is going to classify material and handicap us and prevent us from discussing it on the floor of the Senate merely by placing it on a confidential list, it had better not send any of such information down to the Capitol.
Mr. GEORGE. I have no objection to the Senator presenting anything to the Senate which he feels he ought to present on his own responsibility. But with respect to a matter which came to a subcommittee, if the information is confidential, it should be brought to the attention of the full committee before it is spread before the Senate.
Mr. WILLIAMS. I do not think it will be found that there is any discussion of tax returns in this case.
Mr. GEORGE. I do not know. Mr. WILLIAMS. I think the Senator from Georgia will find that this does not involve confidential matters, except as the Treasury Department was trying to protect Mr. Finnegan.
The Senator from Georgia will remember that in either June or July of last year, at a time when I was not a member of his committee, I addressed a letter to him as chairman of the Finance Committee, pointing out that I had been advised on the basis of reliable information that there were conditions in the internal-revenue office in New York, and in other internal-revenue offices conditions which had not been allowed to exist. I do not believe that any action was taken.
Mr. GEORGE. Oh, yes. I appointed a subcommittee to investigate the New York office; but did not appoint any subcommittee to investigate this particular matter. I am now hearing the first of it.
Mr. WILLIAMS. I may say, in connection with the St. Louis matter, that I am presenting it as an individual Senator. I am not speaking as a member of the subcommittee. However, until the subject is brought before the full committee, the information came through my office, as the result of a private investigation; and I am reporting, as a Member of the Senate today, on the St. Louis case only.
Mr. GEORGE. I have no objection to that, and would raise none. I know none of the facts. However, if the information came to the subcommittee as a confidential information to any member of the Senate and the subject is brought before the full committee, I do not think it ought to be laid before the Senate.
Mr. WILLIAMS. I do not think the Senator will find much that is confidential. The names on this list as borrowers have been published by the RFC.
Mr. GEORGE. Perhaps so. Mr. WILLIAMS. But they have not been identified with Mr. Finnegan. The Treasury Department has never been involved, in any way. It will not be in session much longer and this evidence should be presented to that grand jury.
Mr. GEORGE. I do not know about that. I presume that is a matter which relates to the Department of Justice or some agency in the Department of Justice. The Treasury Department has no direct authority to present anything to a grand jury, except through the officials of the Department of Justice.
I am not complaining about what the Senator has to say. I have no objection to any information made on his own responsibility as a Senator. But since reference is made to the Finance Committee, and since I have never appointed a subcommittee to make an investigation of this subject—or if any has been made, no report has been made to the full committee—I am simply saying that I do not believe that any of this testimony which might have come to the subcommittee as confidential information should be taken up on the floor of the Senate until it is laid before the full committee.
Mr. WILLIAMS. I may say that there is nothing confidential about it. The subcommittee was investigating the New York office. In routine fashion I asked three different gentlemen from the Treasury Department if there was anything wrong in St. Louis. I knew that we had this information about St. Louis. All three representatives of the Treasury Department denied that there was anything in St. Louis that gave them any concern. They denied before our committee that there was anything wrong. So far as I am told, I was not brought before us until after I identified the file numbers, which I received from a certain confidential, private source. Then we got the files, and the information was finally confirmed. One almost has to know the particular case before he can obtain access to the files. I am very much disappointed with the lack of cooperation of the Treasury Department. The Senator is correct in stating that there has been no official investigation of this subcommittee. I am making this report on my own responsibility as a Senator, and I accept responsibility for what I am doing. I am making no reference whatever to anything with which the committee has done in investigating the New York situation.
Mr. GEORGE. I simply wanted to be clear, because I had not heard of any matter of this kind so far as the New York investigation is concerned. Perhaps a corollary investigation of some sort arose as a result of the work of the Revenue committee. Then I believe that a subcommittee was appointed to look into the situation.
Mr. WILLIAMS. That is correct. The committee is at work, and there will be a report. However, nothing has been made yet, and there is nothing whatever in this report which even refers to the New York situation.
Mr. President, I shall now discuss the second phase of operations in that office whereby James P. Finnegan, while serving as collector of internal revenue, formed an insurance partnership with John Martin Brodsky of St. Louis, and then furnished Mr. Brodsky with a list of taxpayers who were in tax difficulties as prospective insurance customers with the understanding that he would get a cut of the premiums.
Mr. KEM. Mr. President, will the Senator permit me to insert in the Record at this point a reference to the United States statutes, Title 18, section 1965. Mr. WILLIAMS. Yes. Mr. KEM. Title 18, section 1965, of the United States statutes, prohibits a United States officer from disclosing information he receives in an official capacity.
Mr. WILLIAMS. That is correct. Mr. KEM. I ask unanimous consent that the section in full be printed in the Record.
There being no objection, the section was ordered to be printed in the Record, as follows:

**Title 18, Section 1905. Disclosure of Confidential Information Generally.**

Whoever, being an officer or employee of the United States or of any department or agency thereof, publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by law any information relating to him in his capacity as an officer or employee of the United States, or by reason of his employment or official duties or by reason of any examination or investigation made by, or on behalf of, the United States, to or in connection with, such department or agency or officer or employee thereof, which information concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or association; or permits any income return or copy thereof or any book containing any statement or par-
Mr. WILLIAMS. Mr. President, this phase of the investigations of the allegations against Collector of Internal Revenue James P. Finnegan, of the first collection district of Missouri, to the effect that Mr. Finnegan was adjusting tax assessments of persons who were seeking difficulties provided they purchased insurance from J. M. Brodsky with whom Mr. Brodsky and is further established by the silent partner of John Martin Brodsky and that he was furnishing Mr. Brodsky with the names of persons facing tax difficulties, and that these taxpayers obtained tax adjustments from the collector provided they purchased insurance from the Brodsky agency.

That John Martin Brodsky had the names of several persons who were involved in tax difficulties with the Bureau of Internal Revenue admitted by Mr. Brodsky, further and further established by the statements of Richard V. Clark, Jr., an insurance broker associated with the Aetna Casualty & Surety Co. of St. Louis, Don Kelly, general manager of the John Hancock Mutual Life Insurance Co. of St. Louis, Inc., and Walter Heuman, a salesman for the John Hancock Mutual Life Insurance Co. of St. Louis, Inc.

Mr. Brodsky contacted at least some of these persons whose names were supplied by Finnegan for insurance, and in each instance he represented, or left the inference, that he was a partner with Finnegan. He represented that they would be permitted by the collector to pay their tax deficiencies in deferred payments. It is possible, of course, as Mr. Finnegan claims, that Mr. Brodsky got his information about these particular taxpayers from someone other than Collector Finnegan; however, nothing was found to support that possibility, and all the evidence is to the contrary. In fact, Mr. Brodsky reluctantly testified that he had received the names of these persons from Mr. Finnegan personally.

Whether Mr. Finnegan actually participated in the insurance commissions of Brodsky as a silent partner or if he received the funds from Brodsky as attorney's fees appears to make little difference. The method used in obtaining the commissions or attorney's fees is, to some extent, irrelevant.

At this point I would like to read the usual whitewash that can be found in practically every investigation report which relates to one of the protégés of the late Senator James P. Carey of Missouri to one of the favorites of the "fair-haired" boys in Washington.

It is probable that Mr. Finnegan saw no particular impropriety in permitting taxpayers to defer the liquidation of their tax obligations by paying them per se and to furnish Brodsky with the names of such taxpayers in order that he could contact them for insurance, for what Mr. Finnegan was to get a cut—whether as commissions or attorney's fees.

The memorandum attached to this report went on and pointed out how Mr. Finnegan's association with Brodsky, whether as attorney or as silent partner, had resulted in unfavorable speculation by outsiders, and that he was therefore vulnerable to criticism. They also pointed out that if the facts which had been developed in the investigation should become published, undoubtedly the public would interpret the entire matter in its worst light—a mild form of "shakedown."

In this same memorandum it was pointed out how Mr. Finnegan was considering resigning as soon as he could "induce" the Secretary of the Treasury and the President of the United States to accept his resignation. The memorandum was concluded with the thought that if Mr. Finnegan would resign the resentful element in government against the collector for being involved with Mr. Brodsky might subside and public criticism of the collector's office might be avoided.

I shall now review the evidence as contained in these files supporting the charges placed against Mr. Finnegan by the unnamed informant to J. Edgar Hoover in April 1950.

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

Mr. WILLIAMS. I yield.

Mr. KEM. As I read the statement from the report to which the Senator has just referred:

It is probable that Mr. Finnegan saw no particular impropriety in permitting taxpayers to defer the liquidation of their tax obligations (which is entirely proper per se) and to furnish Brodsky with the names of such taxpayers in order that he could contact them for insurance, for what Mr. Finnegan was to get a cut—whether as commissions or attorney's fees.

Does the Senator understand from that, that the official appointment by the Government to investigate this case was reporting no impropriety in that conduct, or merely that Mr. Finnegan saw no impropriety in it?

Mr. WILLIAMS. As I take it, he reported that Mr. Finnegan saw no particular impropriety in it.

Mr. KEM. Did he proceed to invite the attention of the one to whom he made the report to the fact that there was a Federal statute prohibiting the activity of a person so employed by a public official while in an official capacity?

Mr. WILLIAMS. No; he did not go into that.

Mr. KEM. Did he recommend prosecution?

Mr. WILLIAMS. He merely made his report. I do not think he made any final recommendation.

Mr. KEM. So the inference was that if Mr. Finnegan saw no impropriety in it then there could be no impropriety.

Mr. WILLIAMS. The inference I gather from reading that, and the substance of the next two paragraphs which follow thereafter, is that if Mr. Finnegan would resign perhaps the public would forget it, and public criticism might be avoided.

Mr. WHERRY. Mr. President, will the Senator yield? I promise him I shall be very brief.

Mr. WILLIAMS. I yield.

Mr. WHERRY. How did the FBI get into the picture? Why did the FBI investigate this case?

Mr. WILLIAMS. The complaint made by an original informant to the FBI, in which turn advised the Treasury Department, and, as a result thereof, the investigation followed. That was in April 1950, after 6 or 8 months before I again became a member of the Finance Committee or any subcommittee thereof.

Mr. WHERRY. I see.

Mr. WILLIAMS. I shall now refer to a statement by Richard V. Clark, Jr., which is found in this report.

Mr. Richard V. Clark, Jr., an insurance broker associated with the Aetna Casualty & Surety Co. of St. Louis, was interviewed by the FBI on December 13, 1950, and in these interviews he furnished the following information:

Someone during the latter part of July, 1949, Mr. Brodsky called upon him and inquired if Clark would associate himself with Brodsky in the sale of insurance, since he, Brodsky, had little experience in writing general insurance. Mr. Brodsky told him that the collector of internal revenue, Mr. Finnegan, would furnish the names of persons who were in tax difficulties as prospects to insurance brokers. Mr. Brodsky proposed that the commissions earned on insurance thus sold would be divided—one-third to Finnegan, one-third to Clark, and one-third to Brodsky.

Mr. Brodsky claimed that Mr. Finnegan had furnished him with the names of people to be contacted for insurance, among which were the Food Center of St. Louis Products Co., the Food Center of St. Louis, Inc., Valley Steel Products Co., Robert Baskowitz, Harrison Lumber Co., and Missouri Paper Stock Co., all of St. Louis. Mr. Clark said he agreed to the arrangement proposed by Brodsky, and made arrangements on December 13, 1949, and again on December 13, 1950, and in these interviews he furnished the following information:

Mr. A. J. Molasky, president of the Food Center of St. Louis, Inc., at a meeting held on December 18, 1949, and again on December 13, 1950, Mr. Clark said he agreed to the arrangement proposed by Brodsky, and made arrangements on December 13, 1949, and again on December 13, 1950, and in these interviews he furnished the following information:

Mr. Molasky, president of the Food Center of St. Louis, Inc., at a meeting held on December 18, 1949, and again on December 13, 1950, and in these interviews he furnished the following information:

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Mr. Molasky, president of the Food Center of St. Louis, Inc., at a meeting held on December 18, 1949, and again on December 13, 1950, and in these interviews he furnished the following information:
of which $3,000 was to be paid to Sylvia Molasky, who was a licensed insurance agent and a daughter of the president of Food Center of St. Louis. The balance of $23,000, Clark said, was to be divided three ways under the arrangement, or approximately $7,500 each to Finnegan, Clark, and Brodsky. Mr. Clark added, however, that he received only $780.

Mr. Clark said he knew that Mr. Finnegan was receiving money from Mr. Brodsky under his understanding with Brodsky, because Brodsky told him he was paying Mr. Finnegan $300 a month, against which the commissions due Mr. Finnegan would be charged. Clark said that he saw some of the checks Brodsky issued to Finnegan, some payable to Mrs. Finnegan, and some to his son, James P. Finnegan, Jr. Moreover, Clark said that in one instance he personally delivered to Mr. Finnegan’s wife about Christmas time, 1949, a $1,000 check made payable to Mrs. Eva Finnegan, together with a Christmas present from Mr. Brodsky to Mrs. Finnegan from Brodsky.

On one occasion—sometime during July 1949—while he was in the office of Dudmar Insurance Agency, Clark said, Mr. Finnegan called several times by long distance telephone from Washington, D.C., requesting that Brodsky send him money, so that he—Finnegan—could travel to Florida. Mr. Brodsky was at the time attempting to sell a life insurance policy to an officer of the Valley Steel Products Co., and in his telephone call Mr. Brodsky was in search of a medical examiner. Mr. Brodsky, Clark said, contacted Mr. Don Kelly, General Agent of the John Hancock Mutual Life Insurance Co., requesting an advance on the expected commission to be earned on the said policy. Mr. Clark believed that on this occasion, Brodsky asked Don Kelly to send Mr. Finnegan some money, which had been shown him that the Valley Steel Products Co., and its officers were in tax difficulties.

Although the terms of the contract between Clark to the effect that Clark’s share would be one-third of the commissions earned were oral, Mr. Brodsky at various times has repeated those terms to Mr. Clark’s father and Mr. Oliver Blase. Clark said in this connection that he is firmly convinced that Mr. Finnegan is a partner of Mr. Brodsky, just as Brodsky represented to him. He cited two reasons: (1) it would be impossible for a person as inexperienced as Brodsky to obtain large insurance accounts such as the Food Center of St. Louis. Indeed, without the aid of someone like Mr. Finnegan through his official position; and (2) Finnegan’s interest in the commission resulting from a $30,000 life insurance policy which Brodsky placed through the John Hancock Mutual Life Insurance Co. The facts regarding this are brought out through statements by Don Kelly and Walter Heuerman.

Mr. President, I have time, and ask unanimous consent to have inserted at this point in the Record a statement of an interview with Mr. Oliver Blase and a statement of an interview with Mr. Don Kelly, both of whom gave their understanding of the agreement to which I have referred.

There being no objection, the statements were ordered to be printed in the Record, as follows:

STATEMENT OF MR. OLIVER BLASEx
Mr. Oliver Blase, who operates the Oliver Blase Agency and who is affiliated with the Astana Casualty and Surety Co., of St. Louis, when interviewed on December 5, 1950, said that Mr. Richard V. Blase was in his office; that he recalls Mr. Brodsky visiting Mr. Clark at which time Mr. Brodsky related in the presence of Blase that he had an arrangement with Mr. Finnegan to obtain the names of people to whom insurance could be sold. He also heard Mr. Brodsky tell Mr. Clark that the commissions earned on insurance sold thus would be divided—one-third each to Clark, Finnegan, and Brodsky—provided that Mr. Clark would agree to help him in the sale of the insurance. On several occasions he heard Mr. Brodsky reiterate that he had an arrangement with Mr. Finnegan whereby the latter would furnish Brodsky with the names of persons who were in tax difficulties. Mr. Blase recalled that during one such interview with Mr. Brodsky, Mr. Brodsky requested Mr. Blase to give him an advance on commissions on the Food Center of St. Louis. In response, Mr. Blase explained that he needed this money immediately because Mr. Finnegan was demanding his share, the commission. Mr. Blase suggested that the former have a check made payable to Mr. Finnegan for $290 and charge it to Brodsky’s commission account. Mr. Blase said he refused to do this because Mr. Finnegan is not licensed as an insurance broker and therefore not entitled to commissions.

On December 6, Mr. Blase had advance $3,500 to Mr. Brodsky. On that same day Brodsky issued a check for $1,000 to Mrs. Eva Finnegan.

STATEMENT OF DON KELLY
Mr. Don Kelly, general manager, John Hancock Mutual Life Insurance Co., of St. Louis, when interviewed, stated in substance, as follows:

During June or July 1949, Mr. Brodsky visited his office and explained to him that the firms he was finding it difficult to pay taxes assessed against them by the Bureau of Internal Revenue, and that Mr. Finnegan had approached Mr. Brodsky for the purpose of allowing him the names of these firms, and that he [Brodsky] desired to sell the officers of these firms some life insurance, which sales should not be difficult in view of the favors granted them by Mr. Finnegan. Mr. Brodsky requested that Mr. Kelly send one of his salesmen with him to contact the officers of these firms. Mr. Kelly asked for the names of the firms, but Brodsky told him that at the time he had the names of only two firms; namely, the Harrison Lumber Co. and the Valley Steel Products Co., but that the assessments against these two firms were so large that it would be to the advantage of the firm’s officers to buy life insurance rather than to have the Bureau of Internal Revenue demand immediate payment of the taxes they owed.

Mr. Kelly said he did not relish the idea of doing business with Mr. Brodsky, but his firm’s attorney pointed out that, since Mr. Brodsky had said he could not refuse his business without making himself liable to a possible suit for damages. He accordingly sent Mr. Heuerman, salesman for the John Hancock Mutual Life Insurance Co., to accompany Brodsky.

Mr. Heuerman later reported to Mr. Kelly that the officers at the Harrison Lumber Co.

refused to buy any insurance, but that a George S. Fleischman [now deceased], of the Valley Steel Products Co., was in the market to purchase life insurance. Although neither Mr. Kelly nor Mr. Heuerman knew about it, tax assessments totaling more than a million dollars had been made against the partners of the Valley Steel Products Co. and the Harrison Lumber Co. Mr. WILLIAMS, Mr. President, I wish to read for the record a statement regarding an interview with John Martin Brodsky, the other gentleman involved in this partnership:

Mr. John Martin Brodsky was interviewed on January 11, 1949, in his attorney, Abraham Lowenkum, regarding his own income-tax affairs for the years 1948 and 1949, as well as his connection with Collector Finnegan. He was first asked regarding the identity of the persons who received the $1,700 which had been shown by him as a deduction for attorney’s fees on his 1949 income-tax return. He replied that $1,700 was paid to Collector James P. Finnegan, who represented him in the capacity of attorney. He was asked to explain just what legal services Mr. Finnegan had rendered that, although he had not publicly represented him, he frequently consulted with Mr. Finnegan about his divorce affairs.

When Brodsky was asked to make some allocation between Mr. Finnegan’s services on the divorce matters and insurance business, he claims the $1,700 during the year 1949 was allocated to services rendered in connection with the insurance business. He admitted that of the $1,700 paid to Mr. Finnegan, there were two checks, one for $500 and the other for $1,000—both payable to Mr. Eva Finnegan—and that the balance, $200, was paid in currency. His explanation as to why the two checks were made payable to Mr. Finnegan was that he had paid to Mr. Finnegan himself, that Mr. Finnegan was a partner of town at the time and wanted the money deposited in his bank account to cover any checks he might draw.

Mr. President, I have time, and I state that the checks issued to Mr. Finnegan and his son in 1950 were also for legal fees, but he could not furnish any allocation of their payment between legal fees for business and for personal matters. He explained that the reason why some of the checks were made payable to Finnegan’s son was that on occasions Mr. Finnegan was out of town and needed money deposited to his bank account to cover checks he might write.

Regarding the legal services that Mr. Finnegan is claimed to have rendered, Mr. Brodsky said, Mr. Finnegan and Mr. Lowenkum confirmed the act, that Mr. Finnegon did not submit any invoices or bills to Brodsky, Mr. Brodsky said that all payments to Mr. Finnegan were “by oral, mutual agreement.”

Regarding his attempt to sell a life-insurance policy to the Valley Steel Products Co. on the life of Philipp Muenzing, Mr. Brodsky said that he first concluded with the president of the firm, Mr. Fleischman, who could not pass the re-
Mr. BRODsky. Mr. President, will the Senator yield at this point for a question, or does the Senator have the time to yield?

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

Mr. BRODsky. Mr. President, what was the purpose of doing that?

Mr. WILLIAMS. According to the report, it was so that Mr. Finnegan could get the impression that two checks would be made payable to Mr. Brodsky. In other words, out of the insurance premiums?

Mr. WILLIAMS. Yes, out of the insurance premiums thus earned. The assessments against officials of the Valley Steel Products Co. aggregated around $900,000, and I will follow through on that particular transaction, because that is the company to which we have just referred, as having bought the $30,000 life insurance policy from the John Hancock Mutual Life Insurance Co., through Mr. Brodsky. This was a single-premium policy and the premium involved was $33,860.37. The Valley Steel Products Co., whose partners owed over $900,000 in taxes, had to borrow the money to pay for this premium.

After a physical examination revealed that Mr. Fleischman had a heart murmur which made him ineligible for insurance, the firm decided to take out life insurance on Mr. Philip Muennig, an employee.

Philip Muennig failed to pass the physical examination, and on August 8, 1949, the premium was refunded by the John Hancock Mutual Life Insurance Co., issuing check No. 4022, for $23,400, payable to Mr. Brodsky. Mr. Brodsky came to the office that day and requested that the refund be made in two checks—one for $22,400, payable to Philip Muennig, and the other for $1,000, still due. The records of the Mutual Bank & Trust Co., issued by the John Hancock Mutual Life Insurance Co., of St. Louis, told Brodsky that he would prepare two checks as requested, but that both checks would be made payable to Philip Muennig. This was done, and the company's checks, Nos. 4939 and 4940, for $22,400 and $1,000, respectively, were issued on August 8, 1949, payable to Philip Muennig.

The records of the Mutual Bank & Trust Co. disclose that on August 8, 1949, the Ducey Insurance Agency opened a checking account at that bank. The opening deposit to this new account was made on August 5, 1949, the same date, and consisted of one check in the amount of $14,686.37. The Ducey Insurance agency disclose this receipt as being from the John Hancock Mutual Life Insurance Co., and the amount is the same as the amount of the check issued by the insurance company to Philip Muennig, as I said before. Valley Steel Products Co. charged the amount of $1,468.37 to attorney's fees.
Mr. KEM. Mr. President, if the Senator will permit me to ask, who was the Dudmar Insurance Co.?

Mr. WILLIAMS. I think that was the name of the insurance company, apparently, which was formed by Mr. Brodsky and Mr. Finnegan.

Mr. KEM. That was the name of their partnership, isn't that correct?

Mr. WILLIAMS. I assume so.

For the time being we will leave this $1,486.37 in the Mutual Bank & Trust Co. and go back 3 weeks to July 14, 1949, to examine a personal transaction of Mr. Finnegan involving the purchase of a new Cadillac by trading his 1949 Dodge and agreeing to pay the $1,017.11 difference.

On that same date the records of the Mutual Bank & Trust Co. of St. Louis disclose that James P. Finnegan borrowed $500 on note No. 1089 at 6 percent interest for 30 days and $500 on note No. 1090 at 6 percent interest for 60 days, both secured by the endorsement of J. Martin Brodsky.

In reviewing the disposition of the funds represented by the two notes it was learned that Mr. Finnegan was issued cashier's check No. 249728 in the amount of $950, and a letter of value of notes, from the bank, which check was deposited in his personal bank account at the Mississippi Valley Trust Co. on that same day, July 14, 1949.

As previously stated, it was on that date that Mr. Finnegan drew his personal check for $1,017.11 on the Mississippi Valley Trust Co., which check was used in the purchase of his new Cadillac.

An examination of the records of the Dudmar Insurance agency, in whose name, on August 5, 1949, had been deposited the $1,486.37 received from the Valley Steel Products Co., discloses this interesting information:

First. On August 10, 1949, a check in the amount of $500 was drawn against this account payable to the Mutual Bank & Trust Co. and was used to pay off the $500 note No. 1089 of James P. Finnegan.

Second. Further examination shows that on August 15, 1949, a check in the amount of $886.37 was drawn payable to cash. This check was used to pay off the other $500 note, No. 1090, of James P. Finnegan and the remaining $186.37 was retained by Mr. Brodsky.

Apparently this $186.37 retained by Mr. Brodsky was to offset the $1,017.11 insurance premium on Mr. Finnegan's new Cadillac which had been paid by Mr. Brodsky.

The $300 remaining in this account from the original $1,486.37 collected from the Valley Steel Products Co. was accounted for in check dated August 15, 1949, which sum was paid to Mr. Finnegan for an unexplained trip to Columbia, Mo.

A brief summary of this case shows that the Valley Steel Products Co. whose officers owed nearly $1,000,000 in back taxes were given lenient terms for paying their account and were charged $1,486.11, charged on the company's books as attorney fees, was subsequently deposited in the bank and used by Mr. Finnegan to pay for a new Cadillac and a trip to Columbia, Mo.

Mr. KEM. Mr. President, will the Senator yield for a few moments?

Mr. WILLIAMS. I yield.

Mr. KEM. Did those items balance the account—that is, the amount applied to the Cadillac, the amount of the insurance premium, the $300 paid to have been used for an unexplained trip to Columbia, Mo.? In other words, did those items total exactly $1,486.37?

Mr. WILLIAMS. I think so.

The sum cleared out the account.

The insurance partnership between Mr. Finnegan and Mr. Brodsky was in effect during most of 1949 and 1950. According to the records during this period Mr. Finnegan collected as his part, including the Cadillac, $6,193.11 either as actual cash payments or constructive receipt.

A breakdown:

By currency and checks $4,700.00
Bank loans paid $1,000.00
Columbia trip paid $300.00
Insurance premium paid 193.11

Total $6,193.11

Mr. KEM. Mr. President, will the Senator yield for a few moments?

Mr. WILLIAMS. I yield.

Mr. KEM. Did I correctly understand the Senator to say that the President received Mr. Finnegan's resignation with reluctance, or with regret?

Mr. WILLIAMS. As I understand, he accepted it with extreme reluctance.

According to Mr. Finnegan, the President was persuaded to accept it, and, according to the Secretary of the Treasury, it was purely voluntary, and there was nothing wrong in St. Louis so far as he was concerned. At the same time, all of this was documented and could have been found in the Treasury files in Washington. At the time Mr. Snyder directed a letter to me about 10 days ago, in which he said that Mr. Finnegan's resignation was purely voluntary, he reiterated that there was nothing wrong in St. Louis.

Mr. KEM. Mr. President, if the Senator will permit me, I should like to say that he has made a very valuable contribution in bringing these facts to the attention of the Senate. I know that what he has done will be appreciated by the good citizens of my State.

I ask the Senator whether he will permit me to insert at this point in his remarks a copy of a letter which I should, under date of April 27, 1951, to the Senator from Maryland [Mr. O'Connor], the new chairman of the Special Committee To Investigate Organized Crime in Interstate Commerce, suggesting that the committee devote some additional time to an investigation of conditions in the State of Missouri?

Mr. WILLIAMS. I shall be glad to have the Senator from Missouri insert the letter, and I agree with him that some additional time should be devoted to an investigation not only of the collector's office in St. Louis but also to the other situation to which he refers.

Mr. KEM. Mr. President, I ask that the letter to which I have referred be incorporated in the Record at this point.

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

APRIL 27, 1951.

HON. HERBERT R. O'CONNOR, United States Senate, Washington, D. C.

MY DEAR SENATOR O'CONNOR: I congratulate you sincerely on your election as the new chairman of the Senate Crime Investigating Committee. You and your colleagues have my best wishes for continued success in this important undertaking.

I hope that during the additional 4 months granted your committee to continue its investigation of crime, you will see fit to investigate further the situation in the State of Missouri.

You are familiar with the fact that during visits to Kansas City and St. Louis, the committee, under the able chairmanship of Senator Steele, uncovered fundamental differences between the criminal element and certain State and local officials. The results of the investigation led the committee to report, among other things: "In Missouri, one can perceive a more than passing connection between Governor Smith's appointment of two members to the Kansas City police board who favored a wide-open town and Binaggio's support during the election."

Since these revelations, many Missourians, from all ranks of life and both Democrats and Republicans have expressed their conviction that the committee scarcely scratched the surface in Missouri. It is felt that many salient facts in connection with what has been known as Fendergastism in Kansas City and Shenkoism in St. Louis has not been brought to light. I join them in urging that the committee take whatever time is necessary to unearth all the facts concerning the unholy alliance between crime and politics that exists in our State.

Missourians were particularly disappointed that the committee failed to shed any new light on the theft, on May 27, 1947, of the ballots making up the evidence of the notorious vote frauds in the primary election of 1946 in Kansas City. This was an act of outrageous violence which struck at the very roots of our free democracy, and which has struck at the very foundations of law and order. To this day, nearly 4 years later, this crime has gone unpunished of justice.

When no arrests were made for this wicked crime it was widely interpreted as evidence of a new, efficient, working partnership between crime and politics. This successful attack upon the rights of the people provided an incentive for more and more crime. Twenty-one unsolved murders followed in rapid succession, climaxed by the bloody Killings last year of Charles Binaggio and Charles Gargotta.

Many Missourians have been at a loss to understand why the law-enforcement agencies of the Government, with all their trained investigators, and with the benefit of modern scientific equipment, cannot apprehend those guilty of the theft of the ballots. It is disturbing to know that this crime is still in the file marked "unsolved."

I ask you agree that honest, fair elections and clean government, free from the taint of criminal corruption, are considerations that rise far above mere partisan or factional politics.

Should you and your colleagues decide, as I sincerely hope you will, to make another and thorough investigation of the theft of the ballots and the situation generally in Missouri, I shall be very glad to cooperate with you in every way I can.

Sincerely yours,

JAMES P. KEM.
SUPPLYING OF AGRICULTURAL WORKERS FROM MEXICO

The Senate resumed the consideration of bill S. 394 to amend the Agricultural Act of 1949.

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

The PRESIDING OFFICER. The clerk will call the roll.

Mr. THYE, Mr. President, I again ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be suspended.

Mr. ELLENDER. Mr. President, I object to that. I should like to have as many Senators as possible present.

The PRESIDING OFFICER. The clerk will proceed with the calling of the roll.

Mr. THYE. Mr. President, I again ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be suspended.

Mr. ELLENDER. Mr. President, I object to that. I should like to have as many Senators as possible present.

The PRESIDING OFFICER. The clerk will proceed with the calling of the roll.

The Chair will state the parliamentary situation. Under the unanimous-consent agreement previously entered into the question is on agreeing to the amendment relating to the establishment of reception centers offered by the Senator from Oregon (Mr. Condon), for himself and other Senators, as a substitute for other Senators, as a substitute for Senator from Louisiana (Mr. Ellender), with 30 minutes allotted to each side. The Chair is therefore required to recognize the Senator from Oregon. The Senator from Oregon is recognized.

Mr. CORDON. Mr. President, if the Senate from New Mexico (Mr. Chavez) may make inquiry of the Senator from Louisiana with respect to the division of time? Do I understand that the proponent has 30 minutes allotted to him at this time, and that he must use the time now or not at all?

The PRESIDING OFFICER. The Senator from Oregon has 20 minutes on his amendment, and the Senator from Louisiana has 20 minutes in opposition to the amendment.

Mr. CORDON. I am perfectly willing to submit the amendment at this time. On the other hand, the Senator from Louisiana may bring up some points we should be responded to. I had hoped that we might have a division of time by which the Senator from Louisiana would be able to make a presentation of his viewpoint and I might have an opportunity to respond, if I felt it was necessary to do so.

Mr. ELLENDER. It is my understanding that the Senator from Oregon need not use all of his time at once. He may use 5 minutes, 10 minutes, or 15 minutes at this time, if he wishes to do so. I am perfectly willing to cut 5 or 10 minutes off my time.

Mr. CORDON. Mr. President, I yield such time to the Senator from Wyoming (Mr. O'Mahoney) as he may desire to use.

Mr. O'MAHONEY. Mr. President, I thank the Senator from Oregon and the Senator from Louisiana for permitting me to make a few comments at this time. The Agricultural Appropriations Committee of the Senate should now be hearing testimony with reference to the fourth supplemental appropriations bill. Inasmuch as I am the chairman of the subcommittee, I must go to the hearing as quickly as possible.

Mr. President, I wish to say that my experience in the State of Wyoming and my knowledge of conditions existing throughout the Rocky Mountain West, where wool is produced and sugar is produced, there is, I think, a shortage of the type of labor which is available for work upon farms and ranches.

The conditions of employment throughout the West are such that it is extremely difficult, if not impossible, to obtain workers to go on the ranges to herd sheep. It is very difficult to find workers to be employed in the best fields. I am very much afraid that the bill, as it was reported by the committee, without amendment, would not provide the labor we need. In the past the Mexican can labor has been used almost continuously. It was highly necessary during the war that arrangements be made with the Government of Mexico whereby such workers would be available in our agricultural enterprises.

I feel that the amendment which has been offered by the Senator from Oregon is highly essential. If we are to maintain the production which we ought to have, Wool production is, of course, very necessary in the United States. The conditions of employment and wages for all periods of the past several years, chiefly because of the lack of labor competent and willing to do the work. Consequently we should now take no chances at all, but should draft the bill in such form as to guarantee that Mexican labor will be available.

The office of the distinguished senior Senator from New Mexico (Mr. Chavez) communicated with me this morning and asked me to insert in the Record a letter which was received by the Senator from Arizona (Mr. J. B. Wilson, Secretary) from the Wool Growers Association. The letter is dated May 1, 1951. I should like to read it into the Record:

Wyoming Wool Growers Association, Mr. Wilson, Wyo., May 1, 1951.

Mr. Dennis Chavez, Secretary, United States Senate, Washington, D.C.

Dear Senator Chavez: I was interested in reading the debate on the foreign labor bill in the Senate yesterday and noticed that on the 27th, in speaking to Senator Murray, of Nebraska, you indicated that plenty of sheep herders could be supplied from your State.

As you undoubtedly know, Wyoming has been supplying sheep herders from the good State of New Mexico. These herders have in the main proved satisfactory in this difficult service and many of them are coming to Wyoming in the spring to lamb sheep and stay during the summer and return to New Mexico when the lambs are delivered in the fall and the sheep are reducing their flocks due to the sale and shipment of lambs and aged ewes. Many families have been coming from Wyoming now for many years.

The citizens of New Mexico, who herd sheep in Wyoming, are paid the same scale of wages as are any other herders and, as I have said before, have usually been quite satisfactory.

However, there seems to be a scarcity of experienced herders in New Mexico at this time, as growers who talk to me advise that they find difficulty in getting enough experienced herders from your State.

I am advised by wool growers in our State that the help they are getting for lambing is the most inefficient. Of course, they recruit help from the local Employment Service offices and they also report a shortage of herders. Most of them would welcome the opportunity of getting more experienced herders from your State and if you can tell us where we might secure some experienced herders to do the work the wool growers of our State will be most grateful.

Up to say 10 or 15 years ago we had no difficulty in securing most of our needs for sheep from the Service because the herders that had herded here before the previous year would recruit additional herders usually at a reasonable supply of herders from your State, but in recent years it has been impossible to secure enough sheep herders in New Mexico and I think it will be found that our State pays wages as high as any State and the majority of our people do use herders from the State of New Mexico and if you can tell us where we can secure any experienced herders, we will appreciate it.

Thanking you in advance and with kindest regards, I am, Sincerely yours, J. B. Wilson, Secretary.

Mr. President, I concur in what Mr. Wilson says. I know that the wool growers of Wyoming would be very happy to receive sheep herders from New Mexico and I think it will be found that our State pays wages as high as any State and the majority of our people do use herders from the State of New Mexico and if you can tell us where we can secure any experienced herders, we will appreciate it.

Thanking you in advance and with kindest regards, I am, Sincerely yours, J. B. WILSON, Secretary.

Mr. President, I concur in what Mr. Wilson says. I know that the wool growers of Wyoming would be very happy to receive sheep herders from New Mexico and I think it will be found that our State pays wages as high as any State and the majority of our people do use herders from the State of New Mexico and if you can tell us where we can secure any experienced herders, we will appreciate it.

Thanking you in advance and with kindest regards, I am, Sincerely yours, J. B. WILSON, Secretary.
Mr. YOUNG. Mr. President, during the course of the debate on the farm-labor bill reference was made to the testimony of representatives of the United States Employment Service before the subcommittee of the Senate Appropriations Committee which was given several weeks ago. In that connection, of the Senate Appropriations Committee, I should like to have placed in the Record at this point the complete testimony of Mr. Max R. Salazar, State director for the New Mexico Employment Service, stated that while he had made arrangements with the State employment service in other States to try to bring in laborers, the shortages which cannot be met by domestic workers would have to be met by importing foreign workers, preferably Mexican farm laborers.

I ask the Senator if he believes that with a shortage of that size in a small State such as New Mexico, there is much chance for getting additional help from New Mexico?

Mr. O'MAHONEY. The information which the Senator affords the Senate is most persuasive.

Mr. ANDERSON. Will the Senator from Wyoming permit me to ask unanimous consent to place the whole of this brief article in the Record at this point?

Mr. O'MAHONEY. I shall be very glad to have it inserted in the Record immediately following my remarks, or at this point.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the entire article with reference to farm-labor shortages in New Mexico be printed in the Record at the conclusion of the remarks of the distinguished Senator from Wyoming.

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

Mr. O'MAHONEY. Mr. President, my point is that the bill reported by the committee and as an individual only—and the bill has been amended by the amendment offered by the Senator from Oregon. I sincerely hope that the Senator from Louisiana (Mr. ELLENDER) will accept the amendment which has been proposed.

I thank the Senator from Oregon for permitting me to make my statement at this time.

EXHIBIT A

FARM LABOR SHORTAGES SEEN IN NEW MEXICO
ALBUQUERQUE, April 26.—Maurice F. Miera, executive director of the State employment security commission forecasting a shortage of 24,000 farm workers in New Mexico during the cotton-picking season.

Miera said the forecast was the result of a recent analysis of farm-labor requirements prepared by the farm placement division of the State employment service.

The executive director said the demand for seasonal farm workers in the State will reach a postwar peak of 37,850 during the 1951 harvest.

Cotton picking alone will demand 36,000 workers in late October and early November. Max R. Salazar, State director for the New Mexico Employment Service, reported that agreements have been made with other State employment services to direct surplus workers into the State to help alleviate the shortage.

Salazar said that shortages which cannot be met by domestic workers will be certified as requiring foreign workers, probably Mexican farm laborers.

Mr. CORDON. Mr. President, may I ask how much time I have remaining?

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. CORDON. I yield to the Senator from North Dakota (Mr. Youd) for the purpose of making an insertion in the Record.

Mr. YOUNG. Mr. President, during the course of the debate on the farm-labor bill reference was made to the testimony of representatives of the United States Employment Service before the subcommittee of the Senate Appropriations Committee which was given several weeks ago. In that connection, of the Senate Appropriations Committee, I should like to have placed in the Record at this point the complete testimony of Mr. Max R. Salazar, State director for the New Mexico Employment Service, so that the Record may be complete, particularly as it relates to utilization of the American domestic labor supply, the use of American Indians, and the use of Puerto Ricans insofar as agricultural employment is concerned.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

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Mr. President, my time is limited. I ask permission to lay the bill on the table.
Mr. GOODWIN. That legislation was passed late in the last session. Formerly, the enabling legislation in Puerto Rico was passed within recent weeks. You might say that it is just a matter of days. The Federal legislation only made it possible. Then they had to pass enabling legislation in Puerto Rico in order to operate, just like the States.

Senator CHAVES. I know that the basic legislation for the country is the constitution of the United States, am I right?

Mr. GOODWIN. That is right.

Senator CHAVES. All right. They are citizens, aren’t they? Were there some 50,000 in the Navy and in the Army of the World War. In the last war they had a little better than 60,000.

Mr. GOODWIN. Who?

Senator CHAVES. The Puerto Ricans. Why should not they be subject to the law of the land, just as it is constitution?

Mr. GOODWIN. They should be—and we have done everything that we can to promote their use.

Senator CHAVES. You tell us that because some people would work under conditions that they would not work under, you allowed them to enter the country?

Mr. GOODWIN. You asked me why some of the British West Indians and some others came in.

Senator CHAVES. That is right. They will go to Delaware and they will go to New Jersey, and if they don’t like it there they will go back to their home. I understand this uncontrollable about it, while the Puerto Rican takes it on the chin.

Mr. GOODWIN. The employers have paid to bring in some of the foreign workers. You mentioned, for instance, the eastern coast, Mr. Chairman, where there have been no Mexicans used in that area.

Part of the problem involved here is distance. There has been resistance to the use of Puerto Ricans for instance, when you get to the western part of the country, because of the transportation.

Senator CHAVES. That might be the personal element; that might be the individual element. But I am talking about the Department. What are you doing about it, as a representative of Uncle Sam’s Government? I am not complaining about an individual who might not want to work. I am talking about conditions, in the Puerto Rican government, soon after this problem came back under our responsibility.

Senator CHAVES. But why should you have an understanding with the Puerto Rican government? The Puerto Rican government in New York, California or New Mexico or Texas. What is the difference?

Mr. GOODWIN. Let me explain, Mr. Chairman. The Puerto Rican government has passed a law which said that no one could come down there and recruit Puerto Ricans except under the supervision of the Department of Labor of Puerto Rico. Then they said that in order to recruit they had to hire them under the war standards, and that the conditions of that contract would be.

Now, that does not mean that the individual Puerto Rican goes in the same conditions voluntarily as did the man in the United States and get employment—they can. But most of them are unable to do it because they do not have the necessary resources to get them on farm work to get that farm work by recruitment of employers. These employers go down there and they advance the transportation, they make the arrangements.

Now, in order to do that, the government of Puerto Rico is insisting that they bring in and work under conditions of a contract. That contract goes beyond, in its usefulness to the States, to the Department, on the main land of this country normally get in agricultural employment, not what workers on this contract but it does go beyond what workers in agricultural work do, as a matter of fact, normally get.

Senator CHAVES. Normal pay.

Mr. GOODWIN. I had in mind such things as the requirement of the payment of insurance and a minimum guaranty of a certain amount against the remains of the period of the contract; stipulations of that kind. In that respect, Mr. Chairman, they are not the same as workers on the mainland.

Senator CHAVES. In other words, Puerto Rico is insisting that they be given what we bring about, American standards of living; is that it? That is, the Puerto Rican government, through law, says, ‘You recruit workers in this country, but under certain conditions of employment, what do you get?’

Mr. GOODWIN. That is right, sir. May I add one other point?

Senator CHAVES. Certain.

Mr. GOODWIN. It is a question of the limitations on the use of them is that the Puerto Rican government, when they are recruited under contract, can make their own contract and can have a decision on the contracts in which they want them used in the South. They feel that they have a legal right to do that, and if they have, they have a stand against their use there, which restricts the area in which you can get them used.

Senator CHAVES. Puerto Rico has insisted on that?

Mr. GOODWIN. Yes, sir.

Senator CHAVES. On what part of the basic law, or have they tried to arrive at an understanding on that point?

Mr. GOODWIN. I don’t think that is in the law. Senator, the Department of Labor of Puerto Rico broad authority to set up regulations and control their use. They have taken that position in relation to the use of them.

Senator CHAVES. That is very interesting, because I know of a lot of Puerto Ricans who are buying sugarcane and land in Louisiana and in Florida, yet they will not let their own people, Puerto Ricans, come to work on their sugarcane front, in the same State. Mr. Chairman, I know of the Sierro family, in Florida, which owns quite a little land, and who are buying sugarcane and land in the same State. Senator KNOWLAND, you would be surprised at how many Puerto Ricans have gone into both Florida and Louisiana.

LABOR STANDARDS IN PUERTO RICO

Senator KNOWLAND. How do these standards that the Puerto Rican government has set up compare with their own minimum labor standards for agricultural labor in Puerto Rico?

Mr. GOODWIN. They have some of them, Senator KNOWLAND. I don’t know of any of them. Puerto Rico has extended its unemployment insurance law, for instance, to some farm workers, which we have not done.

Senator CHAVES. But the pay is different?

Mr. GOODWIN. That is right.

Senator CHAVES. When we passed the minimum-wage law, it did not apply to the Puerto Rican laborers.

Mr. GOODWIN. It might have gone further in social legislation in some areas than they can easily sustain with their economy. Some of the things they are asking we can’t do without; we would be glad to furnish for the record a statement on that situation.

Senator KNOWLAND. I think it might be fruitful to take a look at your evidence here, to have an analysis of the situation.

Mr. GOODWIN. Yes.

(See table below for data.)

[Table showing employment of Puerto Ricans in agriculture by States during 1949 and 1950.]

<table>
<thead>
<tr>
<th>State</th>
<th>1949</th>
<th>1950</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Jersey</td>
<td>3,122</td>
<td>4,500</td>
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<tr>
<td>New York</td>
<td>952</td>
<td>1,275</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>264</td>
<td>1,116</td>
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<tr>
<td>Michigan</td>
<td>185</td>
<td>2,000</td>
</tr>
<tr>
<td>Washington</td>
<td>85</td>
<td>200</td>
</tr>
<tr>
<td>Minnesota</td>
<td>12</td>
<td>50</td>
</tr>
<tr>
<td>Delaware</td>
<td>100</td>
<td>150</td>
</tr>
<tr>
<td>Ohio</td>
<td>100</td>
<td>1,300</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>300</td>
<td>500</td>
</tr>
</tbody>
</table>

Total: 5,155 14,741

'Only 950 remained through season.'

"The above figures include transfer of workers from one State to another and do not include the uncounted number of workers who migrated to their own volition. Records of transport companies show that approximately 100,000 different names came to the United States for employment during 1949. During 1950 approximately 13,500 Puerto Ricans worked in agricultural employment on the mainland and in addition, 3,000 workers migrated to New Jersey without contracts to work for employers for whom they had previously worked under contract.

"On December 5, 1947, the Puerto Rican government passed legislation regarding the migration to the United States and other countries. This act includes the following statement: ‘The government of Puerto Rico neither encourages nor discourages the migration of Puerto Ricans because of their desire to go to the United States or any foreign country.’

"Based upon the authority granted in the above mentioned act, the government of Puerto Rico has required that agricultural workers migrating to the mainland must enter under a contract. This contract essentially provides the guarantee of 160 hours of work in each 4-week period. Provision by the employer for subsistence to the workers while in transit and prior to employment. The contract provides for the payment to Puerto Rican workers of the minimum prevailing wage rate or the prevailing piece rates, whichever is greater. It provides that the worker may not be required to work in excess of 8 hours in any one day or 48 hours in any one week. It further provides for the coverage, by the employer, of the employee under the workmen’s compensation laws of the State in which the employee is working. The compensation coverage provided for the employer to assume liability for the same risks and in the same amounts as is afforded to industrial workers covered by the workmen’s compensation laws of the States of employment.

"The contract further provides that the employees shall not be subject to discrimination because of housing facilities or in any other regard because of race, color, creed, etc. The contract provides..."
that the employer, without cost to the employee, shall provide adequate hygienic housing facilities. The employer is obligated to provide three adequate meals per day at a cost to the employer not in excess of $1.50 per day. However, the employer may provide cooking and eating facilities and the employee may furnish his own meals. The contract provides for a minimum employment of 12 weeks and if it is necessary to terminate the work within the contract due to a natural God, such as hurricanes, tornadoes, fires, or floods, the employer will be responsible for finding another employer within a reasonable time EL. The obligation of the contract or return the worker to Puerto Rico at the employer’s expense.

The contract also provides withholding of 5 cents per hour or 9 percent of piecework earnings of the employee to be paid as a bonus to the employee upon completion of the contract.

The employer is obligated to procure and maintain in effect a performance bond in form and amount satisfactory to the commissioner of labor of Puerto Rico.

The provisions of the law are summarized above reflect benefits available to Puerto Rican agricultural workers while employed in Puerto Rico.

On April 5, 1941, the Puerto Rican government approved a minimum wage and hour law which applies to agriculture as well as industry.

"Under the Sugar Act, minimum wage rates are determined annually. This determination is based on the average price of raw sugar prevailing in the immediately preceding 2-week period. This act also provides that overtime shall be paid at double the applicable minimum hourly rate for persons employed for more than 9 hours in any 24-hour period. It also provides that piecework rates shall not be less than the applicable daily or hourly rate. In addition, the producer is required to furnish the laborer, without charge, perquisites customarily furnished by him such as a dwelling, garden plot, pasture lot, and medical services. Attached is a copy of wage rates, sugarcane, Puerto Rico, 1951, developed pursuant to the Sugar Act of 1934.

Due to the fact that Puerto Rico is 90 percent agricultural, the minimum age requirements for employment have been applied to employment as well as industrial employment. Puerto Rico’s minimum age requirements are 16 during school hours except for school school. In addition, school employees’ compensation benefits have been granted agricultural workers. Few States have coverage for agricultural workers. The State of Ohio and Puerto Rico provide compulsory coverage for agriculture for employers of three or more. Hawaii’s coverage is for all agricultural workers, coverage in Connecticut (for three or more), in New Jersey and in Vermont for employers of eight or more. In New Jersey, however, farmers are not required to insure.

"PUEU RICO LABOR

STATEMENT OF POLICY

The United States Employment Service will consider Puerto Rico as a supply source of domestic labor, subject to the approval of the Commissioner of Labor of Puerto Rico. This approval will be granted in accordance with the provisions of the act. The national office, clearance orders to the Puerto Rican Department of Labor, after clearance of all information and determination of the State and region of demand, and thereforin in inter-regional clearance if labor demands of the employing State are satisfied. The employment agency within the State and adjoining States, the order may be extended by the national office to Puerto Rico.

"The agriculture department of Puerto Rico workers will be granted by the commissioner of labor of Puerto Rico, only after the United States Employment Service has furnished information to the commissioner of labor that the supply of available labor to the State is not sufficient to meet the requirements of the employer.

"Orders received from employers who specialize in labor will be processed only after positive effort is made by the local office to encourage the employer to use available local labor. Therefore, local office personnel will point out to employers that Puerto Ricans shall be considered for employment only after any consideration of the use of foreign labor.

"Any exception to this policy will be determined by the national office on the merits of each individual case and the commissioner of labor of Puerto Rico shall be informed of the findings in such cases.

"Approved this 16th day of February 1949.

"Commissioner of Labor of Puerto Rico,

Robert C. Goodwin,
Director, Bureau of Employment Security.

RECRUITMENT OF PUERTO RICAN WORKERS

1. When an employer places an order with a local office of the United States Employment Service system, every effort will be made to recruit workers locally. In the event that workers cannot be so obtained, the employer will be told that workers in a wide range of agricultural skills and occupations may be found locally. In accordance with United States Employment Service policies and standards, the order, with the permission and cooperation of the employer, will be forwarded to other offices through normal clearance procedures.

2. In the event that workers cannot be so obtained, the employer will be told that workers in a wide range of agricultural skills and occupations may be found in Puerto Rico. The order will be transmitted to the employer that Puerto Rican labor shall be considered for employment prior to any consideration of the use of foreign labor, and a definite effort shall be made to encourage the employer to use this source of labor supply.

3. The national office shall at its discretion, when the facts of each case and the commissioner delinquency of the United States Employment Service of Puerto Rico have been supplied to all Puerto Rican laborers, without charge, perquisites customarily furnished by him such as a dwelling, garden plot, pasture lot, and medical services. Attached is a copy of wage rates, sugarcane, Puerto Rico, 1951, developed pursuant to the Sugar Act of 1934.

4. 'Any exception to this policy will be determined by the national office on the merits of each individual case and the commissioner of labor of Puerto Rico shall be informed of the findings in such cases. "Approved this 15th day of February 1949.

"Commissioner of Labor of Puerto Rico,

Robert C. Goodwin,
Director, Bureau of Employment Security.

SUGAR ACTS

Senator CHAFEE. I wish you would furnish the record, if you can, the Sugar Act, which fixes the standards for Puerto Rican labor. As a general rule, it is the Sugar Act that I am seeking.

Mr. GOODWIN. Yes.

(The information requested is as follows:)

Reprinted from Federal Register of December 29, 1936)

United States Department of Agriculture, Production and Marketing Administration—Wage Rates; Sugarcane; Puerto Rico; 1951

TITLES 7, AGRICULTURE; SUBCHAPTER VIII, PRODUCTION AND MARKETING ADMINISTRATION (SUGAR BRANCH), DEPARTMENT OF AGRICULTURE; SUBCHAP­ TERS VI AND VII; DETERMINATION 867.3; PART 867, SUGARCANE, PUERTO RICO

Calendar year 1951

Pursuant to Section 301 (c) (1) of the Sugar Act of 1948 (herein referred to as "act"), after investigation, and consideration of the evidence obtained at the public hearing held in San Juan, Puerto Rico, on October 5 and 6, 1950, the following determination is hereby issued:

Sec. 867.3. Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Puerto Rico during the calendar year 1951— (a) Requirements. The requirements of section 301 (c) (1) of the act shall be deemed to have been met with respect to the production, cultivation, or harvesting of sugarcane in Puerto Rico for the calendar year 1951 if the producer complies with the following:

1. Wage rates: All persons employed on the farm in the production, cultivation, or harvesting of sugarcane shall have been paid wages in cash therefor at rates as agreed upon between the producer and the laborer after the determination of, not less than the following:

1. (a) Basic rates: The basic wage rates for the first 8 hours of work performed in any 24-hour period (except that: for ditch diggers, ditch cleaners, or field flooders in class C, herein below, the applicable day rate shall be the first 7 hours of work

1. (b) Overtime rates: The overtime rate 1. (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (t) (u) (v) (w) (x) (y) (z)
Branch determines that for any 2-week period, the time work at a rate double the applicable hourly rate provided in subdivisions (1), (2), and (3) of this subparagraph. The 2-week period immediately preceding 2-week period. The 2-week period immediately preceding 2-week period. The 2-week period immediately preceding 2-week period.

A. All kinds of work not classified above. $1.20 $1.00
B. Operators of mechanical equipment, including cutters, truck drivers, tractor drivers. 2.50 2.50
C. Cartmen in cultivation work. 1.60 1.50
D. Flow steersmen and operators of irrigation pumps, and all work connected with mixing and applying chemical weed killers. 1.20 1.05
E. Ditto diggers, ditch cleaners, field seeders (per hour day). 1.60 1.50
F. Cartmen in harvest work. 2.00 1.90
G. Sweeps cutters (for pruning or planting), seed cutters, enzyme operators, dumpers. 1.80 1.65
H. Portable truck haulers, road or portable track car loaders (per hour day) 2.00 2.00
I. Crane cart or truck loaders. 1.90 1.90

A. All kinds of work not classified above.
B. Operators of mechanical equipment, including cutters, truck drivers, tractor drivers.
C. Cartmen in cultivation work.
D. Flow steersmen and operators of irrigation pumps, and all work connected with mixing and applying chemical weed killers.
E. Ditto diggers, ditch cleaners, field seeders (per hour day).
F. Cartmen in harvest work.
G. Sweeps cutters (for pruning or planting), seed cutters, enzyme operators, dumpers.
H. Portable truck haulers, road or portable track car loaders (per hour day).
I. Crane cart or truck loaders.

1 Interior forms shall be deemed to be those forms which were classified as interior forms for the calendar year 1951.
2 Field hoeers shall be deemed to be workers who save the raw sugar to drainage ditches when used for flooding drainage canals.

(b) Wage increases: For each 10 cents or fraction thereof that the price of raw sugar (duty-paid basis, delivered) averages more than $3.80 per 100 pounds, but not more than $7 per 100 pounds for the 2-week period immediately preceding the 2-week period during which the work is performed, a wage increase of 4.5 cents per day above the rate prescribed under subdivision (1) (a) of this subparagraph shall be paid for each day of work during such 2-week period;

Provided, That the average price of raw sugar prevailing for the period from December 7 through December 20, 1950, shall determine the amount of wage increase effective during the period from January 1 through January 31, 1951, and thereafter the amount of wage increases in successive 2-week work periods shall be determined by the average price of raw sugar prevailing in the immediately preceding 2-week period. The 2-week period during which the sugar (duty-paid basis, delivered) is determined by taking the simple average of the daily spot quotations of 50° raw sugar of the New York Coffee and Sugar Exchange (domestic contract) converted to 100 pounds and adjusted to a duty-paid basis, delivered, by adding to each quotation the United States duty prevailing on Cuban raw sugar on that day, except that, if the Director of the Sugar Branch determines that any 2-week period such average prices does not reflect the true market value of raw sugar, because of inadequate volume or other factors, the Director may designate the average price to be effective under this determination.

(ii) Hourly rates: Where persons are employed on an hourly basis for a period not in excess of 8 hours (7 hours in class E) in any 24-hour period, the hourly rate shall be calculated by dividing the applicable daily rate provided in subdivision (1) of this subparagraph by 8 (by 7 in class E).

(iv) Piecework rates: If work is performed on a piecework basis, the wages for the time involved on each separate unit of work for which a Piecework rate is agreed shall be calculated by dividing the applicable daily or hourly rate provided in subdivisions (1), (ii), and (iii) of this subparagraph.

(2) Perquisites: In addition to the foregoing, the provisions of this determination with respect to fair and reasonable wage rates for Puerto Rico and the Virgin Islands provide that the minimum wage rate for the least skilled bargaining agreements negotiated between producers and laborers. In the 1958 wage determination the minimum wage rate for the least skilled workers was $1 per 8-hour day. This rate was increased to $1.30 in 1942 and $1.60 in 1943. Several increases were made in the rates for workers of higher skills during these years and in 1944. Subsequent to 1944 these wage rates have remained unchanged.

In 1940, when increases in raw sugar prices were anticipated, there was incorporated in the wage determination a provision for wage increases over and above basic wage rates when the price of raw sugar exceeded a stated price. While details of the wage increment plan changed in subsequent years, the wage determinations in all years except for a period of 1940 has been based on an escalator scale. In the 1948 wage determination the wage escalator scale provided that increases of 4.5 cents per day were payable for each 10 cents over $3.80 per 100 pounds for raw sugar. This scale was maintained in the 1949 and 1950 wage determinations.

In the 1958 wage determination the basic daily wage rates were established for various classes of workers according to relative skills. In subsequent years revisions have been made in the classification and grouping of jobs as a result of changes in production methods. In all years since 1958 a differential in wages has been paid to workers delivering sugarcane to certain mills in the interior region of the island.

In making this determination the Department is bound by agreement with respect to the costs, returns, and profits of the Puerto Rico sugar industry. These data were used as a basis for the 1958 scale of wage rates for 1951 will not prejudice the ability of producers to pay such wages. Since the wage increments of the escalator scale are geared to changes in the market prices of sugar, wage rates in 1951 will be responsive to income changes which result from sugar prices. Thus, the relationship of wage rates to sugar prices should remain about the same as in previous years.

In determining the wage rates for the 1951 wage determination the Department is bound by agreement with respect to the costs, returns, and profits of the Puerto Rico sugar industry. These data were used as a basis for the 1958 scale of wage rates for 1951 will not prejudice the ability of producers to pay such wages. Since the wage increments of the escalator scale are geared to changes in the market prices of sugar, wage rates in 1951 will be responsive to income changes which result from sugar prices. Thus, the relationship of wage rates to sugar prices should remain about the same as in previous years.

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rates for certain classes of workers while labor-union representatives recommended increases in wage rates and, in some cases, recommended a prohibition of the use of particular labor-saving practices. While consideration has been given to this testimony and to the recommendations made in connection with the above, it is indicated that the wages provided in this determination are fair and reasonable.

Mr. GOODWIN. If I may, Senator, I would like to add this: In 1946, according to the best estimates we could get, there were 200 Puerto Ricans brought in under contractual arrangements. In 1947 there were about 875 that were brought in. We got the program in 1948. We stepped it up some in 1948 when we brought in about 3,500. In 1949 we brought in about 4,000. These are the Puerto Ricans under contract, now, not counting those that came in under their own steam.

Mr. CHAVEZ. The ones under contract come in and work, say, for 4 or 5 or 6 months and then go back.

Mr. GOODWIN. That is right, sir.

Mr. CHAVEZ. That is part of their contract?

Mr. GOODWIN. Yes.

Mr. CHAVEZ. That is, that they are to be returned?

Mr. GOODWIN. That is right—although, if they choose not to return, there is no compulsion. There is an incentive, in terms of transportation costs, for them to leave the reservation, but the money is available for them.

Mr. CHAVEZ. What is the record on that?

Mr. GOODWIN. Most of them do. The places where there has been a significant percentage of them stay is where they are located close to centers, such as New York, where there are fairly large groups and they may have relatives, and are inclined to stay.

The agricultural employment season in Puerto Rico and in the United States dovetails very well. You can use the farm workers of Puerto Rico in the United States during the Puerto Rican off season. Many of them do not like the winter climate here. The majority of them prefer to go back after they have worked through the summer months.

Mr. CHAVEZ. What I have in mind is this: The United States is contributing millions and millions of dollars in different ways to Puerto Rico. If they can help themselves by working here, we give up a quite a little money if we can, we should use the Puerto Ricans and the Indians.

Mr. GOODWIN. Upon return of the Farm Placement Service to the Department of Labor in 1948, efforts to place and utilize Indians in agriculture as well as other work were substantially increased. The primary objectives are now in effect nationally and, as a result, in 1950, 31,280 placements of Indians in agriculture were made, an increase of 20 to 25 percent over 1949. These placements were the result of organized recruitment on the reservations. Many others were placed who left their reservations voluntarily. Since records in local employment offices do not distinguish an Indian from any other applicant, the exact number of these placements is unknown.

In addition, large segments of the Indian population who were engaged in construction and railroad maintenance, military depots, or other industrial work. Progress has also been made in placing graduates of Indian schools in immediate employment, one State agency reporting 100 percent placements for 1950.

At the present time there is a demand for 13,150 Indians in Arizona and 3 surrounding States for agriculture and railroad employment, with a supply of only 12,260. The Navajo-Hopi Reservation at Window Rock cannot supply the demand for Indians in the South Central and Mountain States. Railroads and agriculture offer the majority of jobs.'
TRANSFER OF FUNDS FOR DEFENSE ACTIVITIES

Senator Chavez. You are talking about the possibility of a supplemental request, notwithstanding the fact that you will be allowed 357 new employees and $464,369 out of funds that you did not get from the Department, but out of Presidential funds. What are you contending that is financed by the Executive Office of the President?

Mr. Goodwin. Is that the appropriation that is before the House Deficiency Committee?

Senator Chavez. Yes. This is the House report. It indicates that that amount will be transferred to your agency. That is shown on page 135 on the hearings before the sub-committee of the House.

Mr. Goodwin. That relates to the departmental appropriation. What I was referring to here was the grants to the States.

Senator CHAVEZ. That is right. Possibly I was a little ahead of you. Mr. Goodwin. If it is satisfactory to the committee, I will proceed and then take care of this later.

Senator Chavez. Go ahead, sir. You might elaborate a little further on with regard to Senator Knowland's question; that is, if employment keeps on the increase—and the chairman is aware of the same—and if you don't reduce instead of increasing your expenses—what will be the Federal share of the same?

Mr. Goodwin. That is a very good question. I had this analysis of that in my statement; and if it is satisfactory to you, I will present that, and then we can get at the rest of it.

Senator Knowland. As long as we get the information.

Mr. Goodwin. I should like to comment on the increase in payroll rates on our total needs. When we appeared before you in connection with the 1951 request, we were under an average State salary rate of $82.81 per year. By July 1, 1950, when we made our first allotment to the State, it had increased to $83.30 per year. When a further increase was estimated, we estimated an average annual rate of $3,603 in our 1952 request. Our estimate was too conservative, however, because the rate is now over $8,100.

Primary increases are credited to the continued reductions in the unemployment-insurance claims workload. To a large extent, this is because of the lower pay grades, and when they are laid off in substantial numbers, as has been the case during most of 1951, the average salary rate rises sharply. Several States have also made general increases in their salaries, and this, too, increases the average annual rate.

To point out the effect of increases in State average annual salaries, our 1952 request would be smaller by approximately $6,000,000 if the one-time average used were the same as the $2,810 rate we used in our request for fiscal year 1951. In developing our estimates for the States' budget, we have combined estimated workload totals for the principal employment-security functions and the time factor, or length of time necessary to do a single unit of work. This result, together with costs of State administration and nonpersonal services is converted into a wage rate. With one minor exception, our time factors are no larger than in 1951, and in several cases they are less. The estimate for the cost of nonpersonal services—an area which is greatly influenced by rising prices—is approximately the same as for 1951 and somewhat under current rates of expenditures.

1952 REQUEST FOR UNEMPLOYMENT INSURANCE

For all unemployment insurance activities, our request for 1952 totals $73,000,000, a decrease of $8,000,000 from 1951. This request reflects our estimates of the workload and costs which we have in mind for the coming year. This estimate, if approved, would provide for funds to maintain the insurance program at its present level and to provide for any increases in employment and unemployment which may arise.

Mr. GOODWIN. The payments cut to unemployed people.

Senator CHAVEZ. Yes; I know; but what we are discussing is the way the payments are made.

Mr. Goodwin. The payments cut to unemployed people, sir.

Senator CHAVEZ. I know; but what we are discussing is the way the payments are made.

Mr. Goodwin. The payments cut to unemployed people.

Senator CHAVEZ. I wonder if we can see the volume of work that is being handled throughout the country.

Mr. Goodwin. Yes; we will be glad to furnish that for the record. That would be the amount of money paid out to these funds?

Senator Knowland. And the number of claims, because that certainly should have some relationship to the number of people employed in processing those claims.

From the point of view of the collection of taxes, and so forth, and the auditing of accounts, it can be said that if it is a more or less continuous job and would not fluctuate too much, but, in the paying-out procedure, there should be a considerable fluctuation between a high point of unemployment and a low point of unemployment.

Mr. Goodwin. That is right. The first part, however, is the part that so many people forget, about unemployment insurance, and that is that you have this regular cost of collecting taxes and keeping the wage records.

Senator Chavez. That goes on.

Mr. Goodwin. And even in periods like this, it goes up.

Senator Knowland. Why is there more employment?

Mr. Knowland. It is because there are more employers from whom to collect taxes.

Mr. Goodwin. That is right. It is related to the number of employees.

I have some figures here on how it ran, a comparison for the period July to December, 1948 with July to December of 1950, in your State, Mr. Chairman, if you would like that.

Senator Chavez. That is fine. But there will be plenty of time to get the information in the record, if you will give it to us, say, for a 10-year period, a comparative study.

Mr. Goodwin. I can do that for all States, and put it in the record.

Senator Chavez. Very well.

Mr. CORDON. Mr. President, I yield 5 minutes to the Junior Senator from Washington (Mr. Cain).

Mr. CAIN. Mr. President, I rise in support of the amendment offered by my colleague, friend, and neighbor, the Senator from Oregon (Mr. Cordon). S. 984 proposes to supply agricultural workers from Mexico, not from Hawaii, not from Canada, not from any other country in the Western Hemisphere—from Mexico only.

S. 984 would establish reception centers "at or near the places of actual entry
of such workers into the continental United States." That means, Mr. President, reception centers in California, Texas, and perhaps Gulf cities in Louisiana, Alabama, Mississippi, and Florida. The workmen over there will pay the total transportation cost of the workers he may hire to and from those reception centers. It is a long way and many dollars from the Mexican border to the State of Washington, or even from the Gulf Coast to Idaho and Montana.

Washington State is so far from the Mexican border that the cost involved in paying the total cost of the workers' transportation to and from the border is prohibitive. When these workers get into our area it will be necessary to move them to three or four different localities during the season; these localities may be 200 to 300 miles apart. For example, the first big need for this type of labor in our area is in sugar beet thinning in Idaho or western Montana in April and May. Then, July and August may find these workers moved to the potato harvest area in eastern Oregon and Washington, at least 250 miles from the beet area. August through October may be needed in the apple harvest in the Hood River, Oreg., area, the Yakima Valley and Wenatchee-Okanogan area for the apple and potato harvest of central Oregon and Washington.

If employers were required to pick these workers up at reception centers at or near, the Mexican border, it would cost them approximately $50 each way, or $100 a man, to get them to and from the border. Then these moves within the area already referred to would cost at least $25 to $30 per man for transportation and subsistence. Also, Senate bill 984 provides that employers reimburse the Government for recruiting expense up to $20 a man when recruiting Mexican workers.

This would mean that under such a program, it would cost an employer a total of $150 a man in addition to camp costs and food and wage compliance.

The growers of Oregon, Washington, and western Idaho cannot afford these additional increased costs of $2 per man-day for Mexican Nationals over and above the cost of domestic labor.

Mr. President, the amendment of the Senator from Oregon is not sectionalism; it favors no one area over another. Neither he nor I seek a special privilege for the lily of our northern States. Simple justice, plain equity, demand that farm labor employers in every section of the country—New England, the Dakotas, Wisconsin, Michigan, and Minnesota—receive an employer to pay the southern or midwestern neighbors and friends.

The amendment of the senior Senator from Oregon simply gives to the Secretary of Labor the discretion to locate these Mexican labor reception centers at points equidistant from all areas where supplemental farm labor is needed.

I encourage my colleagues to exercise their American sense of fair play and accept this amendment which has been so ably offered by the senior Senator from Oregon.

Mr. ELLEN DER. Mr. President, I reserve the time remaining to me, and yield the floor so the Senator from Louisiana (Mr. ELLEN DER) may speak.

Mr. ELLEN DER. Mr. President, by the pending amendment offered by the Senator from Oregon the bill would be changed in four major ways. In its present form the bill provides that the Secretary of Labor shall establish, at or near the border between the United States and Mexico, reception centers to which Mexican labor would be brought from the interior of Mexico. At the reception center the worker would enter into a contract with American employers for temporary employment in the United States. The pending amendment makes it possible for the Secretary of Labor to establish these centers at interior points in the United States, away from the Mexican border.

The first objection to the amendment is that it would change the basis of the bill from one attempting to implement the present method of importing Mexican labor, to one of meeting an emergency, now that the pending bill would continue to make Mexican workers available in those areas of the country where it is economically feasible for private employers to hire them; whereas if the pending amendment were adopted it would change the purpose of the bill by making its goal the placement of Mexican laborers at Government expense at any point in the United States where an emergency shortage of labor existed.

Secondly, the amendment changes the policy of the Federal Government from aiding employers purchase of farm labor. The bill is designed to carry out the agreement reached with Mexico at a minimum cost to the Federal Government and it is required that the same conditions be applied by Mexico. The workers are then brought from the interior of Mexico to reception centers in the United States at or near the border. If reception centers are established in the United States other than at points at or near the border, it becomes apparent that all additional transportation and subsistence costs will be paid by the Federal Government. This involves substantial subsidization by the Federal Government to one of the largest employers of farm labor in the United States. Such subsidization has been made in the past only during World War II, and not during peacetime or partial mobilization. Therefore, adoption of the amendment involves a major change in policy of our Government.

Thirdly, the effect of the amendment on the legislation would result in discrimination against domestic workers and workers from foreign countries other than Mexico. The bill as reported requires that the employer pay practically all of the costs of importing Mexican workers. If the amendment is adopted, it must be certified that domestic workers are not available, and that such importation would not adversely affect their wages and working conditions. Under the pending bill, it will mean that the Federal Government will be paying for the transportation and subsistence of Mexican workers to any point in the United States, whereas if the pending bill is adopted for any domestic workers, or any worker from a foreign country other than the Republic of Mexico. Again, the question must be answered if the amendment is adopted as to why the same method should not be applied to Canadians, to J amaicans, to Hawaiians, to Puerto Ricans as well as domestic workers from Mexico.

Finally the amendment will increase the cost of the program tremendously. The bill is designed to have the employers pay practically all costs for transportation and subsistence expenses incurred in bringing workers from Mexico. The legislation also authorizes the Federal Government to establish reception centers at or near the border, to receive workers from Mexico, and to house them during the negotiations for contracting. The establishment and maintenance of these reception centers will be the main expense of the Government in this process. The establishment of reception centers at other points in the United States will mean, first, that practically all the transportation and subsistence costs incurred in the United States will be paid by the Federal Government, and second, the Federal Government will, of course, have to pay for the additional reception centers. The Department of Labor has not estimated what the additional cost of establishing and maintaining these reception centers will be. It has estimated that construction of an overnight rest camp will cost $700 to $1000, and it is required that the Government reimburse the employer at any times that amount. The reception centers authorized by the bill at or near the border will undoubtedly be used on a full-year basis. If reception centers are established wherever an emergency farm labor shortage occurs, they may be used for one season only, and complete utilization from year to year will not be possible.

Mr. President, as I explained to the Senate 10 days ago, when the bill was first considered, the labor is recruited in Mexico under the auspices of our Government, at centers to be erected upon by Mexico. The workers are then taken from these centers and brought to reception centers established at or near the border within the United States. At the centers in the United States, employers enter contracts with the Mexican laborers. The expense of transportation and subsistence of the laborers is borne by Mexico in Mexico and the one established on the border is paid by the United States Government, but each employer is required to reimburse the Federal Govern-
ment up to an amount not exceeding $20 per worker for such expenses. Thus the legislation is designed to provide that the employers of these workers will pay as much of the total cost of the program as is practicable.

If the amendment is adopted, it can readily be seen that the result will be that instead of the employers paying the entire cost, the Federal Government will be called upon to subsidize the employers of farm labor. In other words, if the centers are established, let us say, in Seattle, in St. Louis, and in Denver, fact, at any point away from the border—the Federal Government will be called upon to pay every cent of the transportation from the interior of Mexico to the established centers, less the sum of $20.

Mr. President, if we are to undertake a program of that character, we ought to make it apply not only to Mexican laborers but to all forms of foreign as well as domestic labor that may be needed to maintain American agricultural production.

Today we have in force an agreement whereby employers in the United States go into Mexico, hire Mexican labor, pay all of the expenses in connection with obtaining such labor, and in that way obtain many agricultural workers. The Mexican Government, however, does not desire to continue that agreement. Therefore, in order that we shall be able to carry out a tentative new agreement between the United States and Mexico, it is necessary that this bill be enacted.

As I pointed out a moment ago, if we should adopt the amendment, there will be discrimination against foreign laborers from countries other than Mexico and against our own domestic farm labor. Why should not we have a plan providing that if there is a national emergency in farm labor, the Government will pay for the transportation not only of foreign labor, but also of domestic farm labor? I believe such an agreement must be entered into in connection with the problem raised by the amendment.

Mr. President, I repeat a statement I have made previously, namely, that in the future time may come when there will be necessary—because of the existence of an emergency, and in order to obtain the labor needed not only on the farms, but also in industry—to enact legislation similar to that which was in effect during World War II. It will be recalled that during World War II we had in effect a plan whereby our Government financed the transportation, subsistence, and other expenses not with respect to relocating farm labor, but also, with respect to relocating industrial labor. That cost the taxpayers of the United States in excess of $300,000,000 a year during World War II. I do not believe this bill should now be placed in that category. I contend that we are not yet in an emergency which would require the Congress to enact a bill making it possible to transport labor from one place to another.

I repeat, Mr. President, that the purpose of the amendment is merely to provide a proposed agreement which has been entered into between our Government and the Mexican Government, without which we would be unable to obtain any Mexican labor legally. As I have pointed out, employers in the United States have been able to bring in large numbers under terms of an agreement which became effective August 1, 1949. The Mexican Government has given us notice that it will no longer agree to contracts made under those terms, and that in order for Mexican labor to be imported into the United States, it will be necessary for that to be done in accordance with the terms of the new Mexican Federal program for the time part of this year. I believe the bill will authorize our Government to carry out its part of that agreement in the best way possible but the pending amendment would enable our Government on a different type of farm labor program from that contemplated by the basic legislation.

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

Mr. ELLENDER. I yield.

Mr. DWORSCHAK. Surely the Senator from Louisiana is not contending, is he, that in the past several months the Mexican farm labor situation has not become more acute by virtue of the recruitment of labor in areas in the West, particularly for employment in munitions plants, installations, and in airplane factories?

Mr. ELLENDER. I am not contending that at all, Mr. President. The point I am trying to make is that when our committee considered the bill, it was considered, not in the light of an emergency bill, but simply as a bill to provide ways and means by which Mexican labor could be brought into our country for use on our farms. In other words, if this bill should not be enacted, we would not be able to contract for Mexican workers legally as we have done heretofore.

As the law now stands, contracts are entered into by employers in the United States with employees in Mexico, without any subsidies or guarantees by our Government. However, the Mexican Government has now refused to continue this program unless it is done under terms and conditions outlined in an agreement which was entered into between the United States and Mexico in January of this year. As I have stated, the purpose of this bill is to carry out that phase of the agreement.

Mr. President, during the course of the hearings, I have been told by the Department of Labor and from other sources information as to what the cost of the program would be. However, we could not obtain any information as to how much it would cost to establish a reception center. The Department did estimate that it would cost $70,000 to construct an overnight rest stop and undoubtedly, the Government would cost many times that amount.

As I stated before the committee, if the time comes in the near future when we have to rely on workers from other countries it makes it necessary for us to bring into our country not only Mexican labor but other foreign farm labor, and also to provide for the transportation of domestic farm labor, that problem should be considered then as a whole. However, let us look at this first bill, which would be grossly discriminatory against domestic workers and foreign workers from countries other than Mexico, by adoption of the pending amendment. If the amendment of the senior Senator from Oregon [Mr. Condon] is adopted, it will mean that the Government of the United States will have to pay the entire $20,000,000 for that portion of the workers from the interior of Mexico all the way to Portland, Oreg., if the laborers are to be employed there, or to other points in the United States. Again I repeat, that would change the purpose and policy of the bill.

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

Mr. ELLENDER. I yield for a question.

Mr. HUMPHREY. Mr. President, I wonder whether the Senator from Louisiana has given any thought to the possibility of increasing the $20 minimum fee. Twenty dollars does not cover very much, anyway, even in the case of the cost of transportation to the reception centers originally proposed. Would it not be possible to increase the $20 minimum?

Mr. ELLENDER. The purpose of the $20 fee is to cover the cost of transportation and subsistence in Mexico.

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

Mr. ELLENDER. Personally I would much prefer, if the Congress feels that way, to provide that employers whose farms are at a considerable distance from the border shall receive some sort of rebate. I am not advocating that; but I would prefer it to the establishment of the proposed centers.

Mr. HUMPHREY. The question I ask of the Senator from Louisiana is this: If the Cordon amendment should be adopted, would not it be within the power of the Senator to suggest a moderate increase in the minimum sum which an employer would be required to pay?

Mr. ELLENDER. The purpose of the $20 amount, as I have said, is to pay for the actual expenses within Mexico. Certainly the Senator from Minnesota would not want to pay a greater amount than they actually needed.

Mr. HUMPHREY. Yes, I would.

Mr. ELLENDER. I would not. Why should we make a farmer who lives on the border pay a considerably larger amount than the cost of transporting a laborer from, let us say, the interior of Mexico to the point on the border where the employer's farm is located?

I understand that my distinguished friend from Minnesota, by means of his amendment, to make the payment equitable.

Mr. HUMPHREY. Thirty-five dollars was the amount suggested by me.

Mr. ELLENDER. But in the amendment of the Senator from Oregon we find this provision: "Provided, That such reception centers shall be distributed geographically so as to provide, as far as practicable, equal opportunity for obtaining such workers in the
areas where the Secretary finds need therefor to exist.
If we could work out a method which would take care of the transportation from a point within Mexico to a point which we desire to go, I believe that we prefer that approach to the establishment of centers throughout the country. Mr. HUMPHREY. Mr. President, will the Senator yield?
The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.
Mr. ELLENDER. I am sorry that my time has expired, and I am unable to yield.
The PRESIDING OFFICER. The Senator from Oregon is recognized.
Mr. CORDON. Mr. President, how much time have I?
The PRESIDING OFFICER. The Senator from Oregon has 3 minutes.
Mr. CORDON. I yield 1 minute to my friend from Iowa for an argument today, the distinguished Senator from Oregon for yielding this time to me.
Mr. HICKENLOOPER. Mr. President, although this type of labor is not particularly attractive in my immediate section of the United States, nevertheless it is attractive in various other sections, and I believe that it is a good thing to obtain this supply of labor if it can be obtained without undue cost. I believe that the amendment of the Senator from Oregon is a proper one. I think it should be adopted.
However, I also would go along with a commensurate increase in the total overall transportation cost, the payment of which might be provided for in the bill, in order to equalize the costs of transportation to the various areas of the United States.
Mr. President, I believe that the time allotted to me has expired. I thank the Senator from Oregon for yielding this time to me.
Mr. CORDON. Mr. President, in his argument today, the distinguished Senator from Louisiana repeated, as I understood him, the matters he presented in his original argument before the Senate. They were answered by me in my argument of the other day.
Let me say that there is no reason for any cost for maintaining beyond the Mexican border any reception center for any laborer. All the Secretary of Labor need do is to determine the points to which the laborers come and from which they return, with expenses prepaid by the American Government. The remainder is all taken care of exactly as it would be under any other system, whether of administrative judgment on the part of the Secretary of Labor, and I think we can indulge the hope that we will have that sort of administration and that result will be equity as between agricultural areas in the several States of the United States in which there is a critical labor shortage which cannot be met domestically, as there is no shortage, there is no call for the foreign labor. If there is a shortage, there should be equity in its supply and in the cost of providing it. I yield the remainder of my time to the chairman.
Mr. ELLENDER. Mr. President, of the hour which I would have on the bill itself, I now yield 10 minutes to the Senator from Florida.
The PRESIDING OFFICER. The Senator from Florida is recognized for 10 minutes.
Mr. HOLLAND. Mr. President, I hope that this amendment will not be adopted, because its adoption would mean that many of the farms of the Nation which does not use Mexican labor, but whose people are very anxious, by supporting this bill, to help both agriculture and the laborers, if they find that Mexican labor is available, would be left in a position where we could not possibly support it. There are three reasons for saying that that is the case, and I should like to give those reasons for the record.
I note that there are very few Members of the Senate present, but, since I shall have to oppose this bill if this amendment is not adopted, I believe that many other Senators are in the same position. I think it only fair to state for the record just why we oppose this amendment so vigorously.
The first reason for opposing the adoption of this amendment would discriminate completely against users of agricultural labor which comes from foreign sources other than Mexico, such as the Bahamas, Jamaica, Canada, and the like. We have not asked to be included in this bill. We do not want to be included in this bill. We, in Florida, ourselves are paying the expenses of bringing agricultural labor from the Bahamas and from Jamaica.
We do not want to be subsidized, neither do we want to be regimented, and we therefore have not asked to be included within this bill.
The practice which has been built up is thoroughly satisfactory. It does not cost the United States Government a cent. It is not inimical to domestic labor, because there cannot be brought into the United States a single alien without first getting a certificate of the need for additional labor, over and beyond what domestic sources can supply. But if this amendment should be placed in the bill we would be in the position of having to see Federal funds expended in very large amounts, for instance, for transportation from such places of entry as Brownsville or El Paso, Tex., clear across an area of more than 2,000 miles to the fields of the Northwest, and for housing and subsistence at various places on the way. We feel that for the Government to pay those expenses and at the same time to pay not 1 dime for the importation of labor from the Bahamas and Jamaica and the transportation expenses incurred would mean more than 2,500 miles in each direction of labor brought in from Mexico, in order that they might work in fields, let us say, in Washington, Idaho, or Oregon—and I have nothing but the friendliest feelings for all those good States—and at the same time no effort whatever would be made to reimburse the travel or other expense of domestic laborers who might have equally as great a desire to see that interesting part of the country and to work there for a few months in the summer or fall as would the Mexicans.
There simply is no equity toward our own people in such a program.
Mr. CORDON. Mr. President, will the Senator yield?
Mr. HOLLAND. I will yield in a moment. Let me make my third point; after which I shall yield.
The adoption of this amendment would mean a very great degree of discrimination against domestic agricultural labor in the United States, and there would be no way in the world to prevent it.
The third point, Mr. President, and the reason why I would object to the amendment, is that it is a big entering wedge for what is the most grandiose scheme I have ever heard advanced for setting up a hierarchy the like of which I have not heard of before. I refer to the establishing of motels, transient camps, and tourist camps from the Canadian border to the Gulf, and from the Atlantic to the Pacific Ocean, as testified to before the committee by the Assistant Secretary of Labor, Mr. Robt. T. Creasy. At an earlier time in the debate I placed in the Record his testimony. The amendment proceeds to furnish such entertainment to Mexican labor, scattered all over the country.
The fact that it involves more than one labor-i.e., or three centers was never better illustrated than by the statement...
a few moments ago of the distinguished Senator from Washington [Mr. CAIN], who made it clear that every provision in the bill is a discrimination in favor of any of the nationalities of the country, though it may be confined to Mexican labor for the moment. Surely, with that kind of scheme it would be wholly impossible to exclude the implication that we would also have to be entertaining domestic agricultural labor very soon and it would not be many months before we would have to do it.

I now yield to the Senator from Oregon. Mr. CORDON. The Senator speaks of discrimination. Is it not a fact that every provision in this bill is a discrimination in favor of foreign labor? Every provision in it is a discrimination predicated upon the sole proposition that we do not have sufficient domestic labor, that we must get foreign labor, and that we cannot get it from the usual source, Mexico, except in the way provided in the bill.

Mr. HOLLAND. No. The Senator is not correct. There is no discrimination in favor of Canadian labor; there is no discrimination in favor of Bahaman labor; there is no discrimination in favor of Jamaican labor; there is no discrimination in the bill in favor of any of the users of all those classes of labor, which means farmers in most of the eastern areas of the United States.

I have heard not one word from the farmers of the eastern section of the United States by way of suggestion that they want any sort of a subsidy or any sort of a hierarchy established and that we must get our advantage. To the contrary, they say they want to and they insist upon handling their problems themselves, and at their own expense.

The only reason for the bringing of Mexican labor into the picture is that under the practices which have existed, the very areas in Mexico which did not need to export their laborers have been the ones whose laborers have been exported; instead of going into the areas remote from the border, where there was unemployment and where the Mexican Government wanted the labor to come from, the labor has been drained away from the very home areas where it was most needed.

The Senator also knows that in the case of Bahaman labor and Jamaican labor we do not have, as in the case of Mexico, a border more than 2,000 miles long over any portion of which a man could pass, regardless of the most efficient border inspection service.

Mr. CORDON. Would the Senator say that the section of the bill which provides subsistence, emergency medical care, and burial expenses, not exceeding $150 for burial expenses in any one case, would be discriminatory? Would the Senator say that a provision guaranteeing wages is a provision available to all domestic workers?

Mr. HOLLAND. No; but I will say to the Senator that there is not a provision in the bill which allows this Mexican labor to be used for a dime more or less than is to be paid for domestic labor, nor is there anything in the bill which provides for other than transportation across the border to the edge of our country. The farmer has to pay the transportation and carry the whole burden from that moment forward just as in the case of domestic labor—no more and no less.

The PRESIDING OFFICER. All time for debate has expired. The question is on an amendment offered by the Senator from Oregon [Mr. CORSON] for himself and other Senators, as modified. Mr. ELLENBERG. Mr. President, I suggest the adoption of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Anderson
Bennett
Benton
Bremer
Bricker
Bridges
Butler, Nebr.
Byrd
Cain
Carlson
Case
Clemente
Connally
Cordon
Douglas
Duffy
Dworshak
Eccot
Elender
Ferguson
Flanders
Fulbright
George
Gillette
Green
Maybank
Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FRAIR], the Senator from Arizona [Mr. HAYDEN], the Senator from Montana [Mr. MURRAY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

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

The Senator from New Mexico [Mr. CHAVEZ] is paired on this vote with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Mississippi would vote "nay." If present and voting, the Senator from Nevada [Mr. MCCARRAN] would vote "yea.",

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. ARLEN], the Senator from Maryland [Mr. BUTLER], the Senator from Indiana [Mr. CAIN], the Senator from South Dakota [Mr. MUNRO], the Senator from Maine [Mr. MUNRO], the Senator from Wisconsin [Mr. WELKER], and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from South Dakota [Mr. MUNRO], the Senator from Maine [Mr. MUNRO], the Senator from Wisconsin [Mr. WELKER], and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from Utah [Mr. WATKINS] is necessarily absent.

The Senator from Nevada [Mr. MALONE] is detailed on official business.

The Senator from Illinois [Mr. DINKEN] is necessarily absent because of illness.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment, as modified by the Senator from Oregon [Mr. CORDON] on behalf of himself and other Senators. Mr. ELLENBERG and other Senators requested the yeas and nays. The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Delaware [Mr. FRAIR], the Senator from Arizona [Mr. HAYDEN], the Senator from Montana [Mr. MURRAY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Nevada [McCARRAN] is absent by leave of the Senate on official business.

The Senator from New Mexico [Mr. CHAVEZ] is paired on this vote with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Mississippi would vote "nay."
voting, the Senator from Vermont would vote "yea" and the Senator from Wisconsin would vote "nay." The Senator from Utah (Mr. Watkins) is paired with the Senator from Maine (Mrs. Smith). If present and voting, the Senator from Utah would vote "yea" and the Senator from Maine would vote "nay."

The Senator from Illinois (Mr. Dirksen) is absent because of illness.

The result was announced—yeas 31, nays 43, as follows:

YEAS—31
Bennett Ferguson Moody
Benton Flanders Morey
Bridges Hickenlooper O'Mahoney
Butler, Nebr. Humphrey Saltus
Case Tres Smith, N. J.
Cordon Johnson, Colo. Thye
Douglas Lanham Toney
Duff McCarthy Young
Dworkshak Mcadmor
Eaton Millikin

NAYS—43
Anderson Holland Nixon
Brooks Johnston, Tex. Rusk
Byrd Johnston, S. C. Santee
Carr Keater Robertson
Carlson Kerr Russell
Clements Kerr Schoeppe
Clementz Elmore Smoot
Ellender Sparkman
Fulbright Svamis
Garey Long Tyle
Gillette McClellan Underwood
Gurney McGarrah Williams
Kings Rusk Williams
Kilgore Monongah
Hoey Monroney

NOT VOTING—22
Albien Hunt
Baker, Md. Jemison
Capehart Lehman
Chavez McCarran
Dyer McNair
Eastland Malone
Fraser Mallone
Hayden Mund

So, the amendment, as modified, offered by Mr. Connors on behalf of himself and other Senators, was rejected.

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

The PRESIDING OFFICER. The amendment offered by the Senator from Illinois will be stated.

The CHIEF CLERK. At the appropriate place in the bill it is proposed to insert the following:

Sec. 1391. Section 8 of the Immigration Act of 1917 (8 U. S. C. 164) is amended to read as follows:

"Sec. 8. Any person, including the owner, operator, pilot, master, commanding officer, agent, or consignee of any means of transportation who—

1. brings into or lands in the United States, by any means of transportation or otherwise, or attempts by himself or through another to bring into or land in the United States, by any means of transportation or otherwise, or

2. consorts with or harbors, or attempts to conceal or harbor in any place, including any building, or any means of transportation—

any alien, including an alien crewman, not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within the United States under the terms of this act or any other law relating to the immigration or expulsion of aliens, or any person who employs any alien when such person knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such alien is not lawfully within the United States, or any person who, having employed an alien without having reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such alien is unlawfully within the United States and who continued such information by reasonable inquiry at the time of giving such employment, shall obtain information promptly to an immigration officer, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding $5,000, or by imprisonment for a term not exceeding 1 year, or both, for each alien in respect to whom any violation of this section occurs."

Mr. DOUGLAS. Mr. President—

Mr. WHERRY. Mr. President, will the Senator yield so I may make a parliamentary inquiry at this point?

Mr. DOUGLAS. Yes.

Mr. WEHRLEY. Mr. President, with respect to the amendment offered by Members of the Senate, it is my understanding that if the distinguished Senator from Louisiana (Mr. ELLENDER) is in agreement with the amendment, the Senator from Louisiana has control over the time of the opposition; but if the distinguished Senator from Louisiana opposes the amendment, the Senator from Louisiana has control of the time. I thought that ought to be made plain, because Senators are asking me for time in which to speak. With respect to the particular amendment now under consideration I understand the distinguished Senator from Louisiana will be in control of the opposition time.

The PRESIDING OFFICER. The distinguished Senator from Nebraska is correct in his understanding.

Mr. DOUGLAS. Mr. President, the present situation concerning penalties for illegal immigration is approximately as follows: First, the importation and concealment of aliens illegally brought into the United States is made a crime—Eight United States Code, section 144—but the present law fails to fix the penalty, to either a fine of $2,000 or 1 year's imprisonment, instead of 5 years, or both. This amendment, very frankly, is virtually identical, therefore, with the Ellender bill, S. 1391, which is now before the Committee on the Judiciary, fixes a penalty for both, that is, a penalty both for importation and for concealment.

The Ellender bill, S. 1391, introduced by the eminent chairman of the Committee on Agriculture and Forestry, adds a penalty for the employment as well as for the importation and concealment of illegal immigrants.

The amendment which I have offered is substantially the bill already offered by the eminent chairman of the Committee on Agriculture and Forestry, but with a reduction in the severity of the penalty, to either a fine of $2,000 or 1 year's imprisonment, instead of 5 years, or both. This amendment, very frankly, is virtually identical, therefore, with the separate bill already proposed by the Senator from Louisiana.

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Mr. President, the report of the President's Committee on Minimum Labor and the articles in the New York Times by Mr. Gladwin Hill have shown pretty clearly that we are dealing with a very large problem. The committee and Mr.

Hill state that each year there are probably from 500,000 to 1,000,000 Mexicans who illegally enter this country.

It is interesting that during the last year no less than 500,000 who illegally entered this country were turned back and sent back into Mexico by our immigration authorities. No one knows how many more, after they had crossed the Rio Grande or came across the desert, were able to remain here for a long period of time. These hundreds of thousands now in the country who have illegally entered.

This results in a displacement of American citizens who are not able to get jobs which they otherwise would be able to get, and it worsens the condition of American farm laborers by the cheap labor competition with the so-called "wetbacks." For instance, I am informed that in the lower Rio Grande Valley the average hourly rate for the wetbacks is somewhere around 25 cents an hour, or half the rate normally paid to domestic farm labor.

The Senator from Nebraska (Mr. JOHNSON) said, in the name of the Committee on Agriculture and Forestry, that the commission has provided for handling the traffic legally will be largely non-effective. Without some penalties I fear that efforts to halt the influx of wetbacks will fail.

I am informed that the number of immigrants who come into this country legally from Mexico can be reckoned in the tens of thousands, but that the entrants who come in here illegally can be reckoned in the hundreds of thousands each year. Therefore we need to put teeth into the measure before us.

The question then arises as to whether we should do this in an amendment to the bill now under consideration or in a separate bill. I now see the eminent chairman of the Committee on Agriculture and Forestry on the floor. I want to repeat to him, therefore, what I have previously said to the body as a whole, namely, that my amendment is nothing but the Ellender bill, S. 1391, with the penalties slightly modified. The question then is whether the penalties should be inserted in the bill before us rather than be dealt with as a separate measure and left to the Committee on the Judiciary.

If this problem is worth attacking at all, it is worth attacking now. And in—
stead of postponing action until later when we get out a general immigration bill, possibly at the end of the farm season, with hundreds of thousands of Mexicans illegally brought across the border in the meantime, it would seem to me desirable that we should tackle this issue now before the farm season is too far advanced.

Therefore, Mr. President, I believe that this amendment is really the result of the effort to curb the illegal importation of wetbacks. It fixes a penalty not too severe in amount—either a fine or imprisonment, or both—for those who illegally import labor, who conceal, or who either knowingly hire, or if they ignorantly hire do not try to find out whether or not the importation of the labor is illegal.

I hope very much that the chairman of the Committee on Agriculture and Forestry will be willing to accept the amendment because, very frankly, it is his idea. I believe that my amendment lettered "A," which was not so good as his amendment. I hope that he will not disown his own child here on the floor of the Senate on the ground that it has been improved. So I wish to congratulate the distinguished senior Senator from Louisiana, who, I think, is going to father his own child.

I feel embarrassed, Mr. President, at trying to pretend that I am the father of this child, because I am not. The child has been begotten, conceived, and brought forth by the senior Senator from Illinois. I am now sure that he is going to own his child, and step proudly forward to claim his right of parental paternity. We need penalties to halt the employment of wetbacks, and I hope the Senate will support this, which is really his own amendment.

Mr. ELLENDER. Mr. President, I thank my distinguished friend from Illinois for the compliment paid me. I desire to say that the bill to which he referred, Senate bill 1391, was introduced by me on April 26. I believe that by the enactment of this bill we will go far toward eliminating the wetback problem which is now so vexing to our Government and to the Mexican Government.

I am not personally opposing the amendment. As the distinguished Senator from Illinois has stated, the amendment follows verbatim the bill I introduced some time ago, with the exception of the penalty clause. The reason we did not incorporate the amendment in the bill was because of lack of jurisdiction in the Committee on Agriculture and Forestry, and the fact that the Committee on the Judiciary was considering in an omnibus bill practically the same language which is incorporated in the pending amendment.

Mr. President, I had occasion to talk to my good friend the Senator from Nevada (Mr. McCARRAN), the chairman of the Judiciary Committee; and he gave me assurance that his committee would at an early date consider my bill, which, as I have already practically identical to the pending amendment. I am very hopeful that the Judiciary Committee will hold hearings on the bill and will report it separately from the omnibus bill.

I have made a study of the wetback problem; I spent considerable time in preparing my bill which, as I have said, is almost identical to the pending amendment of the distinguished Senator from Illinois (Mr. DOUGLAS). So far as I am concerned, I have no objection to the amendment; but I feel that I should call the Senate's attention to the fact that our committee has made a study of this important amendment, and that it is a matter which probably should be studied by the Judiciary Committee.

Having brought those points to the attention of the Senate, I leave the question to the Senate to decide.

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

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

Mr. ELLENDER. I yield.

Mr. WHERRY. Is the Senator from Louisiana going to support this amendment?

Mr. ELLENDER. I shall, but not on behalf of the committee. As I have said, I wish to make it perfectly clear that our committee held no hearings at all in regard to the amendment; and further, that I have the assurance of the Senator from Nevada (Mr. McCARRAN) that the question will be considered soon by his committee on the Judiciary. I feel that I should bring these matters to the attention of the Senate; and then the Senators could use their own judgment in deciding whether to vote for or against the amendment.

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

Mr. ELLENDER. I yield.

Mr. WHERRY. Last week, when the provisions dealing with the so-called wetbacks were under discussion, I was interested in proving penalties, as no doubt the committee will recall. Mr. ELLENDER. Yes; I recall that very well.

Mr. WHERRY. I then understood the Senator from Louisiana to say that was not the proper time to take up that question, but that the Judiciary Committee should examine it.

Mr. ELLENDER. Yes; and I say that now.

Mr. WHERRY. I also understood the Senator from Louisiana to say that at that time in his opinion the adoption of such an amendment might jeopardize the passage of the bill in the House of Representatives, and that therefore he felt it should not be offered now.

Mr. ELLENDER. That is correct.

Mr. WHERRY. Mr. President, I believe there is much merit in penalty legislation. However, the Senator from Louisiana left me with the impression that the proper time for us to do now is to pass this bill without such an amendment, and later take up the question of penalties, as affecting immigration, in connection with a bill on that subject which will be reported by the Judiciary Committee.

I am sure the Senator from Louisiana will recall that he said to me that the adoption of the amendment might jeopardize the passage of the bill in the House of Representatives. Is not that what the Senator from Louisiana said to you?

Mr. ELLENDER. That is correct. It may be true.

Mr. WHERRY. I do not know whether adoption of the amendment would actually jeopardize the passage of this bill in the House of Representatives; but certainly it seems to me that it is because of the assurance of the Senator from Louisiana that the wetback problem should be handled separately, in connection with a measure to be reported by the Judiciary Committee, that the wetback problem is not now being handled by the Senate in connection with the pending bill; and I understood the Senator from Louisiana to advise his colleagues not to include such a provision in the farm-labor bill, but to include it later in another measure.

Mr. ELLENDER. As I have just stated, Mr. President, I personally shall not oppose the amendment, because it is almost identical to a bill I have introduced.

I am of the belief now, as I was when I introduced my bill on April 26, that such a provision will go far toward solving the wetback problem. I think there is no question about that.

Mr. DOUGLAS. Mr. President, will the Senator from Louisiana yield to me for a question?

Mr. ELLENDER. I yield for a question.

Mr. DOUGLAS. Will the eminent Senator from Louisiana inform me whether I was correct in my understanding that he drew a distinction between his opinions as chairman of the Committee on Agriculture and Forestry and his opinions as an individual Member of the Senate? I understood the Senator from Louisiana to say that as chairman of the committee he does not favor the amendment, but that as an individual Senator he felt he should indicate to me that possibly as an individual the Senator from Louisiana is in favor of applying penalties to something which already is illegal.

Mr. ELLENDER. Certainly I do not wish, as chairman of the committee, to bind any member of the committee in connection with his vote on this amendment; I would not attempt to influence any Senator's vote either for or against the amendment.

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

Mr. ELLENDER. I yield for a question.

Mr. ANDERSON. Is it not a fact that the chairman of the committee feels as he does because this matter involves a question of jurisdiction as between two committees?

Mr. ELLENDER. That is entirely correct.

Mr. ANDERSON. In other words, I understand that the position of the Senator from Louisiana is that his committee, the Committee on Agriculture and Forestry, does not wish to act on a matter which the Committee on the Judiciary should study, and that therefore
the Committee on Agriculture and Forestry had steered away from this matter because it had been assigned to the Senator from Louisiana to say, the Judiciary Committee had steered away from this matter.

Mr. ANDERSON. Yes, I wanted to make that very plain to the Senate.

Mr. ANDERSON. Let me say that if a bill on this subject comes before the Senate from the Judiciary Committee, I intend to vote for it. I think I would just as soon vote for the pending amendment; but if I did so, I would feel that perhaps I had done the Judiciary Committee an injustice, if I voted in favor of including in an agricultural bill a provision which would amend the Immigration Act.

Mr. WHERRY. Mr. President, will the Senator yield? I wish topropound a parliamentary inquiry?

Mr. ELLENDER. Certainly.

The PRESIDING OFFICER. The Senator from Nebraska will state his parliamentary inquiry.

Mr. WHERRY. If the Senator from Louisiana favors the pending amendment, should not a Senator who opposes the amendment control the time in opposition to it, so as then to be able to yield time to other Senators who wish to oppose it?

Mr. ELLENDER. Mr. President, I am in a rather peculiar position, because as chairman of the committee I cannot accept the amendment.

Mr. WHERRY. However, the Senator from Louisiana is going to vote for the amendment; is he not?

Mr. ELLENDER. Yes, because it is practically identical to my own bill.

Mr. WHERRY. Mr. President, I raise the point of order that all time to be allowed the Senators opposing the amendment has been allotted to the Senator from Louisiana, who favors the amendment.

Mr. ELLENDER. Of course, I wish to abide by the rules.

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

Mr. ELLENDER. Wait. Let the Senator answer.

The PRESIDING OFFICER. The Senator from Louisiana has 12 minutes remaining which, under the order previously entered, he controls in the event he does not amend the amendments.

Mr. ELLENDER. The opposition may control the time so far as I am concerned.

The PRESIDING OFFICER. The Senator from Nebraska will have charge of the remaining time.

Mr. WHERRY. Mr. President, does the Senator from Minnesota desire any opposition time?

Mr. THYE. Mr. President, I do not wish any opposition time. I wanted to make a comment, and to give my reasons for believing that the Senator from Louisiana, the chairman of the Committee on Agriculture and Forestry, could not in good grace, and in consideration of the Judiciary Committee, accept this amendment.

Mr. HUMPHREY. Mr. President, I should be glad to yield to the Senator but I should like to ask the Senator to withhold his request until I see whether there is any Senator who does not desire opposition time on the amendment. We have but 12 minutes left. Does any Senator desire to speak in opposition to this amendment?

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

Mr. McCARTHY. Mr. President, I should like to obtain some of the opposition time myself.

Mr. THYE. Mr. President, I think the opposition should try to clarify the point as to whether the Committee on Agriculture and Forestry acted favorably on the proposed amendment.

Mr. WHERRY. Mr. President, is the Senator from Minnesota against the amendment?

Mr. THYE. The Senator from Nebraska is now becoming technical.

Mr. WHERRY. It is necessary for me to know that, before I can yield any time. If the Senator from Minnesota is for the amendment, why does he not ask the distinguished Senator from Illinois to yield time? I would love to accommodate the Senator from Minnesota.

Mr. THYE. Mr. President, the minority leader has wasted more time than I would have taken, had he yielded to me.

Mr. WHERRY. Under the circumstances, I am unable to yield.

Mr. HOLLAND rose.

Mr. WHERRY. Is the Senator from Nebraska in opposition?

Mr. HOLLAND. No.

Mr. HUMPHREY. I suggest that the Senate proceed to a vote.

Mr. WHERRY. If there is no other Senator who wishes to speak, I shall yield to the Senator from Minnesota.

Mr. DOUGLAS. Mr. President, I shall be glad to yield 5 minutes to the Senator from Oregon.

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

Mr. DOUGLAS. I yield 5 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I may say to the Senator from Illinois that I hesitate somewhat to make the comment I am about to make, because I do not in any way want to jeopardize his amendment. I intend to vote for his amendment, but I think it is most appropriate, while we are considering his amendment, to call the attention of the Senate to the fact that the Junior Senator from Oregon has on the desk an amendment identified as amendment C, most of the language of which was also taken from the bill already introduced in the Senate by the distinguished Senator from Louisiana [Mr. ELLENDER], Senate bill 1391. There is, however, a difference which I think is rather important. Amendment C of the Senator from Oregon includes the amendment of the Senator from Illinois and that of the Senator from Oregon. The amendment of the Senator from Illinois includes the basis of objection either to his amendment or to my amendment.

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

Mr. MORS. Mr. President, I may say to my friend from Illinois, I shall vote for his amendment, but if his amendment falls, I serve notice now that I shall oppose the entire bill in the event the amendment is without basis of objection either to his amendment or to my amendment.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired. Does the Senator from Nebraska wish to yield further?

Mr. WHERRY. I yield some time to the distinguished Senator from Minnesota. No one has requested any opposition time. How much time does the Senator want?
Mr. THYE. I think 2 minutes will be sufficient.

Mr. WHERRY. I yield 3 or 4 minutes to the Senator from Minnesota.

Mr. THYE. Mr. President, speaking now as a member of the Senate Committee on Agriculture and Forestry, at the time I asked to be recognized, the question I wanted to discuss and to endeavor to clarify was that none of us in the committee would have objected to this part of the legislation in the bill, except that we recognized it was an amendment to the Immigration Act, and therefore it should really come under the jurisdiction of the Judiciary Committee and to be considered by it. It was for that reason that, in the consideration by the Committee on Agriculture and Forestry of the bill, and particularly its drafting of it, this particular question was not included as a part of the bill.

None of us have the feeling that wetbacks should be admitted, and certainly we believe that they should be employed along the border of aliens or wetbacks, as they are called. So say to the distinguished Senator from Illinois that while his amendment is in proper form, if we refer it to the Judiciary Committee it would give us assurance that it would not demand that the bill be referred to their committee because of the amendment, the committee could then take the necessary time to study this subject before this type of bill were enacted by the Senate and House.

This is the seventh day of May, and we shall try to answer this question by having the bill passed as soon as possible in order that the employer who seeks the type of labor that he would be allowed to employ under this law may be given such assurance as to enable him to plan on offshore labor to meet his labor needs as he proceeds with the cultivation of his crops and their harvesting, which will come within a very few weeks.

I may say that as a member of the Senate Committee on Agriculture and Forestry, I have no objection to the amendment, but I think the amendment is of a wrong type. I think it ought to be proposed as an amendment to the Immigration Act, rather than as an amendment to the agriculture bill.

Mr. ANDERSON rose.

Mr. THYE. Mr. President, if the Senator from Nebraska will yield to me time for the purpose of yielding, I shall be glad to yield to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I am wondering whether the Senator from Minnesota would feel as we should adopt the amendment offered by the Senator from Oregon (Mr. Morse) and add to it the penalty provisions suggested by the Senator from Illinois (Mr. Douglas). It would go to line 17 on page 2 and provide that "any employer who shall fail to report such information," and so forth, the language to be added as additional language to the Morse amendment. I believe the conference could then work it out.

Recognizing that the distinguished chairman of the Committee on Agriculture and Forestry would feel it, we should adopt the amendment offered by the Senator from Oregon, a great many of us might vote for it as a substitute which would vote for the amendment offered by the Senator from Illinois, and thus find ourselves in a jurisdictional problem which we do not desire to have to solve.

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

Mr. THYE. Mr. President, I yield all the time I have remaining to the distinguished majority leader.

Mr. WHEELEY. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. WHEELEY. I yield a minute to the distinguished Senator from Florida (Mr. Holland), and then I shall yield a minute to the distinguished Senator from Oregon (Mr. Morse).

Mr. HOLLAND. Mr. President, I am in total agreement with the desire of the Senator from Illinois. I feel, however, that his amendment is far-reaching in that it would affect the whole field of immigration, and it has not been studied by the appropriate committee. I think it ought to be proposed as an amendment to the Immigration Act, rather than as an amendment to the agriculture bill.

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Mr. THYE. Mr. President, if the Senator from Nebraska will yield to me time for the purpose of yielding, I shall be glad to yield to the Senator from New Mexico.

Mr. WHEELEY. I shall be glad to yield additional time; but I wanted to ask a question. Is the penalty provided for in the amendment offered by the Senator from Illinois the same penalty suggested by the distinguished Senator from Louisiana?

Mr. ELLENDER. No; it is not. The bill which I introduced makes the penalty fine and imprisonment. The amendment makes it fine or imprisonment.

Mr. WHEELEY. Then the Senator's penalty is a stiffer penalty?

Mr. ELLENDER. Yes.

Mr. WHEELEY. Mr. President, I yield another 2 minutes, or more if necessary, to the Senator from New Mexico.

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Mr. ELLENDER. Yes.

Mr. WHEELEY. Mr. President, I yield another 2 minutes, or more if necessary, to the Senator from New Mexico.
from Illinois the Senate might be able to take up my amendment, being amendment lettered A, dated April 26, 1951.

The Clerk will state the amendment of the Senator from Minnesota.

The Chief Clerk. It is proposed, on page 3, line 23, to strike out the word "and".

On page 4, line 9, to strike out the period and insert in lieu thereof a semicolon and the word "and";

On page 4, between lines 9 and 10, to insert the following:

(4) to permit reasonable entry and inspection of the places of employment of such workers by officers of the Immigration and Naturalization Service for the purpose of enacting such officers to ascertain whether any of the workers employed by such employer are illegally in the United States.

Mr. HUMPHREY. Mr. President, directed my remarks to the purpose and the intention of this amendment, which is within the context, the philosophy, and the purpose of the amendment of the Senator, and the word "and" may be inserted in lieu thereof a semicolon and the word "and".

Mr. President, the purpose of my amendment is to augment and to put into effect the first recommendation in chapter IV of the President's Commission on Migratory Labor. The Douglas amendment follows through on the second recommendation.

I do not know the attitude of the chairman of the committee about the amendment. May I inquire, at this time, how he feels about it?

Mr. ELLENBERGER. I shall be opposed to it.

Mr. HUMPHREY. Mr. President, in that case I shall save some of my time to use after the chairman of the committee has made his statement. That may yield the floor at this time, hoping to get the response of the chairman of the Committee on Agriculture and Forestry.

The President's Birthday Anniversary

Mr. BENTON. Mr. President, will the Senator yield 5 or 6 minutes to me?

Mr. HUMPHREY. May I inquire of the Chair how much time I have remaining?

The Presiding Officer. The Senator from Minnesota has 15 minutes remaining.

Mr. HUMPHREY. I am delighted to yield up to 8 minutes to the Senator from Connecticut.

Mr. BENTON. Mr. President, tomorrow, May 8, will be President Truman's birthday. It is also, by coincidence, the sixth anniversary of the President's proclamation a month after he had assumed his present high office—announcing the unconditional surrender of Germany.

During the 6 years since Germany surrendered, the President of the United States has had to make many fateful decisions. These have included the decision to use the atomic bomb, which was a decision aimed at shortening the war against Japan; and the proclamation of the Truman doctrine, which, with the support it received in Congress, served to consolidate Greece and Turkey and to help check the spread of communism to the Mediterranean.

The President has proposed and courageously fought for such farsighted measures as the Marshall plan and the Atlantic Pact, which have received the overwhelming support of the people of the continent. They have been for his vision, courage, and leadership in initiating such necessary steps, we could now be isolated in a Communist-dominated world, if not, indeed, engaged in a war—yes, Mr. President—with the odds against us.

During the 6 years, because he has had the courage to fight for what he believed, he has been subjected to almost unparalleled abuse, both political and personal. Two abusive pieces have appeared in magazines of national circulation within the past few weeks. Today I am glad to invite the attention of Senators to a magazine article of a different sort. It is the story of Harry Truman and his father, which was written in the March issue of Parents' magazine. The article was written by Bela Korntzer, author, historian, and former member of the Hungarian cabinet, who escaped from his country when the Nazis invaded it, and is now living in the United States.

President Truman granted Mr. Korntzer an interview about his father, and members of the President's family also cooperated in providing material. The President later corrected the manuscript in his own hand, and a copy of the manuscript, which has now been presented to the Library of Congress.

The result is a warm, human, and moving story of the origins and of the home into which he was born on May 8, 1884, and in which he was reared. I hope that all Senators will read the article, and I ask unanimous consent that it be printed in the Reco. at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, sans题名.
behind Harry and me, while we were silver-haired man who bore about his eyes Ralph Truman, retired, to give you his full Ralph Truman, here and we'll try to see whose The general took my hand in a grip which ing the pigs, just as father and I did.

"Spanish-American, Vivian ticked them off on his fingers—John loved the music was shared by John Truman. What teacher's still treasures a clipping from the local paper which reviews with enthusiastic praise a piano recital by Harry Truman, age 14, and predicts that the young pianist will achieve fame and fortune in the field of music.

"That was a hard decision for father to make," Vivian Truman added, "because essentially he just didn't have any money. He knew horses and he knew mules. He could tell their age simply by glancing at them—never had to examine their teeth. And that explains, of course, how he happened to go into trading. It was making practically nothing. He taught a farmer who knew livestock and knew their value."

Mary Jane Truman said: "Father would never have had a farm, even for a little while, if it weren't for his children. As a girl, I remember how proud he was of the prices and ribbons his livestock won at the county fairs. But he had us and our schooling to worry about—not only Harry, who was 6 then, but Vivian and me." The general said: "Now, about this livestock trading. I think I've read almost everything that's been written on the Truman farm. Father had a good memory. In short, he remembered a lot of dates. He told what fate had in store for one of his sons."

"This love of music was shared by John loved the music."

"That's the most precious photograph we have of father," said Vivian. "He and the general both studied it for a few moments, and the general said, "You might, Vivian, come to think of it, that's Margaret's face. She's the absolute image of her grandfather.

At this moment the door opened and Miss Mary Jane Truman arrived, a little breathless and apologetic for being late. Her words were rather prophetic words. "I have a bunch of letters and some reading on the music of Bach and Handel."

"We were just commenting on how much Margaret takes after her father," Vivian said. "You can't realize it until you look at this picture."

Miss Mary Jane, after a moment's study, nodded in agreement and said, "I can almost see the sound of a violin in his voice, too."

"Do you remember how father loved to sing? He had a fine, pleasant voice, and he had a musical ear, too. I can still see him stand-
his living as a stock dealer. Then we moved back to the Young farm, but father still kept his hand in Democratic politics. In 1908, he was very active in the campaign and ended up as the Missouri delegate to the Democratic Convention in Joplin. Two years later he became an elections judge in Grandview.

"That reminds me of something very interesting," broke in General Truman. "Come to think of it, Harry first had practical experience the time he served as clerk to Uncle John when he took on that elections judge job. It was a pretty long and tedious job, but father still kept his living as a stock dealer. Then we moved back to the Young farm, but father still kept his hand in Democratic politics. In 1912, father was appointed judge job? I'm pretty sure it was a little pad to one side, and sitting back in his position, as you know, to enlist in the Army.

"The Chicago Alton line, in 1914, just before the war broke out. From then on, I haven't heard much about him. In those days of the war, I was quick-tempered. There was one incident, I'm told, in which John Truman became so enraged with a lawyer who accused him of misrepresenting facts and was quick-tempered. That just as quickly as it happened. He was a hand­some man, I'd say, and particularly pain­taking about his appearance.

"He went to church regularly—he was a Baptist, but he was liberal in religion. I recall him saying that only Baptists have free access to heaven."

"Yet he had a powerful faith in God, and a powerful faith in what a man could accomplish by courage and determination. He had no use for a coward. He raised his children to have faith in themselves and their potentialities, and never, to give up.

"That," she said, "is what he gave Harry, of course. That perseverance in himself, that spirit of never-say-die.

"The last time I saw Uncle John was about 2 years before he died. We were liv­ing in Rolla, and he came there. We were terribly thrilled, I remember. We looked on it as a social occasion—an important visitor was coming. He brought us all gifts, particularly sacks of candy and nuts for the children. He'd never forget them.''

When I reached Independence, Federal Judge Henry A. Bundschu, a classmate of Vivian Truman, gave a party. He had invited young John to the party. He was in his 80s, the oldest in his 90's. "Uncle" Reese Alexander, Henry Rum­mell, and Woodson Chiles.

"There was also to the Gleason house about 500. This was John's big deal, though, and he set a price—$2 a switch, on the back of 2,500 a year. That meant $5,000 a year. But the best offer he could get was still for only half of that. In the long run both lines rejected his price. Later the Missouri Pacific used an improved version of the invention and John, unfortunately, later his son was unable to establish further claim to it."

Olney Burrus, an old man, shook his head. "I suppose there's a moral for you. Maybe you'd say that if Harry S. Truman is stubborn, he gets it from his father."
that those were really hard days. He remem-
bered sitting in a little all-night place
alongside his father as they took a herd of
cattle from Independence to the Kansas City
stockyards for shipment. His father worked
hard. And if they had said of him in that
old history of Jackson County, Mo., "John A.
Truman resides with his father and
manages an industrious and energetic young man and one who bids fair
to make a success in life," industrious
and energetic, then that was true. His father
was diligent, he worked hard, he had his ups
and downs. And, with it all, I could see the
President was deeply moved as he added that
his father was the happiest man he ever
knew.

Mr. BENTON. Mr. President, in my
Jackson Day dinner speech at New
Haven I said that historians would do
justice to President Truman even if
today present-day newspapers do not. In
my 18 months in the Senate I am proud to
attest to the high courage and intellec-
tual quality of his major decisions and
policies. He had the courage to fight for
the big steps forward in the field of our
foreign policy, just as he now has the
courage to recall General MacArthur.
I remember so-called authori-
votes which I cast in support of his poli-
cies in the space of a few weeks last
summer, when I was a candidate for
office.

President Truman had the courage to
stand up and veto a bill giving free and
perpetual medical service to Spanish-
American War veterans, and only three
of us in the Senate supported him. He
 Resist the

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as I cast in support of his poli-
certification to which he refers.

Mr. LONG. Yes, indeed,

Mr. R. 859. An act for admission to
the United States of Mrs. Margot Kasenius;
R. 897. An act for the relief of First
Lieutenant Walter S. Moe, Jr.;
R. 889. An act for the relief of Lena
Valentich and Lucy Bolos Valenti;
R. 890. An act for the relief of Athena
Mary Onassis;
R. 888. An act for the relief of Mary
Vasilas Demdrianis and Vassili G. Denda-

Mr. H. R. 898. An act for the relief of Gunter
Arno Theilemann;
H. R. 1101. An act for the relief of Mrs.
Santo and Demetrusa Lawton;
H. R. 1111. An act for the relief of Taroo
Takara;
H. R. 1121. An act for the relief of Chih
Yok Kong;
H. R. 1117. An act for the relief of Kimiko
Shibuya;
H. R. 1141. An act for the relief of Saint
Patrick Hospital and The Western Montana
Clinic;
H. R. 1150. An act for the relief of Mario
Fucci; Giacomo Pavetti, Giuseppe Otsoli,
Vincenzo Andreani, Lambruno Sarzanini, and
Alessandro Costa;
H. R. 1164. An act for the relief of Pietro
Giannettoni;
H. R. 1263. An act for the relief of Dr. Chia
Len;
H. R. 1264. An act for the relief of Jacques
Jehly Shetton;
H. R. 1421. An act for the relief of Dr.
Fernand Van Den Branden;
H. R. 1422. An act for the relief of Carl
Paris;
H. R. 1438. An act for the relief of Mrs.
Ingeborg Ruth Sattter McLaughlin;
H. R. 1431. An act for the relief of Charles
Larson;
H. R. 1475. An act for the relief of Elena
Eber;
H. R. 1758. An act for the relief of the
estate of Yoshiho Fukunaga, deceased;
H. R. 2068. An act for the relief of Sook
Kaye;
H. R. 2175. An act for the relief of Addie
Dean Garner Scott;
H. R. 2904. An act for the relief of Ber-
nard F. Elmers;
H. R. 2907. An act for the relief of Lucia
Adams;
H. R. 2450. An act for the relief of Concetta
Cataras Giordano;
H. R. 2894. An act to amend section 10
of Public Law 378, Eighty-first Congress;
H. R. 2714. An act for the relief of Mar-
cello D'Amico;
H. R. 3196. An act to amend section 153 (b)
of the Internal Revenue Code;
H. R. 3291. An act to amend subdivision a
of section 84 of the Bankruptcy Act, as
amended;
H. R. 3292. An act to amend subdivision a
of section 85 of the Bankruptcy Act, as
amended.

SUPPLYING OF AGRICULTURAL WORKERS
FROM MEXICO

The Senate resumed the considera-
tion of the bill (S. 894) to amend the Agri-
cultural Act of 1949.

Mr. HUMPHREY. Mr. President, I yield to my
colleague [Mr. ELLENDER] yield to me for
a moment?

Mr. HUMPHREY. Mr. President, I have a few
minutes left. I am delighted to yield to my friend, the Senator from
Louisiana.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. HUMPHREY. How much time
does the Senator from Louisiana wish?

Mr. LONG. One minute.

Mr. HUMPHREY. I yield 2 minutes to
the Senator from Louisiana.

Mr. HUMPHREY. Mr. President, as one of the
members of the Senate Committee
on Armed Services who have supported
the chairman, this distinguished junior
Senator from Georgia [Mr. RUSSELL], in
insisting that the hearings on the Mac-
Arthur affair be in closed session, releas-
ing all possible information to the public,
Mr. BREWSTER. Do I correctly understand that the Senator from Illinois is retaining the language "by reasonable inquiry"? If so, I wish to ask him to indicate what he means by "reasonable inquiry"? We do not want to be misled in Maine, but a great many of our friends come over from Canada. They work both in the potato fields and in the factories. What is the meaning of "reasonable inquiry"?

Mr. DOUGLAS. Mr. President, I am not a judge, or the son of a judge, or the grandson of a judge. These matters are to be determined primarily to judicial interpretation. The language would mean, however, that an employer would be expected to check up on the legality of entry of the aliens whom he employed, and should not accept them sight unseen to check up on the legality of entry of the aliens whom he employed. These matters would be left to the judicial interpretation.

Mr. HOLLAND. However, the penalty is retained in exactly the same words and to exactly the same degree of punishment.

Mr. DOUGLAS. The Senator is correct.

Mr. HOLLAND. Mr. President, with that understanding I wish to say that I hope very strongly that the Senate will adopt the amendment, as modified.

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

Mr. DOUGLAS. I think the Senator has solved the problem so far as we who live on the Canadian border are concerned. However, this suggestion is a little reminiscent of our former legislation excluding aliens of certain nationalities. Has the Senator given consideration to that question?

Mr. DOUGLAS. I may say to the Senator from Maine that I should like to have these provisions apply to all illegal entrants of whatever nationality, but when that was proposed it was said it would interfere with the provisions of the Committee on the Judiciary which was framing a general revision of the immigration law. Therefore we have confined the application of this amendment to employment of "Mexican labor covered in the agricultural labor measure now before us. In other words, it is an attempt to confine the penalty to violations with respect to the type of labor covered in the measure before us, and not to broaden it out to amend the general immigration law.

Mr. HOLLAND. Mr. President, I believe I have 8 minutes remaining. I yield 2 minutes to the distinguished Senator from Maine so he may ask questions.

Mr. DOUGLAS. The Senator from Maine is recognized for 2 minutes.

Mr. BREWSTER. Mr. President, would the Senator from Illinois address himself to the question or not this in any way suggests a parallel to our exclusion act with respect to Asiatics, which has aroused so much controversy because of discrimination against certain groups. To what extent is it likely to give affront?

Mr. DOUGLAS. I may say to the Senator from Maine that the measure before us provides for no exclusion whatsoever of Mexican labor. It sets up procedures for bringing in Mexican labor under a treaty with Mexico, and then it states that if these procedures are not followed, all Mexicans entering the United States illegally, certain penalties shall be inflicted upon those who knowingly, or with reasonable grounds to believe or suspect that such a person is not lawfully entitled to employment, and requires that the employer have these provisions apply to all illegal entrants of whatever nationality, but when that was proposed it was said it would interfere with the provisions of the Committee on the Judiciary which was framing a general revision of the immigration law. Therefore we have confined the application of this amendment to employment of "Mexican labor covered in the agricultural labor measure now before us. In other words, it is an attempt to confine the penalty to violations with respect to the type of labor covered in the measure before us, and not to broaden it out to amend the general immigration law.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. HOLLAND. Mr. President, I am very glad to yield the Senator from Florida.

Mr. HOLLAND. Am I correct in my understanding that the first portion of the original amendment proposed by the distinguished Senator which would have extended to other fields of immigration and immigrants than Mexican nationals coming into the United States for agricultural labor purposes has been stricken from the amendment?

Mr. DOUGLAS. The Senator is correct.

Mr. HOLLAND. And it is the purpose of the Senator, in his modified amendment, to restrict the modified amendment wholly to the field covered by the pending bill?

Mr. DOUGLAS. The Senator is correct.
Mr. DOUGLAS. I do not think so. I think that would be straining at a gnat. The provisions here imposed would be upon farm operators of this country who breach the terms of this section. Of course, the Committee on the Judiciary has a right to press Mr. Wherry under consideration with respect to revision of the general immigration laws, as well as the separate Ellender bill, S. 1391, and that matter can be dealt with by the Committee on the Judiciary, or whatever committee is assigned.

Mr. WHERRY. Mr. President, I will now yield 2 minutes to the distinguished Senator from New Mexico (Mr. Anderson).

Mr. ANDERSON. Mr. President, I will need only 1 minute. The provision in question cannot be regarded as an exclusion provision, because the Mexican Government has asked for this type of protection; therefore, the Mexican Government should be satisfied.

Mr. President, I should like to say that I hope the chairman of the committee will realize that the term "Mexican alien" is used in the provision. I personally thought that the term "Mexican national" would be better. If the amendment is adopted, I hope that when the bill goes to conference the chairman will keep in mind that we are dealing with persons with respect to whom an attempt is being made to bring them into the United States by the proposed legislation, and that perhaps a change can be made in the provision so that the person is a Mexican national, a Mexican citizen, or a Mexican subject, one who comes into the United States under the proposed legislation is here as a Mexican alien; and if brought in illegally, the person who brings him in would be subject to the penalty provided in the measure as modified.

Mr. ANDERSON. I think that is correct, and I am happy to support the amendment.

Mr. WHERRY. If I have any more time under my control, I should be glad to yield it back and have a vote on the amendment, as modified.

The PRESIDING OFFICER. The question recurs to the amendment offered by the Senator from Illinois (Mr. Douglas), as modified, as amended, as modified, as agreed to.

The question now recurs to the amendment offered by the Senator from Minnesota (Mr. Humphrey), which had previously been under consideration, but action thereon, under the understanding that consent agreement was deferred so the amendment of the Senator from Illinois, as modified, could be considered. The Senator from Minnesota now has the floor, and has 6 minutes of time remaining.

Mr. HUMPHREY. Mr. President, I shall be glad to yield the floor so the Senator from Louisiana may make any statement he desires. I am so disposed to my amendment he may wish to make.

Mr. ELLENDER. Mr. President, I think we are now coming fast afield from the wetback problem with which we are trying to deal. I yield to no Member in the Senate in my efforts to try to enact legislation on the problem of workers from Mexico coming into the United States. I realize we have before us a problem which if not settled soon may strain the cordial relationship which now exists between our two countries.

The pending question, I believe, is one that should be dealt with by the Committee on the Judiciary. I entertain the same view with respect to the amendment which Mr. Anderson has just adopted. But since I was the author of a bill which sought to carry out the same purpose, I was placed in the position where I could not deny my own amendment.

Under the law as it now exists, and under the Constitution, an immigration official must obtain a warrant before he can go into a farmer's home to find out whether an alien is harbored there. What is now proposed to be enacted into law would permit entry by an immigration official at almost any time. I believe it would be rather dangerous for us to agree to such an important amendment as this, one which denies the privacy of a man's home, an amendment which would permit an official to enter private premises at almost any time in searching for wetbacks or other aliens. I believe, Mr. President, that by adopting the amendment we have just agreed to, we have taken adequate steps toward solving the wetback problem.

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

The PRESIDING OFFICER. Mr. Moody in the chair. Does the Senator from Louisiana yield to the Senator from Oregon?

Mr. ELLENDER. I yield.

Mr. CORDON. The Senator speaks of an official going into someone's home. Is there anything in the amendment that indicates that a right would be given to an official to enter anyone's home?

Mr. ELLENDER. I did not hear the Senator. Will he please repeat his question?

Mr. CORDON. I do not understand that the amendment makes any such provision. Moreover, the Senator from Louisiana said it would permit an official to go into a man's home at almost any time.

Mr. ELLENDER. Let us assume a farmer employed four or five persons who were lodged in the farmer's home. When I worked in the wheat fields of North Dakota back in 1912 and 1913 I slept in the barn. Under our law and our Constitution, before an official could enter such premises to make an investigation or to make an arrest, he would have to obtain a warrant.

Mr. CORDON. The language of the amendment is "to permit reasonable entry and inspection of the places of employment." Does that not mean that the "places of employment" would be the farms?

Mr. ELLENDER. It would be the house, if a man was working in the house. By the adoption of the Douglas amendment we have imposed fines and imprisonment in case an employer employs a wetback or an alien who is illegally in the United States. I can well conceive that if the pending amendment is adopted, the immigration officials will be needed, under proper conditions set forth in the amendment, to go into a man's home and make a search without having a search warrant, although the law now requires that a search warrant be obtained before a search to be made without having a search warrant would be going too far. Mr. President. So far as I am concerned, I believe the amendment should be rejected.

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

Mr. ELLENDER. I yield for a question.

Mr. ANDERSON. Will the Senator yield several minutes to me?

Mr. ELLENDER. How much time have I left, Mr. President?

The PRESIDING OFFICER. The Senator has 15 minutes remaining.

Mr. ELLENDER. I yield to the Senator from New Mexico as much time as he requires.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. ANDERSON. Mr. President, following the remarks of the distinguished chairman of the committee, I merely wish to say, that a great many persons are worried considerably about this proposal. In the case of some employers, there have been repeated complaints that officials of the Immigration Service have gone too far in visiting the fields and making inquiries of the workers there and requiring them to present their credentials for entrance into the United States. Mr. President, we do not have a white-card system in our country, although I have tried rather hard to have enacted a bill providing for one. We do not require workers who perhaps are working in the cotton fields to stop work in order to satisfy some official who wonders whether they are properly in the United States.

I am anxious to have the Congress enact legislation which will strike at the wetback situation and will stop the illegal entry of such persons into our country; but I think it would be all wrong for officials of the Immigration Service to be allowed to go into the fields and demand of the workers there any evidence that you are properly in the United States at this time. If we were to permit that to be done, I think we would destroy a great deal of the usefulness of the imported labor.

If the Government has evidence that a certain person is improperly in the United States, undoubtedly the Government has a perfect right to act in such a case. Under the terms of the amendment we have just adopted, those who employ such persons can be properly punished.

However, I think it would not be best, in attempting to have harmonious relations and proper conditions established, to permit a horde of investigators to go into the fields and demand from the workers there evidence that they are properly in this country.

Mr. MORSE. Would the Senator from New Mexico have any objection to
adding to the amendment just adopted the amendment I now have pending?

Mr. ANDERSON. No, for I think the Senate has accomplished all that is necessary to accomplish in this field. I think the amendment of the Senator from Oregon goes beyond the amendment of the Senator from Oregon. That and so far as I am concerned, I should like to see the Senate adopt the amendment of the Senator from Oregon.

In my opinion the amendment is bad one. I base that statement on the fact that time and time again I have received hundreds of complaints from farmers who say that the immigration officials go along the highways, not to pick up wetbacks who may be on the highways, but to go to individual farms and bother the workers in the fields there, hour after hour, all day long. That is what I should like to strike at.

So I shall be glad to support the amendment of the Senator from Oregon, which I originally stated I should be glad to support. I think, too, that coupled with the fine amendment of the distinguished Senator from Illinois, would give us all we need in this field.

Mr. ANDERSON. I am not afraid about the pending amendment, I wish to say.

Mr. MORSE. Mr. President, I suggest to my friend, the Senator from Minnesota (Mr. HUMPHREY), if I may do so—and I also call this matter to the attention of the Senator from Louisiana (Mr. ELLENDER)—that there be a little negotiation on the floor, in view of the fact that the language of my amendment from the bill which the Senator from Louisiana has pending before the Judiciary Committee.

Therefore, I wonder whether my good friend, the Senator from Minnesota, will consider withdrawing his amendment and substituting my amendment for it, with the understanding that we can add my amendment to the amendment which has just been adopted, and then stop with that.

Mr. ANDERSON. Mr. President, I am not afraid that the Senator from Oregon would propose his amendment as a substitute for the amendment of the Senator from Minnesota; and I would hope that we would adopt his substitute, and then add it to the bill which is to go to conference. If we would do that, I think we would solve this entire problem.

Mr. MORSE. I would rather have that suggestion come from the Senator from Minnesota.

Mr. ANDERSON. Of course the Senator from Oregon has a right to propose it if he wishes to do so.

Mr. MORSE. Yes; but I would rather not negotiate from that end first.

Mr. ANDERSON. Very well.

Mr. HUMPHREY. Mr. President, I am persuade that I am almost persuaded and convinced—almost thou persuadest me—of the validity of the argument advanced by the Senator from Oregon. However, I wish to remonstrate for a moment with my friend, the Senator from New Mexico, because I am somewhat about the importunity that is attached to my amendment.

The President's Commission on Migrant Labor in American Agriculture, which spent a great deal of time investigating this problem—much more time, may I say, that the Senate has; and I think I am not unkind in making that statement—feels that my amendment is a rather modest, meek, mild proposal. On page 87 of the report of the President's Commission the proposal in the amendment which has just been adopted—that of the Senator from Illinois (Mr. Doutet)—is referred to as one which the Commission is not sure that it should be adopted. The proposal in the amendment of the Senator from Oregon was considered by the Commission as the second most stringent proposal. However, the proposal I have advanced was unanimously acclaimed as being filled with light, hope, and charity.

Of course during this debate, certain fears and doubts have been expressed. However, I wish to remonstrate for a moment with my friend, the Senator from Oregon, that is attached to my amendment.

I think we would solve this entire wetback problem, this was considered to be the most difficult part of the wetback problem, by authorizing the President's Commission the following:

We recommend that—

1. The Immigration and Naturalization Service be strengthened by (a) clear statutory authority to enter places of employment to determine if illegal aliens are employed.

2. The President, make note of the fact that out of all the approaches dealt with in the Commission's report on the wetback problem, this was considered to be the best, the final and conclusive approach, but the first one. The approach we have taken on the floor of the Senate, which was logical for purposes of debate and argument, was to take the most extreme proposal first—namely, to make the unlawful presence of such persons a crime—which has been done by the amendment of my able friend, the Senator from Illinois. Next, it is proposed that we take the approach of striking the use of such labor. That approach is covered by the amendment of my friend, the Senator from Oregon, which I shall support. Third, we might propose an obvious approach of permitting the immigration officials to go into places of employment where the wetbacks might be found, and to provide those officials with the tools with which they could make proper enforcement of these provisions.

That does not mean that we should authorize a horde of immigration officials to run about the country interrogating workers in the fields. The Congress would not authorize that to be done; in fact, Congress could prevent such a thing by placing sufficient restrictions on the officials. Of course, that is a method by which the Congress has been able to control such situations very well.

Perhaps it would be well to provide further restrictions. On the other hand, I wish to say that it does not do much good to say that the employment of wetbacks is a crime if we do not make it possible for the proper officials to determine whether wetbacks are actually employed.

So I propose that we permit the proper officials to determine whether wetbacks are being employed. However, it is not my proposal that such officials be permitted to go into the farmer's parlor to make such inquiries. Let us not misunderstand my proposal. Mr. President. My amendment would not permit the officials making such investigations to determine whether the wetbacks were being invited to share the Sunday dinner with the family. That but my amendment would permit the officials to go into the camps and centers of employment to find out whether wetbacks were there.

So I do not propose to withdraw my amendment. I prefer to go down fighting, rather than to withdraw an amendment which I consider to be as important to this bill as a police department is important to the enforcement of a city ordinance. In other words, I believe it would be as fallacious to withdraw this amendment as it would be to withdraw from a displaced persons bill the provisions regarding the functioning of the Immigration and Naturalization Service in that connection.

Mr. ANDERSON. Mr. President, may I ask the Senator to allow me time on my side of the amendment?

Mr. HUMPHREY. Of course, I was using my own time.

The PRESIDING OFFICER. The Chair understands that the Senator from Minnesota was using the time of the Senator from Louisiana.

Mr. HUMPHREY. No, Mr. President; I think I was approximately 5 minutes of my own time left.

The PRESIDING OFFICER. That is correct; but the Senator from Louisiana...
had the floor, and had yielded to the Senator from New Mexico.

Mr. HUMPHREY. I am sorry, I ask that the time I have used just now be charged to my own time.

The PRESIDING OFFICER. Very well.

The Senator from Louisiana has 5 minutes remaining.

Mr. ELLENDER. Mr. President, as I indicated a while ago, we have gone far toward making an effort to settle the wetback problem. Question has been raised several times with respect to the so-called Morse amendment. Personally and as chairman of the committee, I have no objection to the Morse amendment, for the simple reason that it is not only desirable, but, under the present agreement between our Government and the Mexican Government, there is this provision: 23. Permission to contract workers under this agreement shall not be granted to those employers who continue to use Mexican workers who are illegally in the United States.

So since that provision is already in the agreement between the United States and Mexico, I can see no harm in incorporating it into the law itself.

Mr. ANDERSON. I am a vote for the Morse amendment.

Mr. ELLENDER. I yield the remainder of my time to the Senator from New Mexico.

Mr. HUMPHREY rose.

Mr. HUMPHREY. I wonder whether the Senator would yield to me to make a unanimous-consent request that, in view of the great interest which it has been manifested in the Morse amendment, the vote on the amendment which I have offered be temporarily withheld, that the Morse amendment may be now considered and voted upon, so that we clear the decks on that particular amendment, and then revert to the amendment which I have offered.

Mr. ANDERSON. I would be very glad to do that, because I am for the Morse amendment.

Mr. HUMPHREY. I am, too; and I am glad to cooperate with the Senator from New Mexico. I ask unanimous consent that the pending amendment be laid aside for the moment, that the Senate proceed to consider the Morse amendment, and that, at the conclusion of debate on the Morse amendment, we revert to the Humphrey amendment which is now before the Senate.

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

Mr. MORSE. Mr. President, in view of the modification made in the Douglas amendment, I desire to modify my amendment, if not. 23. In line 5, before the word "alien", to insert "Mexican"; and, in line 8, before the word "alien", to insert "Mexican." I have no further argument to make in support of my amendment.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Oregon, as modified.

The Clerk. On page 5, line 3, after the word "employment", it is proposed to insert: "Provided, That no workers shall be made available under this title to, nor shall any workers made available under this title remain in the employ of, any employer who has in his employ any Mexican alien when such employer knows or has reasonable grounds to believe or suspect or by reason of inquiry could have ascertained that such Mexican alien is not lawfully within the United States."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Oregon (Mr. Morse), as modified.

Mr. HUMPHREY. I rise to a point of order. I want to say that I have had opportunity personally to investigate case after case in which the Immigration Service has used this sort of club to whip employers whom they did not like, and to go along with employers whom they did like. A short time ago I pointed out that when Mr. Wilmoth was in charge of the El Paso field, the Immigration Service—and I am not going to cast any kind of aspersion on him, because he is dead, he regularly went around in the fields, checking up on certain employers and employers whom they did like, and then, when he received a report for a long time. The man in charge of the San Antonio office never worried about any of those things at all. One group of people could bring in all the wetbacks they wanted, more than were ever brought into my State, and more than were ever brought into the State of Arizona, and nearly as many as were brought into California. There was no check-up whatever in those areas, but one individual officer in a particular area was using that discretion.

If we have a law against narcotics, I do not expect that a narcotics officer will come to your house, or to the house of any other Member of the Senate, to say, "I want to search your house today, to see if you are violating the law." Whether you are violating the law or not, the law does not need the office of the narcotics officer to come around your house to search it out.

I think I have gone a long way in trying to support the amendments which have been adopted here today. I do not think the farmers of my State like either the Douglas amendment or the Morse amendment; but I consider them to be reasonable amendments, and I am glad to support them. But I see, from my experience with the administration of laws of this kind on the border, that I do not like the pending amendment, because under it a man, in the uniform of the Immigration Service with a pistol on his hip and a big badge on his coat, could go around and inquire as to the legality of the entrance of others, including Mexican nationals who are legally here under contract, brought in under certification of the Department of Labor. The alien laborers become frightened, and are afraid that something might be wrong, and say, "We are going home; we do not know what this officer wants to start, but we are not going to be arrested."

I think the amendment goes too far. If the Immigration Service has been a violation, they ought to find out about it. They ought to be able to search it out. But they do not need the
language of this amendment to enable them to act.

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

Mr. DOUGLAS. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I merely wanted to ask the Senator whether he felt that the phrase it reads "reasonable cause," was in any way clarified. I sense some of the fears which the Senator from New Mexico expresses, in that the foreign word expresses. I merely want the Senator to know that it is not the intent of the Senator from Minnesota to have any type of gestapo method employed against these people. It was merely my intent to try to expedite or to facilitate the enforcement of the law regarding the wetbacks.

Mr. ANDERSON. Mr. President, I am not trying to criticize what the Senator said. All I am saying is that I think it might be well to take the new authority granted by the Douglas amendment and the authority granted by the amendment of Senator Morse [Mr. Morse] and see if those two amendments do not give us all the administration we need with respect to wetbacks. I believe they do.

Mr. DOUGLAS. Mr. President, first, I want to congratulate—

The PRESIDING OFFICER (Mr. Lone in the chair). The time of the Senator from New Mexico has expired.

Mr. HUMPHREY. Mr. President, I yield whatever time the Senator from New Mexico needs to complete any interrogation or comments he may wish to make.

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

Mr. ANDERSON. I yield.

Mr. LANGER. Under the amendment of the Senator from Minnesota, could the officers go in at any time of the day or night?

Mr. ANDERSON. There is no restriction whatever on them.

Mr. LANGER. They could go in at midnight and ask anything they wanted to ask?

Mr. ANDERSON. I think so. I know how the Senator from North Dakota is always sympathetic to the cause of labor, but I think he would agree with me that we have to proceed more or less slowly in these matters. We have already made a great step forward in the bill. I commend the spirit of the Senator from Florida and the Senator from Illinois in trying to work out this question. I commend the Senator from Oregon for not opposing the amendment or pleading with the Senator from Illinois to withdraw his amendment. I know troubles can come to the program, and I want to say to the Senator from Minnesota that if it does not work out properly, both he and I, God willing, will be in the Senate all right. I shall lend support to him if it has not worked out well.

Mr. DOUGLAS. Mr. President, I congratulate the Senator from New Mexico on his success, and I want to ask whether the Senator from Minnesota is not correct in his fear that at present immigration officers may lack legal authority to enter farms and ranches to take labor from them, and whether the Senator from Minnesota has a better amendment than I had, and I have almost persuaded him that I have a better amendment than he has. We are trying only to straighten out the present provision and not to interpret. I believe the adoption of my amendment would help greatly in the proper administration of the law. I want him to be convinced that if the Senate from Minnesota has a better amendment than I have he will have a chance to have it tried. It is my hope to discuss the amendment in great detail. I think everyone is familiar with the problem that is posed. I hope the chairman of the committee will take the amendment to conference.

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

Mr. ANDERSON. I yield. Mr. President, if I were to choose, I would prefer the amendment offered by the Senator from Minnesota because it conforms more to the amendment adopted by the committee. I hope that is agreeable to my distinguished friend.

Mr. ANDERSON. I think I shall modify my amendment to conform to the amendment proposed by the Senator from Minnesota.

Mr. ELLENDER. To that I have no objection.

Mr. HUMPHREY. Mr. President, we are being so kind to one another that it reminds me of Alphonse and Gaston, or whoever the duo were. There is a difference between the two amendments. The amendment proposed by the Senator from Minnesota would check on those persons who illegally entered the United States, who had gained illegal entrance, strictly at the entrance points. The amendment of the Senator from New Mexico not only checks them on illegal entrance, but checks on those who illegally remain. I say his is a more inclusive amendment. It only goes to prove that there is no substitute for legislative experience. I saw only the edges of the proposition, and the Senator from New Mexico saw the entire picture.

Mr. ANDERSON. Mr. President, I absolutely cannot resist that kind of temptation. I insist upon the original language of my amendment. I shall not take the language of the amendment offered by the Senator from Minnesota. I ask the chairman of the committee if he will take my amendment to conference.

Mr. ELLENDER. I shall be glad to do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Mexico [Mr. ANDERSON], as modified.

Mr. ANDERSON. No, Mr. President, not as modified. I left my amendment as it was.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Mexico.

Mr. ELLENDER. Mr. President, in the discussion I cannot agree to take the amendment to conference. The question was thoroughly discussed in Mexico City, and what we are trying to accomplish is: if those persons who have legally entered the United States, but whose contract has expired, to make provision whereby they can be removed. The amendment of the Senator from Minnesota would permit
that being done, whereas, if we adopted the amendment of the distinguished Senator from New Mexico, it would be necessary for all Mexicans whose contracts had expired to go back to Mexico, and come back before they could be re-contracted.

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

Mr. ELLENDER. I yield.

Mr. ANDERSON. I understand, then, that it is because of contractual obligations to Mexico that the Senator prefers the Humphrey amendment.

Mr. ELLENDER. That is correct.

Mr. ANDERSON. Then, Mr. President, if I modify my amendment, and will use the language contained in the amendment of the Senator from Minnesota.

Mr. HUMPHREY. The Senator realises does he not, that he is taking the language which is less comprehensive.

Mr. ANDERSON. I realize that, but I also realize that the Senator from Louisiana went to Mexico when some of the others refused to go, and worked hard, and accomplished as fine a result as has been accomplished in this field in a long time.

I wish to commend him for saying that the amendment of the Senator from Minnesota is preferable.

The PRESIDING OFFICER. The clerk will state the amendment, as modified.

The LEGISLATIVE CLERK. On page 4, line 18, it is proposed to strike out the period and insert a comma.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico, as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is amended by another amendment.

The LEGISLATIVE CLERK. On page 4, line 18, it is proposed to strike out the period and insert a comma and the following: "and (3) reasonable efforts have been made to attract American workers for such employment at terms and conditions of employment comparable to those offered to foreign workers."

Mr. HUMPHREY. Mr. President, I believe the language of the amendment is self-expressive and self-defining. It provides that reasonable efforts shall be made to attract American workers, at terms and conditions of employment comparable to those offered to foreign workers. In essence, this is the crux of the bill. As has been pointed out by the Senator from New Mexico, the measure which is reported by the Committee on Agriculture and Forestry is a decided advance. I have indicated again and again to the chairman of the committee that I feel it is a substantial advance in legislation-particularly with Mexico on the whole subject of migratory labor.

However, Mr. President, I am sure that all of us are justly concerned about the standards of employment and working conditions of our own domestic labor supply. As has been pointed out today and on other days during the debate on the pending bill, certain of its provisions in some instances would give the Mexican worker advantages far beyond those granted to others. I would not deny such advantages to the Mexican worker. I think he ought to have them. I think we are dealing with a great humanitarian service. We are trying to lift the standard of living and his stand of working conditions. However, I feel that as we do such things for the Mexican workers we should provide the same advantages to our own workers. Likewise, I think that before the Secretary of Labor or anyone else makes certification for the importation of foreign labor we ought to be certain that the source of American labor has been fully exhausted, at least to the point where domestic workers could meet the employment requirement.

So I say the amendment is fundamentally an amendment of the issue at hand, the issue of the Senate, which I think it is fair to describe as not wishing to discriminate against domestic workers.

There is, of course, no such thing as an absolute shortage of manpower. Shortages of manpower are relative to the terms and conditions of employment offered. It may surprise Members of this body to learn that the report of the President's Commission makes the fact extremely clear that domestic workers are offered less advantageous terms and conditions of employment than are offered to foreign workers. I wish to emphasize that fact. Despite all the hue and cry which is being made about the working conditions of the foreign workers—and they are bad—the fact is that the working conditions of domestic workers in terms of employment are even more sad and despairing than those of the foreign workers. Mexicans are guaranteed minimum employment. The Mexican contract for the 75 percent of the contract period, which frequently is 6 months. The Puerto Rican guarantees 160 hours of employment in each 4-week period. The employment guarantee for workers from the British West Indies is in terms of minimum earnings. They are guaranteed minimum earnings of $25 in each 2-week period.

The striking finding of the President's Commission from the 12 hearings, which were held across the country, is that domestic workers are not charactertistically offered such employment guarantees. In only one instance did the Commission receive testimony indicating that the terms and conditions of employment offered to foreign and Puerto Rican workers were offered to domestic workers, though in two or three other instances it did find contracts offered to domestic workers in analogous terms. The most important of the differences in terms and conditions of employment is the employment guarantee.
Mr. HUMPHREY. Yes; it means something.

Mr. LANGER. What does it mean?

Mr. HUMPHREY. It means that every means must be exhausted to find out whether or not there is not available a domestic labor supply. Secondly, the American worker shall not be compelled to work under conditions less favorable than those enjoyed by a Mexican worker. The amendment can be given meaning in terms of medical care, type of employment, length of employment, wages, hours of work, housing, and all the other factors entering into the employment of foreign migratory workers.

Mr. LANGER. Let us take Mr. X, who is a farmer. He wants to employ some Mexican laborers in his sugar-beet fields. What must he do in order to get American labor? Must he advertise in newspapers?

Mr. HUMPHREY. He would go to his employment office. Perhaps he would go to his newspaper. His major source of supply would be through the farm placement service of his State employment agency.

Mr. LANGER. If he finds all the American labor he needs to work in his sugar-beet fields, must he make some sort of a written contract with his workers, saying, for example, that the workers shall have 160 hours of work?

Mr. HUMPHREY. It would be a good thing to do. However, it is not mandatory.

Mr. LANGER. It is not mandatory?

Mr. HUMPHREY. No. It is an effort to establish a standard. It is an effort to provide that before contracts can be let in an area, such as in Minnesota or North Dakota, first of all the Secretary of Labor shall declare that there is a labor shortage exists. It means that there must be examination within that area to determine whether there is a domestic labor supply. Then it says to the prospective employer that at least the American worker has the right to employment under conditions which are as favorable as those given to the foreign worker.

Mr. LANGER. Under the Senator's amendment would the American worker get what he expects?

Mr. HUMPHREY. That I cannot say. I will say to my friend from North Dakota that if the American people got from the laws of the land what they expected, we would have fewer complaints.

Mr. LANGER. Under the Senator's amendment would the American worker get what he expects?

Mr. HUMPHREY. He is not guaranteed it.

Mr. ELLENDER. Mr. President, I dislike to oppose my distinguished friend from Minnesota again, but I believe that Senators realize that it is to the advantage of the American farmer to hire local help. The farmer who hires local help must have the expenses of transportation and other expenses which must be paid in the case of a Mexican worker.

Sometime ago, during this debate, I have said that it was stated that under the terms of the bill efforts would not be made to obtain the services of all available domestic labor. I wish to point out to my good friend from North Dakota the provisions in section 503 of the bill:

No workers recruited under this title shall be available for employment in any area unless the Secretary of Labor shall determine that the necessary and critical labor conditions have been satisfied and that hiring of Mexican laborers in the area, because of the extra expense involved. Under such conditions the employer will try to use domestic workers, as he should do.

Mr. ELLENDER. That is what I tried to point out a moment ago. I am glad to have the distinguished Senator from New Mexico bring out that point.

The only reason why the Mexican worker is being given all these extras is because the Mexican Government is insisting upon it for its own nationals. As the distinguished Senator from New Mexico has pointed out, the bill would make it more expensive for an American employer to hire Mexicans. Therefore, his inclination would be to employ domestic labor in preference to foreign labor.

Mr. HUMPHREY. Mr. President, I merely wish to point out that the Mexican Government has been most vigilant in its attention to the needs of its own nationals. The Mexican Government insists on certain protections being written into the law for the benefit of its own people. What the Senator from Minnesota is attempting to say—is that too much clarity—is that if the Mexican Government can get our delegation to agree to protect the nationals of Mexico, I think we ought to do a little toward protecting the nationals of the United States.

Perhaps my language in this amendment is too stringent, too restrictive, or too comprehensive. I am open to suggestions. I will make the Senator practically any arrangement. I would tend in any way to make it more palatable or acceptable.

Mr. ELLENDER. Mr. President, I believe that the language which is now in the bill, and to which I have referred on many occasions on this floor, is sufficient to protect domestic workers. As I have pointed out many times, the Secretary of Labor, who is to administer the law, would make a determination on the facts. First, he must determine that there is not sufficient domestic labor available; and secondly, that the wages paid to the Mexican labor will not in any way affect the wages paid domestic workers.

Mr. HUMPHREY. On that point I think we can come to some agreement.

Mr. ELLENDER. It strikes me that that language is sufficient protection. I grant to my good friend from Minnesota that we may have gone a little far in agreeing to what the Mexican Government was demanding. However, the Mexican Government has had an experience in the past; and from that experience have come these new ideas as to how the contract should be formulated.

I may state to my good friend that there is nothing to prevent an American worker from asking for the same terms and conditions as are given to Mexican laborers. The Senator understands that.

Mr. HUMPHREY. Yes.

Mr. ELLENDER. The only reason why we have incorporated such a provision into the bill is that that is the only way by which we can obtain these workers.

Mr. DOUGLAS. Mr. President, will the Senator yield?
Mr. ELLENDER. I yield for a question.

Mr. DOUGLAS. I should like to make a suggestion which may reconcile the apparent differences between the Senator from Minnesota on the one hand and the Senator from Louisiana and the Senator from New Mexico on the other.

The objections by the Senator from Louisiana and the Senator from New Mexico seem to be addressed to the words "and conditions of employment comparable to those offered to foreign workers" in line 4 of the amendment. The Senator from Louisiana and the Senator from New Mexico are afraid that this language might be used to require the meeting of transportation costs of domestic workers, sickness costs, and so forth.

If we were to strike the words "and conditions of employment comparable to those offered to foreign workers" and substitute the phrase "of wages and hours," the language would then read:

And (3) reasonable efforts have been made to attract American workers for such employment at terms of wages and hours comparable to those offered to foreign workers.

That would eliminate the need for meeting transportation costs, health payments, and so forth, and would merely mean that an employer could not work longer hours.

If there were to be a suggestion that domestic workers could not work longer hours.

Mr. HUMPHREY. The Senator refers to the possibility of local labor being able to fulfill employment needs. As a matter of fact, the supply of migrant domestic workers is not always adequate locally. There is a group of domestic labor that travels from one State to another, and at times it would be necessary to go very far away, to the other side of the Nation, to obtain employees.

Mr. ELLENDER. Mr. President, I had a talk with Mr. Larin of the Farm Placement Service of the United States Employment Service. I am sure the Senator knows him.

Mr. HUMPHREY. Yes.

Mr. ELLENDER. I asked him to write me a memorandum as to what efforts were made to determine that domestic workers were not available. This is what he said:

Statements have been made during this debate that sufficient domestic labor is available for agricultural employment if proper recruitment can be made. The requirements of the United States Employment Service, before it will certify to the unavailability of labor, are specific. These indicate very clearly the efforts involved before any certification for the importation of foreign labor will be made.

Listen to this:

First, every employer must file an order with a local employment office requesting domestic labor. The local office searches its files for qualified workers, and if unable to recruit such workers, it will forward the order to other recruitment devices which commonly include use of the press and radio.

When the local office has been unsuccessful in its own jurisdiction, it originates a clearance order which will reach every office in the State before the effort is extended to other States. Each local office attempts to recruit the needed labor.

If there is no labor supply within the State, the State office of the employment service sends the order to adjoining States, where it goes through the same procedure. If there is a potential supply of labor, those local offices recruit labor through the use of their own files and other recruitment devices. Should adjoining States be unable to furnish the labor, the order goes to a regional office of the United States Employment Service, which may send it to other States which may have a potential supply of labor.

If the regional office first receiving the order and adjoining regions cannot locate a source of labor, the order is transmitted to the Washington headquarters, who transmit it to distant States which may have a potential labor supply.

In every instance recruitment effort is made to secure domestic workers who are qualified and available and willing to accept employment offered.

It strikes me that if the employment service goes through all that procedure or any similar to it, there ought to be sufficient protection for the domestic labor. Added to the argument I submitted a while ago, it should be plain that domestic workers will have first preference.

As I have stated, I believe that the committee has made a sufficient protection for domestic workers, and, I repeat, the only reason why we have imposed other restrictions, for instance, such as those against insurance against occupational risks, lodging and transportation, and other matters, is because it is the only way by which we can obtain Mexican labor.

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

Mr. ELLENDER. I yield.

Mr. DOUGLAS. In my effort to be an honest broker and adjust the differences between the Senators from Minnesota and the Senator from Louisiana, I wonder if the following modifying language might not be acceptable to the chairman of the committee, namely, after the word "at" in line 4, to have the remainder of the line read: "wages and standard hours of work comparable to those offered to foreign workers.

This would remove any requirement for a minimum guaranty of employment. It would provide merely that the hourly rate, the standard hours per week, would be comparable to those guaranteed to foreign workers.

Mr. ELLENDER. How would the Senator's amendment then read?

Mr. DOUGLAS. It would then read: reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

This would remove the question of the guaranty, it would remove the transportation payment, and the health payments, it would remove the requirements for lodging. But it would provide that domestic workers could not be worked more hours a week or at lower wages than in line 4, to have the

Mr. ELLENDER. I may state to my distinguished friend that I do not have any objection to the language he has suggested. If it is agreeable to my friend from Minnesota. It strikes me that it is already covered in the bill, in the report.

Mr. ELLENDER. I have no objection to the language he has offered. I think it clarifies and details what he is trying to do.

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

Mr. ELLENDER. I yield.

Mr. HOLLAND. Mr. President, the Senator?

Mr. ELLENDER. I yield.

Mr. HOLLAND. In announcing that he was satisfied with the modified wording, the Senator from Louisiana does not propose to enlarge the requirements placed upon the individual farmer in any way, does he?

Mr. ELLENDER. No, indeed.

Mr. HOLLAND. In other words, the Senator does not propose to substitute new and required activities by the farmer for the activities now performed by the employment service?

Mr. ELLENDER. It would simply provide that the domestic worker is offered the same minimum wages and standard hours of work as is given to the Mexican under the individual work contract.

Mr. DOUGLAS. And wages per hour.

Mr. HUMPHREY. Mr. President, I am more than happy to accept the modification proposed by the Senator from Illinois. I think it clarifies and details what the Senator from Louisiana. I want that clarification. I want that detailed outlining, because if
there is one field of employment where all the talk would have been, it is in this field of labor supply in the vast stretches of our land. I merely want to see the people of our own Nation given a fair chance to make a living. I am perturbed to find that the dicta of Government of Mexico can extort from us more protection for their people than we give to our own people. I am glad we have not been so perfidious in connection with foreign and domestic farm workers, in respect to the wage rate; and in respect to the foreign farm workers, the amendment relates only to Mexican farm workers.

Mr. ELLENDER. Mr. President, after I hesitate to take issue with my good friend, the Senator from Minnesota. However, as I pointed out during the debate a few days ago, the contract which the present time is entered into between the employer and the Mexican laborer provides for the payment of the prevailing wage as a minimum wage. It often happens that the wage is fixed in the contract itself; that is, it is written into the contract.

I fear that if the amendment of the distinguished Senator from Minnesota is adopted, it will mean that a great deal of red tape will be involved in connection with determining what that rate is and in determining the extent of the area which must be taken into consideration in fixing the wage rate. Moreover, it is impossible to determine what the wage rate will be.

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

Mr. ELLENDER. I yield for a question.

Mr. YOUNG. Yes, I wish to ask a question.

Mr. ELLENDER. Very well; I yield.

Mr. YOUNG. Would not it be almost impossible to determine what the wage should be? Mr. DOUGLAS. Mr. President, I do not believe the amendment needs any explanation. It is almost within the text or pattern of the amendment the Senate has just adopted. But I understand from Louisiana that there is very little difference, if any, between our objectives, because I know that the Senator from Louisiana wishes to have this measure every bit of protection which possibly can be included in it for the Mexican worker as well as for the American worker and the American employer. Since there is so little difference between our objectives, I submit to the Senator from Louisiana the fact that if such a provision is enacted into law, it will be a better guaranty of a sounder wage structure in a particular area and for a particular crop than the precarious type of contract which may be reached between an employer and an employee who is not an American national.

I wish the Senate would give this very serious consideration, because this has a great effect upon the American domestic labor market, and has a great effect upon the individual worker who comes into our country from beyond our borders.

Mr. ELLENDER. I am convinced that the committee had that very argument in mind when it passed this bill. I repeat what I have often said, that under section 503, I am satisfied that the domestic worker is amply protected.

Mr. HUMPHREY. Mr. President, will the Senator yield at this point?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. I recognize that the Senator has made a very clear explanation of the contractual relationships which exist between the employer and the employee. I also recognize that under the agreement with the Republic of Mexico, the Government of the United States has taken on certain obligations for the fulfillment of the contract. However, as yet I have not seen a copy of the over-all printed agreement. Has the Senator put one into the Record?

Mr. ELLENDER. No; I have not yet done so, but I intend to.

Mr. HUMPHREY. I am sure it will be placed in the Record before the end of this debate.

Mr. ELLENDER. Yes.

Mr. HUMPHREY. If the Government of the United States assumes the obligation of seeing that the prevailing wages are paid under the contractual relationship, then it is in accordance with the law of the land—which will be respected by all law-abiding citizens—it will be just that much easier for law-abiding citizens to make contracts that are to be fulfilled on the basis of the prevailing wage. In other words, the Senator from Louisiana is predicating his case on the contractual relationship between the employer and the employee; but what I am predicating on, in terms of the wage standards for a particular crop area and for a particular crop, is a statutory law.

I am just foolish enough to believe that statutory law is more impressive and is more likely to be lived up to, or is likely to be lived up to a little better, than a contractual relationship between a Mexican employee who is a farm worker and an American employer.

Mr. HUMPHREY. Mr. President, I now call up my amendment 4–27–51–B.

The PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 6, it is proposed to strike the semicolon and add the following: “to be employed at a wage no less than the current prevailing wage rate for the crop and area.”

Mr. HUMPHREY. Mr. President, I do not believe the amendment needs any explanation. It is almost within the text or pattern of the amendment the Senate has just adopted. But I understand from Louisiana that there is very little difference, if any, between our objectives, because I know that the Senator from Louisiana wishes to have this measure every bit of protection which possibly can be included in it for the Mexican worker as well as for the American worker and the American employer. Since there is so little difference between our objectives, I submit to the Senator from Louisiana the fact that if such a provision is enacted into law, it will be a better guaranty of a sounder wage structure in a particular area and for a particular crop than the precarious type of contract which may be reached between an employer and an employee who is not an American national.

I wish the Senate would give this very serious consideration, because this has a great effect upon the American domestic labor market, and has a great effect upon the individual worker who comes into our country from beyond our borders.
Mr. ELLENBERG. I yield to the Senator from Florida as much time as he desires.

Mr. HOLLAND. Mr. President, I do not care to speak on this matter at length, but I do think that the adoption of this amendment would bring an additional factor favorably to the bill. I hope that the Senator from Minnesota will follow me carefully on this. I call to his attention the fact that it is not in the place where he proposes to put the amendment, but in section 503, on page 4, that this particular objective is cared for; and it is cared for in a much more adequate way and in a much clearer way than with the amendment. I call his attention to the fact that section 503 provides that—

No workers recruited under this title shall be available for employment in any area unless the Director of State employment security for such area—

This has been changed, of course, as to the officer who makes the determinations—

has determined and certified that (1) sufficient numbers of workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers will be employed; and (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

I am not familiar with the Mexican labor problem, but I am familiar with the use of Bahaman and Jamaican labor, and if the Senator will bear with me, I should like to give him this fact, which I am sure applies in greater or less degree in other areas of the country. We have on the east coast of Florida certain areas outside the Miami vicinity, where labor brought in from the Bahamas, which is employed on our farms, has to be paid more money than would be paid 25 or 50 miles away from there, because it competes very definitely with the very highly paid labor which works in the tourist resorts, whereas, if it were 40 or 50 miles away from those tourist centers, in a place that very definitely might be held by the Labor Department to be the same area, there is a different situation entirely and a different scale of pay. It is for that reason that I think the wording already included in the bill, in section 503, is much the more acceptable, because it provides that it is the rate of pay at the time and place where the work is to be performed that is to be taken into consideration, and I think it is much better cared for there.

I call to the attention of the Senator and of the Senate the fact that we have repeatedly been told by our administrators of these labor measures, in the definition of "area." We have had it under the Wages and Hours Act. The Senator from Florida brought, as he understands, the first litigation which was brought under the Wages and Hours Act, and that was the particular regulation, a regulation which was put out by the wage-and-hour department; and the Senator will remember that that term "area of production" has been in conflict and confusion ever since the act was passed.

Only recently the Senator from Florida has had a similar experience. We have heard about the Department of Labor—without which the Senator from Florida is not finding fault at this time, but is simply using as an illustration—in the section with the determination of what are the standard rates paid to journeymen carpenters in a certain area, and the Department has included within the area not only the highly urbanized area of Miami but for many miles up the coast, so as to bring about a result which is not at all in accord with the facts, that the same standards are applied in a small community ten miles away, as those which apply in urban areas.

The Senator from Florida hopes that no double standard will be written into the bill in this way, but that instead, the very thing which he desires to be employed (that is) the definition of "production" as a rule which applies on the farm, which is not expected in industrial relations, between employer and employee, and that is simply to talk about bringing in these outside people, unless there is a real need for them, and, even though I think it is hardly needed, there is a safeguard provided by the law itself, that there must be a certificate from a branch of the United States Government, entrusted with the responsibility of looking into it, that, at the time and place— at the very time and place, and for that particular crop, because conditions may vary with different crops even in the same place and at the same time, that there is a shortage of labor, and that the shortage must be supplied from and furnished by a source outside the Nation. I hope the Senator will not insist upon his amendment, because I sincerely feel that to do so would bring a dual standard into the act, which will make for greater confusion and difference.

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

Mr. HOLLAND. I yield.

Mr. HUMPHREY. Mr. President, I wonder whether the Senator would accept the word "place" instead of the word "area." I recognize the difficulty that we have had under the "area" definition, or a definition of what is known as an "economic or employment area." Mr. HOLLAND. The Senator from Florida feels that, if the amendment is to be used, it should be used exactly in the same way as it appears in section 503; but, if so used, he thinks there would not be any improvement of the act, because it is section 503 which is applicable to this particular provision. If the Senator wants to restate those words and put the language in the amendment—

Mr. HUMPHREY. No.

Mr. HOLLAND. The Senator from Florida would then have no objection; but he calls attention to the fact that it then becomes duplication and reiteration; it is included in the present form, all that is much preferable to having confusion, and to having two terms in the bill which might and very probably
would be construed as meaning different things, or be construed by different administrative employees as meaning different things. So the Senator from Florida hopes that his friend, the Senator from Minnesota, will not insist upon his amendment.

Mr. HUMPHREY. I should like to invite the Senator's attention to the language of section 503, to which he refers, and which particularly affects the amendment of the Senator from Minnesota. The language says:

The employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

In other words, the language there means that the wages and working conditions of domestic workers shall not be pushed down. The language of the amendment of the Senator from Minnesota takes into consideration the fact that there are certain established prevailing wages in a community; that there are some people who pay less than the standard in the community, and there are always some who are getting very rich at the expense of someone else. The language of the amendment of the Senator from Minnesota says that no contracts may be entered into or entered into which do not at least pay the prevailing wage for a particular group, in a particular place. I think that is a very important provision, because I do not think we ought to permit contracts with foreign labor to implement the downward pressures on domestic labor standards in a particular area.

Mr. HOLLAND. I may say to the Senator from Minnesota that, though I have no experience with Mexican labor, I have learned from actual experience with imported labor and our domestic labor that there is no fixed standard, but that the standard tends to change from time to time during the season. If the price for citrus fruit goes up very heavily, the workers find it out and insist on having a little greater share for their labor. If the prices of vegetables in the Lake Okeechobee area go up, the same thing takes place. From week to week, there are variations in a particular season and place. So, it seems to me I should like to say the Senator from Florida that it is a much sounder course to leave in the tract:

The employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

Mr. ELLENDER. Yes, Mr. HUMPHREY. It is enforceable by the United States Department of Labor?

Mr. HUMPHREY. In the present situation?

Mr. ELLENDER. Yes. It can be modified if both Governments agree to it, but I am satisfied that the Mexican Government and the American Government can work out an applicable to individual Mexican employees.

Mr. HUMPHREY. Does that apply to every single contract that may be entered into?

Mr. ELLENDER. Yes.

Mr. HUMPHREY. It is enforceable by the United States Department of Labor?

Mr. ELLENDER. Yes. It is still in the stage of negotiation. There is still an opportunity for some modification or change.

Mr. ELLENDER. The Senator realizes that if in the future the terms of the contract shall be modified by agreement between the two countries, we shall have to change the law. I am insisting that we not incorporate the provisions of the contract into the law.

Mr. HUMPHREY. The Senator from Minnesota is likewise consistent, since there is an opportunity for a quick change, from the agreement, since there is an opportunity for modification, that in this proposed legislation, which will soon become law, we write the requirement of prevailing wage and in the area or the place involved, because it is perfectly obvious that this is not at the present time stamped, sealed, and delivered; it is still in the stage of negotiation. When the contract be handled in the same manner as it has been handled in the past.

Mr. HUMPHREY. The Senator from Louisiana must feel that I am being a little bit stubborn on these issues, and I think I owe him an explanation. If there has ever been one area of American employment which has been subjected to a complete exposure in the past year or two, it has been in the field of domestic and foreign labor in American agriculture. I have read in Read magazine an expose that should make every American ashamed. Mr. ELLENDER. That was on the wetback problem, was it not?

Mr. HUMPHREY. I know the Senator from Louisiana must feel that I am being a little bit stubborn on these issues, and I think I owe him an explanation. If there has ever been one area of American employment which has been subjected to a complete exposure in the past year or two, it has been in the field of domestic and foreign labor in American agriculture. I have read in Read magazine an expose that should make every American ashamed.

Mr. ELLENDER. That was the wetback problem, was it not?

Mr. HUMPHREY. Yes. I have read the New York Times and in newspapers on the West Coast articles which have exposed things that have been going on in the San Joaquin Valley. The President's Commission on Migrant Labor has given us great deal of information. The Senator from Minnesota has put up this little effort today for a reason. I digress to say that it does not primarily affect my own State. Everybody knows that the bulk of the migratory labor does not go to the family-size farm. It does not go to Grandpa and Grandma who are raising a few cattle and chickens, and trying to make a living on a small farm. Migratory labor goes to the big fruit and vegetable farms, the big commercial oarms, which are a representation of the family-size farms. They go to commercial farming areas in the Imperial Valley in California, and in other places.

So, Mr. President, I am a little bit suspicious. I cannot believe that it is all so lovely when I know that the migratory workers who come into our country, and also our own migratory workers, will have the most miserable working conditions. They live under the worst conditions. Without reference to my home State, in which there is a very decent standard of living and where we take good care of people who work on the farms, and in the factories, the junior Senator from Minnesota just happens to feel that after all the exposure that has been made about traffic in human misery, I owe it to the people of my State and to the Congress to try to put up a little struggle to make this bill a better one. When I see the words "prevailing wages in a particular area, or some particular area," I say to myself, "What can be wrong about that? If it is in the contract, let us put it into the law, because it is already patently clear that it may not be in the contract." There are some very shrewd operators in this country when it comes to making a quick and fancy dollar off someone's labor. The junior Senator from Minnesota wants to make sure that the operators who have never been an honor to American agriculture, but are exploiters of the soil and exploiters of humanity, will not be given a chance to exploit with congresional sanction. I think their record up to this time condemns them as having trafficked in human misery.

Mr. President, I want to pay my compliments to the Senator from New Mexico (Mr. C davaz) who made a bril­ liant fight on the floor with reference to the whole problem further than I have gone. I say the bill is an improvement over what we had, and for that reason I commend the chairman of the committee. But when there has been a record of trafficking in human kind, when there has been a record as bad as that which we have had in terms of migratory labor, the Congress cannot be too careful.

I have other amendments. I shall not call them up, because I recognize the fact that many of them will not be agreed to, and I do not want to engage in a fruitless search for an extra vote just to have another chance to make another 10- or 15-minute talk on an amendment. But, as the chairman of the Subcommittee on Management and Relationships—and the Committee on Agriculture and Forestry had a perfect right to go into it, so far as it applied to the Mexican supply as well as the migratory labor supply needs to be checked thoroughly, not only in terms of the law, but in terms of conscience, in terms of fair play for fellow Ame­ ricans.
The LEGISLATIVE CLERK. On page 2, line 6, it is proposed to strike the semi-colon and add the following: "to be employed at a wage no less than the current prevailing wage rate for the crop at the time and place where the work is to be performed."

Mr. ELLENDER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from New York.

Mr. ELLENDER. I should like to take at this time 1 minute of the time allotted to me on the bill itself. I am entitled to do that.

Mr. HUMPHREY. Mr. President, are we to vote on the amendment?

Mr. ELLENDER. Yes. I desire to say, on behalf of the committee, that I shall oppose the amendment as modified. As I tried to indicate a moment ago, the contracts entered into between employers in our country and employees in Mexico require that the prevailing wage rates be carried out. Furthermore, it often happens that in most cases the actual wage is fixed in the contracts themselves. When it comes to an interpretation of a contract in order to determine how much liability exists as between an employer and a worker, all that is necessary is to consult the contract. It is not necessary to go into questions which must be determined by public hearings.

Mr. President, I ask the Senate to reject the amendment for the further reason that it is not necessary in any way to modify the present contract, particularly with reference to wages, it would be necessary to amend the law itself so as to permit future agreements to be entered into between our Government and the Government of Mexico. I plead with Senators not to attempt to write parts of the individual work contract into law.

Mr. WHERRY. Is there any more time remaining?

The PRESIDING OFFICER. All time for debate has expired.

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

Mr. ELLENDER. I yield. In the past, the provisions of contracts have been followed.

Mr. ELLENDER. Yes. In other words, the manner of obtaining Mexican labor was by contract, the terms of which are agreed upon by our Government and the Mexican Government. All the terms and conditions were written into the contracts.

Mr. WHERRY. The advice of the Secretary of Labor was obtained in the writing of the contracts, was it not?

Mr. ELLENDER. Yes, but the reason for the offering of the amendment of my friend from Minnesota is an effort to protect our domestic labor.

Mr. WHERRY. I am in favor of that. Mr. ELLENDER. But I say that we have already done so under section 502.

Mr. ELLENDER. Does it, why is it necessary to adopt the pending amendment?

Mr. ELLENDER. It is not necessary to do so.

That is why I am asking the Senate not to adopt the amendment.

The PRESIDENT PRO Tempore. The question is on agreeing to the amendment offered by the Senator from Minnesota, as modified.

The amendment was rejected.

The PRESIDENT PRO Tempore. The bill is again open to further amendment.

Mr. DOUGLAS. Mr. President, before the bill is finally passed, as I assume it will be, on behalf of the junior Senator from New York [Mr. ELLENBERG], I should like to ask unanimous consent to have printed in the Record at this point the text of an amendment which he had intended to offer if he had been present, as well as a statement which was prepared pertaining to the proposed amendment.

There being no objection, the amendment which was to be proposed by the Senator from New York and an explanatory statement were ordered to be printed in the Record, as follows:

AMENDMENT INTENDED TO BE PROPOSED BY MR. ELLENBERG TO THE BILL TO AMEND THE AGRICULTURAL ACT OF 1949

On page 2, after the comma in line 2, insert the words "or from Puerto Rico or Hawaii."

On page 3, lines 22 and 23, strike out the words "in amounts not to exceed $20 per worker."

On page 4, line 24, after the word "Mexico", insert the words "in the case of workers from Mexico."

STATEMENT BY SENATOR LEHMAN ON HIS AMENDMENT TO EXTEND THE FARM LABOR BILL TO COVER UNEMPLOYED WORKERS FROM PUERTO RICO AND HAWAII

The amendment which I had intended to propose had I been present in the Senate when amendments to the Farm Labor bill were being considered is designed to make sure that the many thousands of agricultural workers who are recruited and brought from Puerto Rico and Hawaii to work in the fields of the continental United States in seasonal agricultural work receive the same protection as that provided by the bill in the cases of workers recruited in and brought from the Republic of Mexico. This is necessary in order to protect the employment standards of these workers. It is also essential to protect the wages and living conditions of labor and to counteract the competitive disadvantages against the employers of such local workers.

The effects of my amendment are such: The first is that a field of useful employment will be opened up to the very large numbers of unemployed, particularly in Puerto Rico. As I pointed out in my statement to the Senate on April 27:

"There is great unemployment in Puerto Rico. There are great numbers of people on that island, which is part of the United States, who are qualified as expert farm workers. The Federal Government contributes heavily in relief money and other Federal grants-in-aid to assist Puerto Rican to take care of these unemployed farm workers. It would seem to be the height of sound fiscal practice, as well as sound social practice, to bring Puerto Rican workers over to supply the need rather than to bring workers in from Mexico. I mean, of course, no reflection on Mexico or on the necessity of maintaining the closest of neighborly relations with that country. This, however, is not a problem in foreign relations, but a problem of agricultural conditions in our own country, including Puerto Rico."

If my amendment is agreed to, agricultural workers from Puerto Rico and Hawaii will have the benefit of the reception centers...
There being no objection, the matters were ordered to be printed in the Record, as follows:

NEW MEXICO STATE FEDERATION OF LABOR, Santa Fe, N. Mex., May 5, 1951. Hon. DENNIS CHAVES, Senator from New Mexico, Senate Office Building, Washington, D. C.

DEAR SENATOR: Enclosed is a copy of letters sent to New Mexico Representatives Dempsey and Fernandez.

You have heard our wires stating our thinking and position on Senate bill 984. Would you please give study to this letter as it gives more detail of this matter.

We will appreciate your assistance and passage of favorable amendments to Senate bill 984 and House bill 2361, the Powell bill, which will secure employment for American citizens before the importation of aliens is resumed.

Sincerely yours,

W. S. ROBERTS, Secretary-Treasurer, New Mexico State Federation of Labor.

MAY 5, 1951.

HON. JOHN J. DEMPESTY, House of Representatives, Washington, D. C.

DEAR SIR: The affiliate members of the New Mexico State Federation of, Labor, A. F. of L., are opposed to Senate bill No. 984, introduced by Senator Ellender, of Louisiana, and H. R. No. 2361, the Powell bill, in their original form.

Our information is that amendments have been made to these bills to permit employment of American citizens instead of Mexican nationals on farm jobs at fair wages and conditions of employment before any importation of labor from outside the continental limits is called for.

Our investigation in the States of New Mexico and Texas reveals that there is a large supply of farm labor available if the above-mentioned conditions are met. Also our investigation shows that these people imported are exploited by the imposition of low wages, high cost of commissary supplies, poor housing conditions, and limitations of work. Moreover, many of these workers who come from Puerto Rico and Hawaii to work in our fields and help us harvest our crops, should have the same protection that would be extended by this bill to Mexican workers who are brought into the United States for the same purpose.

The amendment is of particular interest to employers of agricultural labor in the State which I represent, and in other sections of the East and far West. In my opinion, it is a very necessary one, and I strongly urge the Senate to agree to its adoption.

MR. DOUGLAS. Mr. President, on be half of the Senator from New Mexico (Mr. Chavez), I also ask unanimous consent to have printed in the body of the Record a group of letters addressed to him and one letter addressed to the Senator from New York (Mr. Leaman), as well as an article from the Albuquerque Journal of May 3, relating to the debate on Senate bill 984.

It is evident with farm prices set, a better standard of wages can be absorbed into farm production cost, the same as in any other enterprise, and thus remedy this situation.

The United States Farm Security Agency, National Farm Labor Board and the Agricultural Adjustment Commission reports employment on the increase. However, thousands of workers are registered for employment for suitable work in this State and millions of others throughout the United States of America.

Thanking you for any assistance given in this matter, I am, Sincerely yours,

W. S. ROBERTS, Secretary-Treasurer, New Mexico State Federation of Labor.

MAY 7, 1951.

HON. DENNIS CHAVES, Senator from New Mexico, Senate Office Building, Washington, D. C.

DEAR SENATOR CHAVES: Allow me to congratulate you on your vigorous opposition to the importation of temporary farm laborers from Mexico.

It is impossible to improve the lot of the large segment of Spanish-speaking Americans who make their livelihood from farm labor as long as these temporary workers are allowed to be exploited.

I have seen the viciousness of such a practice in New Mexico and Texas. It takes its worst form in the cotton fields. The contracts spoken about are absolutely meaningless. The employers and their supervisors cheat these illiterate people at the scales and at the pay table. In the cases of the large farms where our people have to work for board and room, all out of doors, with food are padded and exorbitant prices charged for food.

I will be ready to give any time and effort when you come up for re-election in 1952.

Sincerely yours,

VICTOR T. XIMENES, Economist.
The President's Commission also found that in October some 150,000 children under 15 were engaged in migratory work. School population figures for this State in that month are considerably under the attendance figures for January and February, despite the existence in New Mexico of compulsory school laws.

Mr. DOUGLAS. Mr. President, I should like to congratulate the Senator from Louisiana [Mr. ELLENBERGER] for the wise and fine way in which he has presented the bill and for the gracious manner in which he has accepted amendments. If he were of a different disposition, he might have rejected some of the amendments which were offered. He has received them in a very gracious spirit. I believe the result is largely due to his fine work, and I wish to express my appreciation of what I feel with reference to the chairman of the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. The bill is open to further amendment. If there are any anomalies in the question is on the engrossment and third reading of the bill.

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

The PRESIDING OFFICER. The question is on the final passage of the bill.

Mr. WHERRY. Mr. President, I believe I am in control of the time in opposition to the bill.

The PRESIDING OFFICER. That is correct.

Mr. LANGER. Mr. President, will the Senator from Nebraska yield me 10 minutes?

Mr. WHERRY. I yield 10 minutes to the Senator from North Dakota.

Mr. LANGER. Mr. President, a few moments ago the Honorable Junior Senator from Minnesota said that he desired every Senator to read the minority views on the bill. I ask every farmer in the Northwest to read the minority views. Therefore, Mr. President, I ask unanimous consent that the minority views be printed in full in the Record at this point in my remarks.

There being no objection, the minority views to accompany Senate bill 994 were
ordered to be printed in the Record, as follows:

MINORITY VIEWS TO ACCOMPANY S. 984

May 7, 1951

S. 984 was favorably reported by the committee, after hearings, but before the issuance of the report of the President's Commission on Migratory Labor on April 7, 1951.

The President's Commission was created in June 1950 to inquire, among other matters, into:
(a) social, economic, health, and educational conditions among migratory workers, both Mexican and domestic, in the United States;
(b) problems created by the migration of workers, for temporary employment, into the United States, pursuant to the immigration laws or otherwise;
(c) whether sufficient numbers of local and migratory workers can be obtained from domestic sources to meet agricultural labor needs and, if not, the extent to which the temporary employment of foreign workers may be required to supplement the domestic labor supply.


The findings of the Commission bear directly upon the legislation under consideration.

There is no doubt but that it would be far preferable had the members of the committee and the Senate had opportunity to study the report of the Commission before voting on this bill.

The reason given for proceeding on this bill at this time is the urgency to enact legislation to enable importation of Mexican agricultural workers beyond June 30, 1951.

The minority, after considering this bill in the light of the Commission's report, believes that the problem of migratory labor is an interrelated one, and affects workers within the United States and in other countries as well. It should be studied in its broad ramifications and comprehensively rather than by piecemeal legislation such as this Committee on Labor and Public Welfare through its Subcommittee on Labor and Labor-Management Relations, and in accordance with the Legislative Reorganization Act, has now begun such a study with a view to legislation. The interests of the United States and of American workers would be best protected were the Congress to approach the problem of migratory labor in such a perspective. We would far prefer, therefore, to have this bill delayed until the Congress is prepared to consider and enact comprehensive manpower legislation.

Within the limits of S. 984 and its limited objectives, the minority, in the light of the Commission's report, has certain reservations and amendments to present which are here presented in topical form.

The fundamental legislative assumption behind this bill is that an agricultural labor shortage exists which requires the immediate importation of foreign labor for its relief. The majority in describing the background of the legislation under consideration observes that:

"Throughout World War II and since the termination of hostilities, it has been necessary to import agricultural workers from foreign countries in order to meet domestic demands and to produce adequate supplies of food and fiber for domestic consumption in the United States."

The report of the President's Commission bears this out, but the startling finding of the Commission in this matter is: "From 1945 through 1948, we employed a continuously larger hired labor force--our work requirement (total man-hours) was gradually declining. In other words, we have been using more and more of our own people, same on, slighty less work, and have thereby been reducing the work contribution per worker. This fact is strikingly reflected in the amount of employment received per hired farm worker; "Days of farm work per hired farm worker:"

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<tr>
<th>Year</th>
<th>Days of Farm Work</th>
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<tr>
<td>1946</td>
<td>113</td>
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<td>1947</td>
<td>106</td>
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<td>1948</td>
<td>104</td>
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<td>1949</td>
<td>98</td>
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The Commission comments, "The migratory worker gets so little work that for him employment is only incidental to unemployment." It is the view of the President's Commission that the human resource in agriculture is used extravagantly. However, the Commission recognizes that more efficient utilization of agricultural labor will take time, that it cannot occur in a few weeks or months. Accordingly, it makes divergent recommendations with respect to the importation of foreign workers and recommendation for the short-run and one recommendation for the long-run. For 1951, it recommends: "No special measures be adopted to increase the number of alien contract laborers beyond the number admitted in 1950." For the long-run it recommends that "Future efforts be directed toward providing agricultural labor needs with our own workers and eliminating dependence on foreign labor."

The finding of the President's Commission with respect to the underutilization of agricultural manpower corroborates the research of the Joint Committee on the Economic Report which published its findings in a Joint committee print, Underemployment of Rural Families, February 2, 1951. The Joint Committee in its Economic Report was concerned with farm workers as a whole rather than primarily migrant workers. Through analysis of five groups of low-income farm workers it reached the conclusion, "If there is any justification to the bill, therefore, it is to meet an immediate, temporary need. Considered in the restricted terms in which its sponsor put forward the bill, certain further changes may be made in S. 984 to incorporate certain of the findings of the President's Commission. It is believed that proposed changes might usefully be considered against four broad criteria: (1) That the Mexican importation program be carried out in a manner to minimize detriment to American workers. (2) That devises be strengthened for assuring that both parties to the individual work contract--employer and employee--will live up to their agreements. (3) That appropriate measures be taken to meet the wage problem. (4) That the cost to the public of the Mexican importation program be kept to a minimum."

With respect to the first proposition, certain worker protests are sometimes greatest when they test themselves. Section 803 of the committee bill provides that foreign workers may be made available at the discretion of the Secretary of State Employment Security for those periods of unemployment determined and certified that willing, able, and qualified domestic workers are not available for employment at the time and place necessary.

In substituting the director of State employment for the United States Secretary of Labor in S. 984, the bill is a step forward to change this and to call for certification by the State director of employment in our American States that they have a national market. This is true of labor in the same way it is true of automobiles and radios. To propose State determination of labor shortage is the same as to propose State autonomy in tariff matters. A labor shortage may be determined from a national perspective.

In order that all interested groups may have the opportunity of effectively expressing their views as to whether or not foreign workers are needed under the terms and conditions of employment extended to foreign workers, it is proposed that the Secretary of Labor hold public hearings in areas of alleged labor shortage. In this way, we believe that all interested parties will receive the advice of all interested parties.

Inasmuch as a labor supply is necessarily determined in terms of the desirability or unattractiveness of the employment offer, it is clearly impossible to know whether or not a labor shortage exists until domestic workers have been offered the terms and conditions of employment extended to foreign workers. It might at first be thought that domestic workers customarily were offered terms and conditions of employment comparable to those extended to foreign workers. The President's Commission in this matter is quite the opposite. The Commission observes: "If employers were allowed to extend to [domestic migrant workers] the guarantees they give to alien workers whom they import under contract. These include guaranties of employment, workmen's compensation, medical care, standards of sanitation, and payment of the cost of transportation."

We believe further protection should be given domestic workers by amending the importation program by adding the requirement, before certifying the need for foreign workers, that reasonable efforts will be made to employ American workers for the employment. This further emphasizes the important role of the Farm Security Act in assisting workers to find employment.

S. 984 exempts workers brought in under its provisions from the Federal old-age and survivors insurance provisions of the Social Security Act.

The bill amends the Internal Revenue Code so as to exclude the service performed by such workers from the contribution provisions of the law as the State or foreign workers. The findings of the President's Commission on the contributions under the Social Security Act. Both the employer and the workers are exempted from the social-security tax.

Under the amendments to the Social Security Act, enacted by the Congress in 1950, a limited group of "regularly employed" agricultural workers were brought in under the insurance provisions effective January 1, 1951. In order for an agricultural worker and his employer to become subject to the insurance contributions, an individual must work for an employer for at least 12 of the 26 weeks in any of two consecutive quarters, before any of the contributions become subject to the contribution provisions of the insurance program. In most cases, it will be necessary for an individual to work 6 to 8 months for one agricultural employer and the agricultural work will be subject to contribu-
tions under the insurance program. Due to the nature of the programs, Mexican nationals who contract workers work for a single employer, very few of them will meet the stringent requirements of the new law and consequently very few of them and their employers will be subject to the social-security contributions. It is estimated that not more than one fifth of the Mexican nationals who become subject to the social-security provisions under the terms of the proposed program will actually be covered. All of the Mexican agricultural labor brought into this country return to Mexico within about 5 or 6 months, thereby eliminating any of the Mexican nationals who would become subject to the contribution provisions of the insurance program.

But it is still true that the exclusion of Mexican workers from the insurance program could result in the hiring of such workers in preference to American workers since their employers would have the competitive advantage of not paying social-security contributions and it appears to be undesirable to give employers, as a matter of general congressional policy, a financial incentive to retain foreign labor as against hiring domestic labor.

The major issue, therefore, that is raised by a proposal to exempt Mexican contract workers from the social-security provisions of the law is a matter of fundamental principle and not on the application of its social laws.

Under the program since it first began in 1937.

Although the United States has for many years applied the principle of non-discriminatory treatment of nationals from other countries, the Mexican nationals have been an exception. The United States policy in keeping with international law and the spirit of the provisions of the law they were required to post bond to protect the standards and conditions of work for American workers, we believe that when exempting Mexican workers from the United States Social Security Administration making payments to Mexican nationals residing in Mexico based upon the employment contributions made for them by employers in the United States.

If, despite these various considerations, the Congress is of the opinion that some special provision should be made on behalf of Mexican nationals brought into the United States for short-term employment, it is suggested that the law be amended to the effect that the undesirability of transferring the contributions made on behalf of the Mexican contract workers be determined by the Social Security Administration. Such an arrangement would be consistent with a sound policy of international cooperation in the determination of nationals to other countries and eliminate any contention of giving an incentive to employment of foreign nationals to the detriment of domestic labor.

Before embarking upon a policy which may have far-reaching implications and adverse effects upon the insurance program and upon our foreign policy, it is recommended that the provision exempting Mexican nationals from the requirement of posting bond be examined in the light of the long-run policy in keeping with the principles which have governed our social-insurance programs in the past.

"Notwithstanding any other provision of law or regulation," S. 984 exempts employers of Mexican nationals from the requirement of posting bond to guarantee departure of these workers. It is understandable how the committee recommended this step. It received much testimony on the frequent unfairness to employers of the bond requirement. Employers testified before the committee that under the existing provision of the law they were required to post bond to guarantee departure of the worker, yet they did not have power to prevent the worker from deserting. If the worker took it in mind to walk off some night, there was no way that they could stop him.

Important as this factor is in determining policy on this question, certain other considerations need to be taken into account. While it is true that the employer does not have the power to compel the worker to remain, the problem of discrimination is greater when the employer is faced with the frequent desertion of Mexican nationals. It is argued that the provision of S. 984 is necessary to prevent such desertion. If, despite the provision, Mexican nationals remain in the United States, it is argued that the employer will not be able to get Mexican nationals to work. Therefore, it is necessary to post bond to guarantee departure of these workers.

While such correlation could not be taken to mean that desertion is a matter of practice, we find that while it is true that the employer does not have the power to compel the worker to remain, the problem of discrimination is greater when the employer is faced with the frequent desertion of Mexican nationals. It is argued that the provision of S. 984 is necessary to prevent such desertion. If, despite the provision, Mexican nationals remain in the United States, it is argued that the employer will not be able to get Mexican nationals to work. Therefore, it is necessary to post bond to guarantee departure of these workers.

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The committee is of the opinion that some special provision should be made on behalf of Mexican nationals brought into the United States for short-term employment, it is suggested that the law be amended to the effect that the undesirability of transferring the contributions made on behalf of the Mexican contract workers be determined by the Social Security Administration. Such an arrangement would be consistent with a sound policy of international cooperation in the determination of nationals to other countries and eliminate any contention of giving an incentive to employment of foreign nationals to the detriment of domestic labor.

Before embarking upon a policy which may have far-reaching implications and adverse effects upon the insurance program and upon our foreign policy, it is recommended that the provision exempting Mexican nationals from the requirement of posting bond be examined in the light of the long-run policy in keeping with the principles which have governed our social-insurance programs in the past.

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The steps which may be taken. It recommends that legislation be enacted making it unlawful to employ aliens illegally in the United States. It recommends that the Immigration Service and the courts be given clear statutory authority to enter places of employment to determine if illegal aliens are employed. We observe that these recommendations of the President's Commission are of utmost importance.

The four-item program proposed as guide to the measures to be included in a Mexican immigration program is that the constant size of the wetback problem be kept within moderate limits. We view as unrealistic the figure of $300 to cover the round-trip cost of transportation from recruitment centers in Mexico and reception centers in the United States as well as their subsistence during this period. In this connection, it is pertinent to bear in mind that it would be highly unusual if workers were hired by United States employers directly through recruitment centers in the United States. Therefore, subsistence needs to be considered not only during the period of travel but for the period at the reception center awaiting employment.

HUBERT H. HUMPHREY.

APPENDIX A. RECOMMENDATIONS OF THE PRESIDENT'S COMMISSION ON MIGRATORY FARM LABOR

I. FEDERAL COMMITTEE ON MIGRATORY FARM LABOR

We recommend that:

(1) Foreign labor importation and contracting be under the terms of intergovernmental agreements which should clearly state the conditions under which the foreign workers are to be employed. These should be substantially the same for all countries. No employer, employer's representative or association of employers, or labor contractor should be permitted to contract directly with foreign workers who are to work in the United States. This is not intended to preclude employer participation in the selection of qualified workers when all other requirements of legal importation are fulfilled.

(2) The United States-Mexico intergovernmental agreement should provide that it be used only as a means to facilitate the importation of Mexican nationals who are needed to fill the supply of foreign workers, the number not to exceed the number of those who will have major economic, social, and security problems represented by the Mexican wetbacks over our southern border. The commission recommends that a Mexican national, if employed, be employed in accordance with the policies of the respective agencies. The committee should have authority, within the limits of its appropriation, to establish such advisory committees as it deems necessary.

(3) The Federal Committee on Migrant Farm Labor have the authority and responsibility, with adequate staff and funds to assist, consult, and advice with the various agencies of the Government in their activities and policies relating to migratory farm labor, including such investigations and publications as will contribute to an understanding of migratory farm-labor problems, and to recommend to the President, from time to time, such changes in administration and legislation as may be required to facilitate improvements in the policies of the Government relating to migratory farm labor. The committee should undertake such specific responsibilities as are assigned to it in the recommendations set forth in this report and as may be assigned to it by the President.

(4) The Farm Placement Service of the United States Employment Service certify to the Immigration and Naturalization Service the hiring of persons under the Federal-Mexico intergovernmental agreement when and if labor requirements cannot be filled from domestic sources and it is the number needed by the numbers of workers needed. On alien contract labor, the United States Employment Service and the various State employment services should be advised by the tripartite committee of the council. However, no certification of shortage or need for foreign labor should be made unless and until continental domestic labor has been offered the same conditions and numbers of workers needed. After certification of shortage or need for foreign workers, the United States Employment Service should be advised by the tripartite advisory committee provided for in the Wagner-Peyser Act, or by tripartite representatives of the council. However, no certification of shortage or need for foreign labor should be made unless and until continental domestic labor has been offered the same conditions and numbers of workers needed.

(5) Similar agencies should be established in the various States. The responsibilities and the activities of the Federal Committee on Migrant Farm Labor and the agencies established in the States should be complementary and not competitive. The State agencies should be encouraged to carry forward those programs which are appropriate for farm workers which, by their nature, fall within the responsibility of individual States. The Federal Committee will be more concerned with interstate, national, and international activities. But at all times there should be close coordination between the Federal and State agencies and a two-way flow of information, suggestions, and effective action.

II. MIGRATORY FARM LABOR IN EMERGENCY

Our investigations of the present farm labor problem and our analysis of this country's experience during the years of World War II lead us to the conclusion that intergovernmental agreements which seem inescapable in the present emergency. We therefore recommend:

(1) First reliance be placed on using our domestic labor force more effectively.

(2) No special measures be adopted to increase the number of alien contract laborers beyond the number admitted in 1950.

(3) To meet any supplemental needs for agricultural labor that may arise, the Congress should be given the power to authorize the recruitment and employment of workers from all countries on a basis to be determined by the President.

(4) Future efforts be directed toward supplying agricultural labor needs with our own workers and eliminating dependence on foreign labor.

III. ALIEN CONTRACT LABOR IN AMERICAN AGRICULTURE

We recommend that—

(1) Foreign labor importation and contracting be under the terms of intergovernmental agreements which should clearly state the conditions under which the foreign workers are to be employed. These should be substantially the same for all countries. No employer, employer's representative or association of employers, or labor contractor should be permitted to contract directly with foreign workers who are to work in the United States. This is not intended to preclude employer participation in the selection of qualified workers when all other requirements of legal importation are fulfilled.

(2) The United States-Mexico intergovernmental agreement should provide that it be used only as a means to facilitate the importation of Mexican nationals who are needed to fill the supply of foreign workers, the number not to exceed the number

* * *

In the contracting of wetbacks, we see the abandonment of the concept of regulatory authority to the premium upon violation of the immigration law.

Prohibition of the legalization of workers illegally in the United States, while most important to the solution of the wetback problem, may be somewhat more adequate than it is as a program for the employment of aliens.

Mexican wetbacks were legalized and placed in the temporary admission program in 1950.
V. HOW MIGRATORY WORKERS FIND EMPLOYMENT

We recommend that—
(1) Federal and State services be established to recruit interstate and intrastate labor for the United States and to transport such workers from their homes to the United States.

(2) The Immigration and Naturalization Service should develop minimum standards for such services and should be authorized to terminate any contract of employment and remove the workers, and to refuse to issue foreign workers to any employer or association of employers where there has been repeated or willful violation of contract provisions.

(3) The Immigration and Naturalization Service should be authorized to terminate any contract of employment and remove the workers, and to refuse to issue foreign workers to any employer or association of employers where there has been repeated or willful violation of contract provisions.

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VII. WORKERS, WAGES, AND INCOMES

We recommend that—
(1) The Congress enact minimum-wage legislation to cover agricultural labor, including migratory farm workers.

(2) State labor laws should be adapted to meet the needs of migratory farm workers.

(3) Federal and State unemployment compensation legislation should be enacted to cover agricultural labor.

(4) Because present unemployment compensation legislation is not adapted to meeting the unemployment problems of migratory farm workers, the Federal Social Security Act should be amended to provide matching grants to States for general assistance on the condition that no needy person be denied assistance because of lack of legal residence status.

VIII. HOUSING

We recommend that—
(1) The United States Employment Service, and other State and local agencies, should be directed to develop and promote housing standards for migratory farm workers.

(2) The Labor-Management Relations Act of 1947 should be amended to extend coverage to migratory farm workers.

(3) Federal and State unemployment compensation legislation should be adapted to meet the needs of migratory farm workers.

(4) Because present unemployment compensation legislation is not adapted to meeting the unemployment problems of migratory farm workers, the Federal Social Security Act should be amended to provide matching grants to States for general assistance on the condition that no needy person be denied assistance because of lack of legal residence status.

(5) Any State employment service should develop and promote housing standards for migratory farm workers.

(6) The Agricultural Extension Service should be directed to develop and promote housing standards for migratory farm workers.
water, sanitary facilities including showers, should be adequately supervised.

(7) The Department of Agriculture be authorized to provide matching grants to States, to extend carefully supervised credit in modest amounts to assist migratory farm workers to acquire or to construct homes in areas where agriculture is in need of a considerable number of seasonal workers during the crop season.

(8) States be encouraged to enact State housing codes establishing minimum health and sanitation standards for housing in unincorporated areas.

(9) The Public Housing Administration of the Housing and Home Finance Agency develop a rural nonfarm housing program to include homesteading needs of migrants in their home-based situation.

IX. HEALTH, WELFARE, AND SAFETY

We recommend that—

(1) In amending the Social Security Act to provide matching grants to States for general assistance (as we recommended in chapter 7), provision be made to include medical care as a significant need for grants of public assistance on the condition that no person be denied medical care because of the lack of legal residence status.

(2) The Public Health Service Act be amended to provide, under the supervision of the Surgeon General, matching grants to States, to conduct health programs among migratory farm laborers, especially migratory workers, to enable these people to increase their skills and exercise control to improve their personal welfare. The extension services should also give instructions to both farm employers and farm workers on their respective roles and rights, as well as the opportunities for constructive joint planning in their respective roles as employers and employees.

The Agricultural Extension Services should expand their home-demonstration work to supply the families of migratory farm workers, particularly migratory farm workers, instruction in nutrition, homemaking, infant care, sanitation, and similar subjects.

In substance, the Commission recommends that the Agricultural Extension Services assume the responsibility for improving the welfare of farm workers as for helping farm operators.

(3) The Federal Government, in accordance with the long-standing policy that agricultural extension work is a joint responsibility of the Federal Government and the several States, and the emphasis of Congress thereof, provide additional matching grants for the proposed educational program for farm workers and their families.

APPENDIX B. EXCEPT FROM UNDEREMPLOYMENT OF RURAL FAMILIES MIGRATORY FARM LABOR

Some underemployed farm families leave their farms during the harvest season and supplement their farm incomes by picking cotton, fruit, potatoes, tomatoes, or other crops; others forsake their farms entirely and attempt to make a living by following the crop harvest. Through years of varying economic conditions relatively permanent groups of workers have developed who need the peak-season labor needs in various parts of the country. These are principally but not exclusively from farm sources. They have developed rather definite paths of movement from the winter work areas in Florida, south Texas, Arizona, and southern California to summer harvest areas in the north.

The number of people in this migratory work force has varied with crop conditions, prices of farm products, displacement by mechanization, and the general level of non-agricultural employment. It has also changed with the opportunity to go into urban occupations. According to a Nationwide survey made in 1949, there were slightly more than 1,000,000 people over 14 years of age in this force at that time. This number includes several hundred thousand workers from across the Mexican border who compete with domestic labor for the work that is available.

Farm people who go into the migratory labor force do so from lack of better opportunity and then merely change to another and less secure type of underemployment. According to previous mention, the average number of days of employment for migratory workers over the country in 1948 was 70 days in farm work and 31 more in nonfarm employment.

Three factors enter into this underemployment. First, a period of three weeks makes the whole seasonal employment to be found. Second, irregular and intermittent employment during the harvest season seems to be over-supplied with workers, others last for such a brief period that the amount of work obtained by an individual does not stand. A third factor is too large a supply of workers for the amount of work available. Migratory workers compete with seasonal and year-round workers for employment. The latter, too, then suffer from underemployment; during the brief period they are on the farm there is employment of which 91 days were in farm work and 29 nonfarm work.

The earnings from the 101 days of farm work which the migratory workers obtained in 1949 amounted to an average of $514.2 The value of housing, transportation, and other perquisites amounts to $95. At an average of two workers per family, total family incomes averaged $1,028 cash or $1,522 with perquisites. In order to obtain redress for grievances, they have little voice either in community, State, or national affairs and are unable to make effective demands to relieve their situation.

Although they are most essential to meet peak-season demands for gathering in the national food supply, they are explicitly excluded from national legislation which protects and advances the rights of workers. Their position is the most precarious of any in our economy. They have no definable job rights and are so far removed from the employer group that they are unable to obtain redress for grievances.

Rather than matching and migratory workers directly and individually, it is a widespread practice among farm employers to hire in crews through labor contractors, crew chiefs, or labor recruiters. In many areas it is virtually impossible for a worker to obtain a job directly from the farm employer. As a consequence of these practices, a farm worker has to pay heavily from his already-too-low earnings for the privilege of getting work to do.

Mr. LANGF, Mr. President, I wish to call attention as to the fact that the President's Commission held 12 public hearings. Where were the hearings held? They were held in Brownsville, Tex.; El Paso, Tex.; Phoenix, Ariz.; Los Angeles, Calif.; Portland, Ore.; Fort Collins, Colo.; Memphis, Tenn.; Saginaw, Mich.; Trenton, N. J.; West Palm Beach, Fla.; and two hearings were held in White River, Kan. None of these was held in the Middle West or other agricultural regions.

A few days ago there was published a list of the casualties in Korea. It gave the number of casualties by the various countries who have boys fighting in Korea. Not one boy came from Mexico. Not one casualty was suffered by Mexico. A few months ago the Senator from Florida (Mr. Holland) said that during World War II the Selective Service Act was in effect in Florida. Under the act boys in Florida were induced into the service. How does it work today?

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

M. LANGF, I decline to yield. How does it work today?
have taken away the boys. In some sections of our State, as well as in the adjoining States, including Missouri, Iowa, etc., insufficient help was available. The first boy in the family had already died in World War II. They then took the last boy and left him. Now they came along and say, "We will continue taking the boys. When there is not enough labor available to do the work the Department of Labor will certify that you can get some from Mexico." I for one will not vote for a bill that says we are going to send our boys to die in Korea while the Republic of Mexico sends workers to the United States to take the place of our own farm boys and our city boys. Such foreign laborers are sent all over the Middle West, where I am intimately acquainted with the fact, where they draw wages, and the Senator from Minnesota says he wants to be sure that their wages are going to be high enough.

The distinguished Senator from Minnesota says that the reports show that all over the country there has been a terrible situation relative to migratory labor. Let me tell the Senator from Minnesota the story that I have named. I am intimately acquainted in his own State of Minnesota, in Montana, South Dakota, and other farm States. I can give him name after name of men who came to those States as migratory laborers and who remained there and made a great success in farming and business. Today they are among the outstanding farmers and businessmen of those States. I can readily see, by looking at the minority report, that, of course, the committee went to some of the large cities. It was pleasant to go to Phoenix, Los Angeles, and Portland, Ore. It was nice to go to some of the other places in the wintertime. I note that the committee went to West Palm Beach, Fla., and that it held a couple of meetings in that place. It was pleasant to go to all the places. But I notice that they did not go to any little cities. They did not go to New Ulm, Minn. They did not go to Moorhead, Minn. They did not go to Jackson, Minn. They did not go to any city in North Dakota. They did not go to Kansas, New Jersey, Nebraska, South Dakota, or Missouri. Yet an overwhelming amount of the sugar-beet labor which comes from Mexico is going to some of the very States which I have named.

So, Mr. President, I for one decline to vote for a bill of this character, under which able-bodied, healthy boys from Mexico, a country which is not helping us in the United Nations, are sent to the United States to employ and draw wages and to take the place of farm boys and city boys who are fighting to save the Republic of Korea.

The PRESIDING OFFICER. The bill having been read the third time, under what question is, Shall it pass?

The bill (8. 984) was passed, as follows:

Be it enacted, etc. That the Agricultural Adjustment Act, as amended, be and is hereby amended by adding at the end thereof a new title to read as follows:

"TITLE V—AGRICULTURAL WORKERS"

"SEC. 501. For the purpose of assisting in such a situation of agricultural labor shortage and products as the Secretary of Agriculture deems necessary, by supplying agricultural workers from the Republic of Mexico (pursuant to arrangements between the United States and the Republic of Mexico), the Secretary of Labor is authorized—

(1) to operate reception centers (including any such workers temporarily in the United States under legal entry).

(2) to operate reception centers at or near the places of actual entry of such workers into the continental United States for the purpose of ensuring that such workers are informed as to the nature of the work for which they are engaged and their working conditions, wages, accommodations, and all other facts relative to their employment.

(3) to provide transportation for such workers from recruitment centers outside the continental United States to such reception centers and from such reception centers to such recruitment centers after termination of employment.

(4) to provide such workers with such subsistence, emergency medical care, and burial expenses (not exceeding $500 burial expenses in any one case) as may be or become necessary during transportation authorized by paragraph (3) and while such workers are at reception centers.

(5) to assist such workers and employers in negotiating contracts for agricultural employment (such workers being free to accept or decline agricultural employment with any eligible employer and to choose the type of agricultural employment they desire, and eligible employers being free to offer agricultural employment to any workers of their choice not under contract to other employers);

(6) to guarantee the performance by employers of provisions of such contracts relating to wages or the furnishing of transportation.

"SEC. 502. No workers shall be made available under this title to any employer unless such employer has entered into an agreement with the United States—

(1) to indemnify the United States against loss by reason of its guaranty of such employer's contracts;

(2) to reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in amount not to exceed $20 per worker; and

(3) to pay to the United States, in any case in which workers are not returned to the reception center in accordance with the contract entered into under section 501 (a) and (b), and is signed by the United States, an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of employment to such reception center, less any portion thereof required to be paid by other employers.

"SEC. 503. No workers recruited under this title shall be available for employment in any area unless the Secretary of Labor for such area has determined and certified that (1) sufficient domestic workers who are available, willing, and qualified are not available at the time the contract was entered into, (2) that such contract is for the work for which such workers are to be employed, and (3) the employment of such workers will not adversely affect or impede the working conditions of domestic agricultural workers similarly employed, and (3) reasonable efforts have been made to attract domestic agricultural workers to the area in which such work is to be performed and the normal and standard hours of work comparable to those offered to foreign workers.

"SEC. 504. No workers recruited under this title who are not citizens of the United States shall be admitted to the United States subject to all the conditions of the agreement if already in, by virtue of legal entry and otherwise eligible for admission to, the United States may, pursuant to arrangements between the United States and the Republic of Mexico, be permitted to remain therein for such time and under such conditions as may be specified by the Secretary, notwithstanding any other provision of law or regulation, no penalty bond shall be required which imposes any penalty for the failure of any such worker to depart from the United States upon termination of employment and such workers shall be made available under this title to, nor shall any workers made available under this title be permitted to remain in the employ of, any employer who has in his employ any Mexican alien when such employment know or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such Mexican alien is not lawfully within the United States.

"SEC. 505. (a) Section 210 (a) (1) of the Social Security Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended.

"(b) Section 1426 (1) of the Internal Revenue Code, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"(C) Service performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended.

(c) Workers recruited under the provisions of this title shall not be subject to the head tax levied under section 2 of the Immigration Act of 1917 (6 U. S. C. sec. 132).

"SEC. 506. For the purposes of this title, the Secretary of Labor is authorized—

(1) to enter into agreements with Federal and State agencies; to utilize (pursuant to such agreements) the services of such agencies; and to allocate or transfer funds or otherwise to pay or reimburse such agencies for expenses in connection therewith;

(2) to accept and utilize voluntary and uncompensated services; and

(3) when necessary, to supplement the domestic agricultural labor force, to cooperate with the Secretary of State in negotiating and carrying out agreements relating to the employment in the United States, subject to the immigration laws, of agricultural workers from the Republic of Mexico.

"SEC. 507. For the purposes of this title—

(1) the term 'employer' includes services or activities included within the provisions of section 5 (f) of the Fair Labor Standards Act of 1938, as amended, or section 1426 (h) of the Internal Revenue Code, as amended.

(2) The term 'employer' shall include an association, or other group, of employers, but only if (A) those of its members for whom workers are being obtained are bound, in the event of its default, to carry out the obligations undertaken by it pursuant to section 502, or (B) the Secretary determines that such individual liability is required to assure performance of such obligations.

"SEC. 508. Nothing in this act shall be construed to authorize the Attorney General, pursuant to the general immigration laws, to permit the importation of aliens of any nationality for agricultural employment as defined in this act, or to permit any such alien who entered the United States legally to remain for the purpose of engaging in any agricultural employment under such conditions and for such time as he, the Attorney General, may prescribe.

"SEC. 509. Any person who shall employ any Mexican alien not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within the United States,
under the terms of this act or any other law relating to the immigration or expulsion of aliens, when such person knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have discovered or had reasonable grounds to believe or suspect that such alien is not lawfully within the United States, or any person who, having employed such alien, would not have been able to obtain such information by reasonable inquiry at the time of giving such employment, shall, if he has reasonable grounds to believe or suspect that such alien is unlawfully within the United States, or that such alien is not lawfully within the United States and shall fail to report such information promptly to an immigration officer, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding $2,000, or by imprisonment for a term not exceeding 1 year, or both, for each alien in respect to whom any violation of this section occurs.

"Sec. 510. No workers will be made available under this title for employment after a date not exceeding 2 years has been to deny Formosa to the Communists.

This document, because our public affairs officers recognized that Formosa represented a definite information problem for our overseas information programs and policy. It was necessary to make policy decisions and take into account various intelligence reports and other basic data.

These guidelines were regularly on major aspects of United States foreign policy in order that the International Information program, including the Voles of America, will constitute a thoroughly coordinated arm of our foreign policy. The provision of such guidance has been strongly insisted upon by the Advisory Commission on International Information, which was established by the Foreign Assistance Act.

Information guidelines of this nature, which keep pace with changing conditions, must be classified, since to make them public would have a decided adverse effect upon our foreign policy and upon the information program itself. Revelation of the detailed methods by which the United States conducts its foreign-information program would be of great assistance to the Soviets, not only in advising them of what our information techniques are, but also in permitting an information directive, if unclassified, to be used for extraneous propaganda.

The question has already been raised in this case why a particular document must be kept confidential whose content has actually fall, and to avoid making statements as to the significance of Formosa which would make any such subsequent action by the United States more obvious, in view of the fact that the fall of Formosa appear, in the eyes of foreign countries, as a manifestation of United States foreign policy, I did not call for any organized campaign, as has been charged, to prove that Formosa was of no strategic value, nor did it state that a declaration had been made to write off Formosa. No such decision was ever made. On the contrary, the clear policy of the Government for more than 2 years has been to deny Formosa to the Communists.

The President asked me to issue a press statement, for the reason that it is necessary to keep pace with events of this nature. I do not know if it is possible to obtain a letter from the Secretary of State addressed to the Senate Foreign Relations Committee, that it is necessary for the President to counteract the idea that America, will constitute a thoroughly coordinated arm of our foreign policy.

As to its preparation, you will recall that in advising them of what our information methods by which the Armed Services and Foreign Relations Committees, that it is necessary for the President to counteract the idea that America, will constitute a thoroughly coordinated arm of our foreign policy.

I must emphasize again that this document was not a formulation of policy, but a development of Information policy essential to a coordinated foreign-information program. Information directives, as such, it has been superseded in the light of events.

I am sending a copy of your letter and my reply to Senator Russell for his information.

Sincerely yours,

DEAN ACHESON.

THIRD SUPPLEMENTAL APPROPRIATIONS, 1951

Mr. HAYDEN. Mr. President, on behalf of the Committee on Appropriations, I move that the Senate proceed to the consideration of House bill 5587, a bill making supplemental appropriations for the Voice of America and for several defense items. Is not this true?

Mr. WHERRY. The Senate is correct.

Mr. WHERRY. In this bill there are appropriations for the Voice of America, and for several defense items, is not that true?

Mr. HAYDEN. The Senator is correct.

Mr. WHERRY. Does the Senator feel that there will be considerable debate on the bill? Several Senators have asked me if I felt that we could conclude consideration of the bill in 1 day. I wonder what the judgment of the Senator is.

Mr. HAYDEN. I understand, this is the so-called third supplemental appropriation bill.

Mr. WHERRY. The Senator is correct.
Mr. HAYDEN. The usual request that the committee amendments be first considered before amendments offered from the floor are considered.

Mr. WIERRY. I have no objection.

Mr. WEDDING, Acting Clerk. Is there objection to the request of the Senator from Arizona? The Chair hears none and it is so ordered.

RECESS

Mr. MCFarLAND. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 14 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, May 3, 1951, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

Monday, May 7, 1951

The House met at 12 o'clock noon. The Chaplain, Rev. Bernard Bras-kamp, D.D., offered the following prayer:

O Thou who art the source and inspiration of everything that is high and holy we pray that we may be more keenly aware of Thy presence and power as we enter upon this new week. Grant unto us that strength and serenity, that faith and fortitude of mind and heart which we need as we accept the challenge of imperishable ideals and principles.

We pray that we may be a united people and have a clearer vision and appreciation of the multiplied power which we shall experience through our union in service for our beloved country.

Make us tireless in our efforts and unremitting in our hope of the coming of that day when justice and righteousness and peace shall be established upon the earth.

Hear us in the name of our blessed Lord whose supreme purpose and greatest joy was to do Thy holy will. Amen.

The Journal of the proceedings of Friday, May 4, 1951, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carroll, one of its clerks, announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H. R. 821. An act to provide that on and after January 1, 1953, dividends on national service life insurance shall be applied in payment of premiums unless the insured has requested that dividends be paid in cash; 
H. R. 375. An act for the relief of Fred W. Trumbull;
H. R. 891. An act for the relief of R. J. Scheuerman, Daniel Fuller, W. Hardey, and John M. Ward;
H. R. 664. An act for the relief of Japhet K. Anvil and Howard A. Monroe;
H. R. 622. An act for the relief of Mrs. Olivia Drennan Coleman;
H. R. 632. An act for the relief of Janina Wojcicka, Wojciech Andrzej Wojcicki, and Eustachy Wojcicka;
H. R. 604. An act for the relief of Mrs. Coral E. Allbritt;
H. R. 687. An act for the relief of Hilde- gate H. Butterworth, and Judith Ingemar Distiling; and
H. R. 714. An act for the relief of James A. G. Martindale;
H. R. 781. An act for the relief of Frederick Edmund Tomkins, Mary Ann Tomkins, and Edward Marshall Tomkins;
H. R. 789. An act for the relief of John Yan Chi Goh; and
H. R. 839. An act for admission to the United States of Mrs. Margot Kazerski;
H. R. 867. An act for the relief of First Lt. Walter S. Moe, Jr.;
H. R. 889. An act for the relief of Lena Valsamis and Lucy Balcos Valsamis;
H. R. 890. An act for the relief of Ashina Mary Onassis;
H. R. 893. An act for the relief of Mary Valsamis Dendrulmis and Vesali G. Dendrulmis;
H. R. 896. An act for the relief of Gunther Arno Thelenmann;
H. R. 1101. An act for the relief of Mrs. Sasaki Kawamura Lawton;
H. R. 1111. An act for the relief of Taro Takara;
H. R. 1117. An act for the relief of Kimiko Shibuya;
H. R. 1121. An act for the relief of Chin Yik Kong;
H. R. 1141. An act for the relief of St. Pet­rick Hospital and the Western Montana Clinic;
H. R. 1150. An act for the relief of Mario Pucci, Giacomo Favetti, Giuseppe Cassella, Vincenzo Andreani, Lambruno Sarranini, and Alessandro Costa;
H. R. 1166. An act for the relief of Pietro Giannettino;
H. R. 1168. An act for the relief of Dr. Cha Leu Liu;
H. R. 1164. An act for the relief of Jac-queyln Shelton;
H. R. 1421. An act for the relief of Dr. Fern­inand Van Den Branden;
H. R. 1422. An act for the relief of Carl Parks;
H. R. 1438. An act for the relief of Mrs. Ingeborg Ruth Keicher, his wife, Ludmila Kubelik, and their minor son, Martin Kubelik;
H. R. 1457. An act for the relief of Elena Erbez;
H. R. 1708. An act for the relief of the estate of Yoshio Fukunaga, deceased;
H. R. 2068. An act for the relief of SooK Kat;
H. R. 2175. An act for the relief of Adelle Dean Garnier;
H. R. 2304. An act for the relief of Bernard F. Elmers;
H. R. 2367. An act for the relief of Lucia Adamos;
H. R. 2450. An act for the relief of Con­cetta Santagati Giordano;
H. R. 2664. An act to amend section 10 of Public Law 378, Eighty-first Congress;
H. R. 2714. An act for the relief of Marcelle Leconte;
H. R. 3196. An act to amend section 153 (b) of the Internal Revenue Code;
H. R. 3391. An act to amend subdivision a of section 94 of the Bankruptcy Act, as amended;
H. R. 3392. An act to amend subdivision a of section 94 of the Bankruptcy Act, as amended; and
H. Con. Res. 62. Concurrent resolution favor­ing the granting of the status of perma­nent residence to certain aliens.

The message also announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 24. An act to amend the act entitled “An act to provide better facilities for the en­forcement of the customs and immigration laws,” approved June 28, 1930, as amended;
S. 275. An act for the relief of Rafael Kubelik, his wife, Ludmila Kubelik, and their minor son, Martin Kubelik;
S. 291. An act for the relief of Claudio Pier Connelly;
S. 297. An act for the relief of Tsung Hsien Hsu;
S. 300. An act for the relief of Stefan Lenartowics and his wife, Irene;
S. 467. An act to authorize the exchange of ratonage refuge lands within the State of Minnesota;
S. 536. An act for the relief of the estate of Sidney Lomax, deceased;
S. 652. An act for the relief of Ruth Alice Crawshaw;
S. 677. An act to fix the personnel strength of the United States Marine Corps, to estab­lish the relationship of the Com­mandant of the Marine Corps to the Joint Chiefs of Staff;
S. 879. An act for the relief of Luigi Podesta;
S. 915. An act for the relief of Betty Minoru Kawachi;
S. 945. An act to amend the District of Columbia Teachers’ Salary Act of 1947;
S. 1029. An act to expedite the authority of the Coast Guard to establish, maintain, and operate aids to navigation to include the Trust Territory of the Pacific Islands;
S. 1054. An act for the relief of Curt Ed­ward Prisee;
S. 1092. An act for the relief of Dr. Fran­cesco Orego;
S. 1109. An act for the relief of Grady Franklin Welch;
S. 1113. An act for the relief of Philip J. Hincks;
S. 1183. An act to amend the act entitled “An act to authorize the construction, pro­tective operation, and maintenance of pub­lic airports in the Territory of Alaska,” as amended;