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

KOREAN EMBASSY,
Washington, D. C., September 27, 1951.
Hon. WARREN G. MAGNUSON,
United States Senate,
Washington, D. C.

DEAR SENATOR MAGNUSON: Today I have received from my President a message for you by cable which I have the honor to convey by means of this letter. President Rhee's message is as follows:

"On behalf of the Korean people I want to thank you for introducing the resolution to turn over to the Republic of Korea 50,000 tons of war-built vessels suitable for coastwise and intercoastal trade. In view of the urgency of the Korean need, I hope you will do all possible to secure passage of this bill in this session of Congress. Only heroic measures can restore Korea from economic prostration caused by the war.

"SYNGMAN RHEE."

With sentiments of appreciation and highest esteem, I am,

Sincerely yours,

YOU CHAN YANG.

ADJOURNMENT TO MONDAY

Mr. JOHNSON of Texas. I move that the Senate adjourn until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 10 o'clock and 2 minutes p. m.) the Senate adjourned until Monday, October 1, 1951, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 28 (legislative day of September 19), 1951:

ADMINISTRATOR, SMALL DEFENSE PLANTS ADMINISTRATION

Telford Taylor, of New York, to be Administrator, Small Defense Plants Administration.

IN THE MARINE CORPS

The following-named officer of the Marine Corps for permanent appointment to the grade of brigadier general:

James A. Stuart

The following-named officer of the Marine Corps for temporary appointment to the grade of brigadier general, subject to qualification therefor as provided by law:

Homer L. Litzenberg, Jr.

SENATE

MONDAY, OCTOBER 1, 1951

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

Our Father God, help of the ages past, hope for the years to come: In the hush of this moment, closing the door of prayer upon the outer world with its tumultuous and unpredictable events, bowing now in the white light of Thy holiness we know ourselves for what we are, petty and proud creatures who seek their own wills and whims in spite of the polished courtesies and noble professions with which we come to Thee. Cleanse the inner fountains of our hearts from all defiling foulness and from the secret sin of pretense. In tense days when the words we utter here may affect the uttermost parts of the earth, touch our lips with live coals from Thy altar of devotion. Fit us faithfully to protect the Republic from outward aggression and from the treason of inner selfishness. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Friday, September 28, 1951, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on September 28, 1951, the President had approved and signed the following acts:

S. 168. An act for the relief of Helmuth Assmas Balthasar Russow and Volker Harpe; and

S. 1009. An act for the relief of Ella Maria Nyman.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 333) to extend the time for use of construction reserve funds established under section 511 of the Merchant Marine Act, 1936, as amended, and it was signed by the Vice President.

ANNOUNCEMENT OF POSITION OF SENATOR LONG ON PASSAGE OF THE TAX BILL

Mr. JOHNSON of Texas. Mr. President, I wish to announce that on the vote taken last Friday on the passage of H. R. 4473, the Revenue Act of 1951, the Senator from Louisiana [Mr. LONG] would have voted "yea" if present.

LEAVE OF ABSENCE

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

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MURRAY, and by unanimous consent, the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate at 4:30 o'clock this afternoon.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORTS OF DIRECTOR OF BUREAU OF THE BUDGET

A letter from the Director of the Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "National service life insurance," for the fiscal year 1952, had been apportioned on a basis which indicates a necessity for a supplemental estimate of appropriation (with an accompanying paper); to the Committee on Appropriations.

A letter from the Director of the Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "Air Force, Army, and Navy Pensions," for the fiscal year 1952, had been apportioned on a basis which indicates a necessity for a supplemental estimate of appropriation (with an accompanying paper); to the Committee on Appropriations.

A letter from the Director of the Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Agriculture for "Salaries and expenses, Forest Service" (subappropriation "Fighting forest fires"), for the fiscal year 1952, had been apportioned on a basis which indicates a necessity for a supplemental estimate of appropriation (with an accompanying paper); to the Committee on Appropriations.

A letter from the Director of the Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Labor for "Employees' Compensation Claims and Expenses, Bureau of Employees' Compensation, 1952 and prior years," for the fiscal year 1952, had been apportioned on a basis which indicates a necessity for a supplemental estimate of appropriation (with an accompanying paper); to the Committee on Appropriations.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

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

S. 64. A bill for the relief of Helen Dick (Rept. No. 845);

S. 527. A bill for the relief of Youichi Nobori (Rept. No. 846);

S. 605. A bill for the relief of Constance Chin Hung (Rept. No. 847);

S. 639. A bill for the relief of Motoi Kano (Rept. No. 848);

S. 740. A bill for the relief of Albert Walton (Rept. No. 849);

S. 811. A bill for the relief of Mitsuko Sakata Lord (Rept. No. 850);

S. 931. A bill for the relief of Bernard Kenji Tachibana (Rept. No. 851);

S. 971. A bill for the relief of Ralph Albrecht Hsiao (Rept. No. 852);

S. 985. A bill for the relief of Agnes Anderson (Rept. No. 853);

S. 1120. A bill for the relief of Misao Konishi (Rept. No. 854);

S. 1256. A bill for the relief of Barbara Ann Koppius (Rept. No. 855);

S. 1323. A bill for the relief of Francisco Quinones (Rept. No. 856);

S. 1482. A bill for the relief of the town of Mount Desert, Maine (Rept. No. 857);

S. 1682. A bill for the relief of Daniel J. Crowley (Rept. No. 858);

S. 1934. A bill for the relief of Ascanio Collodel (Rept. No. 859);

H. R. 794. A bill for the relief of Arthur E. Hackett (Rept. No. 860);

H. R. 1252. A bill for the relief of Mr. and Mrs. Miroslav Kudrat (Rept. No. 861);

H. R. 1413. A bill for the relief of Franz Geyling (Rept. No. 862);

H. R. 1596. A bill for the relief of N. H. Kelley, Bernice Kelley, Clyde Farquhar, and Gladys Farquhar (Rept. No. 863);

H. R. 3430. A bill for the relief of the estate of Nora B. Kennedy, deceased, and Mrs. Ann R. Norton (Rept. No. 864);

H. R. 4154. A bill for the relief of the estate of Jake Jones, deceased (Rept. No. 865); and

H. R. 4931. A bill for the relief of Lewyt Corp. (Rept. No. 866).

By Mr. MCCARRAN, from the Commtttee on the Judiciary, with an amendment:

S. 43. A bill for the relief of Joseph Flury Paluy (Rept. No. 867);

S. 828. A bill for the relief of Berta Gomes Leite (Rept. No. 868);

S. 895. A bill for the relief of Dr. Yau Shun Leung (Rept. No. 869);

S. 904. A bill for the relief of Roy Y. Shiomi (Rept. No. 870);

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S. 1236. A bill for the relief of Kim Song Nore (Rept. No. 871);

S. 1280. A bill for the relief of the minor child, Peng-siu Mei (Rept. No. 872);

S. 1604. A bill for the relief of Truman W. McCullough (Rept. No. 873);

S. 1668. A bill for the relief of Pansy E. Pendergrass (Rept. No. 874);

S. 1909. A bill for the relief of Henry Bongart and Evelyn Bongart (Rept. No. 875);

S. 2095. A bill for the relief of Joe Kosaka (Rept. No. 876);

H. R. 971. A bill for the relief of Louis R. Chadbourne (Rept. No. 877); and

H. R. 1236. A bill for the relief of Rhoda Akiko Nishiyama (Rept. No. 878).

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

S. 839. A bill for the relief of Alice Ibrahim Hannan Ibrahim, Yacoub Mayous Muhannad Elliyan, Afifeh Michail Jiries Issa Matar, Ellen Issa Zakaria, Ruth Naomi Schut, and Roseileen Schut (Rept. No. 879);

S. 1052. A bill for the relief of Maria Rhee, Mrs. Seunghwa Ahn, and Moo Hei Ahn (Rept. No. 880); and

S. 1184. A bill to extend the Youth Correction Act to the District of Columbia (Rept. No. 881).

THOMAS BARRON—REFERENCE OF S. 1051 TO COURT OF CLAIMS—REPORT OF A COMMITTEE

Mr. McCARRAN. Mr. President, from the Committee on the Judiciary, I report favorably an original resolution to refer to the Court of Claims the bill (S. 1051) for the relief of Thomas Barron, and I submit a report (No. 882) thereon.

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

The resolution (S. Res. 216) was ordered to be placed on the calendar, as follows:

Resolved, That the bill (S. 1051) for the relief of Thomas Barron, now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. SALTONSTALL (by request):

S. 2192. A bill for the relief of Carlton Hotel, Inc.; to the Committee on the Judiciary.

By Mr. LANGER:

S. 2193. A bill for the relief of Kunvarji Nagarji Patel; to the Committee on the Judiciary.

By Mr. GREEN:

S. 2194. A bill for the relief of Albert O. Holland and Bergtor Haaland; to the Committee on the Judiciary.

By Mr. MURRAY:

S. 2195. A bill for the relief of Lauren F. Teutsch; to the Committee on the Judiciary.

By Mr. GREEN:

S. 2196. A bill for the relief of Evaristo Da Silva Gaspar and Victor Manuel Caetano; to the Committee on the Judiciary.

By Mr. BUTLER of Nebraska:

S. 2197. A bill to repeal section 2 of the act of May 1, 1936 (49 Stat. 1250), and to rescind certain orders of the Secretary of the Interior establishing Indian reservations in the Territory of Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McCARRAN:

S. 2198. A bill to amend section 1708 of title 18, United States Code, relating to the theft or receipt of stolen mail matter generally; and

S. 2199 (by request). A bill to amend the Contract Settlement Act of 1944 and to abolish the Appeal Board of the Office of Contract Settlement; to the Committee on the Judiciary.

By Mr. MONRONEY (for himself and Mr. KERR):

S. 2200. A bill for the relief of the State of Oklahoma; to the Committee on the Judiciary.

By Mr. KNOWLAND:

S. 2201. A bill to amend title 18, United States Code, entitled Crimes and Criminal Procedure, with respect to State jurisdiction over offenses committed by or against Indians in the Indian country, and to confer on the State of California civil jurisdiction over Indians in the State; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY (for himself, Mr. HUMPHREY, Mr. LEHMAN, Mr. DOUGLAS, and Mr. KEFAUVER):

S. J. Res. 105. Joint resolution to provide for the establishment of a National Arts Commission, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. BUTLER of Nebraska:

S. J. Res. 106. Joint resolution to provide for the transfer to the Bureau of Reclamation of functions relating to irrigation projects on Indian reservations; to the Committee on Interior and Insular Affairs.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES—AMENDMENT

Mr. MURRAY. Mr. President, on behalf of myself and the Senators from Washington (Mr. MAGNUSON and Mr. CAIN), I submit for appropriate reference an amendment intended to be proposed by us, jointly, to the bill (S. 1203) to provide for the appointment of additional circuit and district judges, and for other purposes, and I ask unanimous consent that the amendment, together with a letter and statement from Chief Judge William Denman, of the United States Court of Appeals, Ninth Judicial Circuit, be printed in the RECORD.

The VICE PRESIDENT. The amendment will be received and will lie on the table, and, without objection, the amendment, a letter, and statement will be printed in the RECORD.

The amendment is as follows:

On page 2, lines 4 through 11, in lieu of the matter proposed to be inserted, insert the following: "one additional circuit judge for the fifth circuit and two additional circuit judges for the ninth circuit. In order that the table contained in section 44 (a) of title 28 of the United States Code will reflect the changes made by this section in the number of circuit judges for said circuit, such table is amended to read as follows with respect to said circuits:

"'Circuits:	*Number of judges*
* * * * *	
Fifth	Seven
* * * * *	
Ninth	Nine'"
* * * * *	

The letter and statement are as follows:

UNITED STATES COURT OF APPEALS,
NINTH JUDICIAL CIRCUIT,
San Francisco, Calif., September 12, 1951.

Re amending Senate bill 1203. The litigants' need for two additional circuit judgeships for the ninth circuit.

Hon. JAMES E. MURRAY,
United States Senate, Washington, D. C.

DEAR SENATOR: Since 1940 6,000,000 people have moved into the ninth judicial circuit, consisting of the seven Western States, Alaska, Hawaii, and the Pacific Islands.

This area presents the greatest diversity of litigation of any of the circuits, arising from the diversity of its peoples' cultures, occupations, manufactures, agricultures, fishing, and air, sea, and land transportation—all reflected in new laws from 10 highly productive legislatures.

The new litigation created by this 6,000,000 added population had its appeals begin to reach our court shortly before July 1, 1950. In the succeeding fiscal year they mounted to 409 and in the last 4 months are coming in at the rate of 489 per annum, that is 69.9 docketings apiece for each of the present seven judges.

The average for the other circuit judges of the United States is but 45 docketings, that is, each ninth circuit judge has 54 percent more than this average. The history of the productive power of the present seven judges in this greatest diversity of legal problems shows they are unable to take care of more than the average of docketings for each circuit judge.

The arrearages of the circuit's litigants are the greatest in the history of the court and are increasing daily. The details of the above appear in the accompanying statement.

We urge you to aid these litigants and our court by voting to restore to the Senate omnibus judges bill No. 1203, the provision for the two additional judgeships for this ninth circuit as recommended by the Judicial Conference of the United States and by the California State Bar Association.

Very faithfully yours,
WILLIAM DENMAN,
Chief Judge.

THE LITIGANTS' NEED FOR ADDITIONAL JUDGESHIPS FOR THE NINTH JUDICIAL CIRCUIT—STATEMENT ON THEIR BEHALF AND THAT OF NINTH CIRCUIT CONFERENCE BY CHIEF JUDGE WILLIAM DENMAN

The ninth judicial circuit, with the greatest diversification of Federal litigation of all the circuits, which has received the largest 10-year increase in population in the recent history, requires two more judges on its court of appeals.

A. THE STATISTICS OF THE GENERAL INCREASE IN THE NINTH CIRCUIT'S LITIGATION

Your ninth circuit has had the most extraordinary population increase and voluntary population movement in the recent history of the world, and I am saying "in the world" with intent. Nothing equals it in volume except the involuntary Russian deportation of the Kulaks from their farms into prison labor in Siberia.

Five million two hundred and eighty-one thousand people have come by migration or birth into the ninth circuit in the last 10 years, increasing the population from 11,922,953 in 1940 to 17,204,295 in 1950. This is against a population increase for the remainder of the country of 14,667,573. Excluding the ninth circuit, the decade's increase for the country is 10.9 percent. For the ninth circuit it is 44.3 percent.

Incidentally this mere decade's increase exceeds by 1,350,000 people the total population for the United States when Washington became President. The mere increase is

2⅓ times the total of the people in the ninth circuit in 1891 when its court of appeals was created.

The rate is 528,000 a year and it is safe to say that by the time the bill here considered is disposed of by the Congress, the ninth circuit will have had added to it 6,000,000 people since 1941.

It is true that in certain areas of the United States their population produces less litigation and in others more litigation than the average of the whole country. Hence comparison of mere population increase to litigation must be used with caution. However, the ninth circuit increase comes from every walk of life and every income bracket and from every State in the Union. It was reasonable to expect that soon after settlement they would produce something corresponding in an increase in litigation.

On this basis of comparison, the figures given by the statistical section of the Administrative Office show the following: The 5,282,000 increase would produce annually in the trial courts 1,857 civil cases and 1,237 criminal cases, requiring on the average of all the other districts and circuits, 7.5 additional district judges and 2.2 additional circuit judges.

The fact is that the ninth circuit's docketings have had a vastly greater decade's increase than that shown by this anticipatory calculation. This is due in part to the decade's great increase in Federal legislation of a regimentary character. The rest is largely due to outpouring of similar legislation from ten legislatures, seven of the States of Washington, Idaho, Montana, Oregon, Nevada, Arizona, and California, two of the Territories of Alaska and Hawaii, and one of our possessions, Guam.

From all these causes the actual civil docketing in the circuit's trial courts rose gradually in the decade from 3,541 in 1941 to 7,018 in 1950. The decade's increase is 98 percent while that of the remainder of the Nation, excluding the ninth circuit and the District of Columbia, is 39.1 percent. That is to say the ninth circuit rate of increase in civil cases is two and one-half times that of the comparable other nine circuits.

Of far greater importance in determining the burden of appellate courts is the number of cases actually reaching trial in the lower courts, from which appeals arise. In the ninth circuit the number is markedly in excess of the average of the rest of the country. In 1950 the total of civil cases reaching trial in the United States, excluding the ninth circuit, was 5,317. That is 531-plus each for the average of the 10 other circuits. The ninth circuit lower courts had 1,222 such trials; that is over 100 percent more than the average of the other circuits. On the same comparison the criminal docketing reaching trial in the Ninth Circuit's lower courts is greater than the average of the rest of the country by 46.7 percent.

There is a wide divergence of view as to the wisdom of the extent of the Nation's and the States' and Territories' regimentation of the lives of their citizens. But so far as concerns the circuit's litigants, they, in the language of Grover Cleveland, are confronted by "a condition and not a theory."

B. NEW JUDGESHIPS RECENTLY CREATED CAUSE INCREASE IN APPEALS

So far as concerns the district courts in the ninth circuit's States and Territories, Congress has responded fully to our need, save in the third division of Alaska and in Arizona. In the 3 years preceding the last decade, it gave the circuit two new judgeships, in the last decade seven more, and in this year another one for Guam. However, five of these judgeships were created in August 1949, and one in 1950, and none of the positions filled until 1950 and 1951, hence the impact of the appeals from their decisions is not reaching us until the 1951 fiscal year.

C. THE NEED OF THE LITIGANTS OF THE COURT OF APPEALS OF THE NINTH CIRCUIT FOR TWO MORE CIRCUIT JUDGES, BECAUSE OF THE BURDEN OF ITS GREATEST VARIETY OF CASES AND ITS INCREASED AND CERTAINLY INCREASING CASE LOAD

The Judicial Conference of the United States and the California State Bar Association have recommended to Congress the creation of these two circuit judgeships. The decade's increase of 44 percent of its population and 98 percent in docketings in the lower courts, such docketing producing 100 percent more trials than the country's average, has been described above. It is from this source that the court of appeals receives the burden.

When we consider the number of circuit judges to all the trial judges including those of the Territories and dependencies, producing the litigation from which appeals arise, the comparison of the ninth circuit to the rest of the country is more striking. Omitting the ninth circuit, as of 1950 the rest of the country had 58 circuit judges taking appeals from 187 trial judges; that is one circuit judge for 3.22 trial judges. For the ninth circuit the 7 judges take appeals from 37 trial judges or one appellate judge for 5.28 trial judges. That is to say the ninth circuit's circuit judges take appeals from over 60 percent more trial judges than the rest of the country.

We have had seven circuit judges since June 1937. Since that time the number of district judges of the nine States and Territories has risen from 27 to 37, an increase of 37 percent. As seen, six of these were not appointed until the fiscal year 1950 and the impact of the appeals from their decisions is just beginning to reach us.

Our docketing in the fiscal year 1951 was 409. In the last 4 months it has risen to the rate of 489 per annum or a case load of 69.9 per judge, against an average in 1951 of all the circuit judges of the country of but 45. For each ninth circuit judge, this is 54 percent more than the country's average. On these figures the ninth circuit should have at least the two judges recommended by the conference.

As of today, the ninth circuit's appellant litigants are suffering under the greatest arrearages of cases at issue and to be tried, and cases submitted and not decided, since we have had seven judges. Our court has the longest period of pendency of litigation of any of the nine other comparable circuits.

D. THE GREATEST DIVERSITY OF LEGAL PROBLEMS IN THE NINTH CIRCUIT

Apart from the burden shown by the statistics is a more cogent reason why the circuit's litigants should have these added circuit judges. The ninth circuit judges have greatest diversity of character of legal questions. Ten of the Nation's most vigorous State and Territorial legislatures are pouring out their reforming and regimentary laws with which its circuit judges are confronted, while the average for the remaining nine comparable circuits is but four and one-half legislatures. In this respect the ninth circuit has double the load to carry.

When the character of the legislation is examined, its burden is much greater. These laws flow from the people in Alaska, in the frigid zone, down the Pacific coast and Mountain States from Canada to Mexico and out to Hawaii and to Guam, both in the Tropics with an infusion of Asiatic and South Pacific people. The difference in climate, terrain, and races creates the greatest diversity of political and social relationships. Its vast and varied areas from its mineralized and forested mountains through its rich valleys to the Pacific and out in its islands have their equally varied agriculture, including pineapple and sugarcane, citrus and deciduous fruit orchards, cattle raising, lumber mills, mines and oil fields, irrigation under the inherited Spanish law, water-power plants supplying all kinds of manufacturing enterprises, land transportation and world maritime commerce, each producing its kind of litigation.

While all the above may sound like the literary outpourings of a chamber of commerce secretary, for the ninth circuit litigants and its courts it is the exact truth. Its burden in variety of law and volume of cases is more than the litigants' present circuit judges are able to master and the recommendations of the Judicial Conference and the California State Bar Association for two additional judges are amply warranted.

ADDRESSES, 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:

Address entitled "Federal State Supervisory Relations," delivered by Elliott V. Bell, editor and publisher of Business Week, at the golden jubilee meeting of the National Association of Supervisors of State Banks, at the Hotel Jefferson, St. Louis, Mo., September 27, 1951.

By Mr. HUNT:

Editorial entitled "Teaching," written by John H. Cowles, thirty-third degree sovereign grand commander of the supreme council, thirty-third degree Scottish Rite Free Masonry of the Southern Jurisdiction, and published in the magazine the New Age for September 1951.

By Mr. LANGER:

Telegrams from Brig. Gen. Henry Darlington, chaplain, Reserve headquarters, New York National Guard, and from Rev. Lawrence Reilly, executive secretary of the Christian Anti-Defamation League, Inc., Detroit, Mich., protesting the removal of crosses from graves of veterans in the National Memorial Cemetery at Honolulu, T. H.

By Mr. MARTIN:

Editorial entitled "A Cheap Political Trick," published in the Oil City (Pa.) Derrick of September 28, 1951, relating to the appeal of President Truman for the enactment of a law to expose the total income of all top United States officials.

Editorial entitled "A Moral Defense Program Needed for America," published in the Philadelphia Inquirer of September 30, 1951, relating to disclosures about political influence in the Bureau of Internal Revenue.

By Mr. WILEY:

Statement prepared by him and various editorials regarding the proposed licensing of gambling.

NEWSPAPER WEEK—PROCLAMATION BY GOVERNOR OF NEW YORK

Mr. IVES. Mr. President, I ask unanimous consent to have printed in the RECORD the text of a proclamation of Hon. Thomas E. Dewey, Governor of the State of New York, designating the period of October 1 to 8, 1951, as Newspaper Week in the State of New York.

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

A free republic such as ours could not exist without newspapers. Among the many blessings we have in America is the undisputed excellence of the overwhelming majority of our papers today, particularly those in the State of New York. Without them we would have no good government, no high

standards of conduct, no freedom. It is most fitting that we should set aside a period of each year to pay tribute to the reporters who gather and write the news for us, to their skilled editors, as well as to the publishers who so steadfastly maintain the highest principles of free speech in our country.

At the same time, we must not forget the newsboys who help in the essential chore of distributing the papers. Thanks to them, there is hardly a home in our State which does not have access to vital, cultural, and factual information provided by our free newspapers. In addition to doing this necessary work, they acquire a training which is invaluable to them in afterlife. Many a man of the highest distinction in business and professional fields earned his first dollar as a newsboy and is proud of it.

Now, therefore, I, Thomas E. Dewey, Governor of the State of New York, do hereby proclaim the period of October 1–8, 1951, as Newspaper Week in the State of New York.

I also proclaim October 6 as Newspaperboy Day in New York State, and I urge the men and women of our State to cooperate in appropriate observance.

Given under my hand and the privy seal of the State at the capitol in the city of Albany this 21st day of September A. D. 1951.

THOMAS E. DEWEY.

By the Governor:

JAMES C. HAGERTY,
Secretary to the Governor.

CALL OF THE CALENDAR

The VICE PRESIDENT. Morning business having been concluded, the calendar will be called for the consideration of bills to which there is no objection.

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

Mr. McFARLAND. Mr. President, will the Senator withhold his suggestion for a moment?

Mr. SALTONSTALL. I withhold it for a moment.

Mr. McFARLAND. Mr. President, the Senator from Nevada [Mr. McCARRAN] tells me that he has some important business to transact this afternoon. I notice that his name appears as reporting the larger number of the bills on the calendar. I wonder if there would be any objection to taking up those bills first and disposing of them, and then immediately thereafter considering the remaining bills on the calendar.

Mr. SCHOEPPEL. Mr. President, I see no objection to that procedure.

Mr. McFARLAND. Mr. President, I ask unanimous consent that the Senate first take up the bills which the Senator from Nevada has reported from the Committee on the Judiciary, and then go back and consider the other bills in order.

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

Mr. McFARLAND. I think we should have a quorum call.

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

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the order for the quorum call be vacated, and that further proceedings under the call be dispensed with.

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

The clerk will state the first bill on the calendar.

JOSEPH A. FERRARI

The bill (H. R. 3026) for the relief of Joseph A. Ferrari was considered, ordered to a third reading, read the third time, and passed.

SENATE CLOCKS

Mr. McFARLAND. Mr. President, I invite the attention of Senators to the fact that the Senate has worked the hands off one of its clocks. We have only one clock left, so we may have to proceed a little more slowly this week in order not to overwork the clocks.

The VICE PRESIDENT. The Chair will say to the Senator that of the 1,100 clocks in the Capitol no two of them keep the same time, so it does not make much difference.

The clerk will call the next bill on the calendar.

STANISLAW POBORSKI

The bill (H. R. 2807) for the relief of Stanislaw Poborski was announced as next in order.

[Mr. McKELLAR addressed the Senate for 5 minutes on the question of the appointment of an additional district judge in Tennessee.]

The VICE PRESIDENT. The time of the Senator from Tennessee has expired. The Senate is operating under a 5-minute limitation.

Mr. McKELLAR. Is there a time limitation?

The VICE PRESIDENT. Yes. The Senate is operating under a limitation of time.

Mr. McKELLAR. I shall take a little time later.

The VICE PRESIDENT. Is there objection to the present consideration of House bill 2807?

There being no objection, the bill (H. R. 2807) for the relief of Stanislaw Poborski was considered, ordered to a third reading, read the third time, and passed.

MARIANNE AND MICHEL SPEELMAN

The bill (H. R. 2498) for the relief of Marianne and Michel Speelman was announced as next in order.

[Mr. McKELLAR addressed the Senate for 5 minutes on the question of the appointment of an additional district judge in Tennessee, and asked and obtained consent that his two speeches be printed in the RECORD together with certain exhibits. His remarks and exhibits are as follows:]

ADDITIONAL DISTRICT COURT JUDGE FOR TENNESSEE

Mr. McKELLAR. Mr. President, in connection with Senate bill 1203, a bill to provide for the appointment of additional circuit and district judges, I offer a substitute for the committee amendment, with reference to an additional judge in Tennessee in lieu of the matter proposed to be inserted by the committee amendment on page 3, line 4, to insert the following:

One additional district judge (the first vacancy in which office shall not be filled) for the middle district of.

In the Eighty-first Congress I introduce a bill, S. 3467, authorizing the appointment of an additional district judge for the middle district of Tennessee—a permanent judgeship. My colleague likewise offered an identical bill, to create an additional permanent judgeship for the middle district of Tennessee. I understand that my bill was approved by a subcommittee of the Committee on the Judiciary, but no action was taken by the full committee.

The chairman of the Committee on the Judiciary, my friend the Senator from Nevada [Mr. McCARRAN], introduced this omnibus judgeship bill in this session of the Eighty-second Congress, and proposed an additional permanent judge for the middle district of Tennessee, being guided, I presume, by the fact that both Senators from Tennessee had in the Eighty-first Congress sponsored bills for the same purpose.

The Committee on the Judiciary, upon the importunities of my colleague, a member of that committee, adopted an amendment to provide a permanent roving judge, for the middle and western districts of Tennessee, over my strenuous objections.

The report of the Judicial Conference of the United States, 1950, recommended for the middle district of Tennessee "the creation of one additional district judgeship, with the proviso that the first vacancy occurring in this district shall not be filled." During the hearings on this bill, on May 17, I believe, after Mr. Chandler, Director of the Administrative Office of the United States Courts, had stated that the Judicial Conference had endorsed the need for an additional judge for the middle district of Tennessee, but with a qualification that the judgeship be provided for on a temporary basis, I indicated my opposition to the temporary provision, and asked that the committee approve an additional permanent judge for the middle district of Tennessee.

I strongly feel that the need for an additional permanent judge for the middle district of Tennessee has been demonstrated beyond any reasonable doubt. The hearings amply substantiate my statement.

But we are confronted with this problem: The senior Senator from Tennessee advocates the creation of an additional district judgeship for the middle district of Tennessee, on a permanent basis, while the junior Senator advocates the creation of an additional roving judgeship, on a permanent basis, for the middle and western districts of Tennessee. The pending bill as it was introduced by the Senator from Nevada provided for the additional permanent judge for the middle district, on the assumption, as I have said before, that both Senators from Tennessee favored such a provision in view of the fact that both had offered bills to that effect in the Eighty-first Congress.

If the choice before the Senate were the approval of a permanent judge for the middle district, or the approval of a roving judge for the middle and western districts, there might be some who would be embarrassed by the choice. On this premise I have offered the pending amendment, to provide on a temporary basis an additional district judge for the middle district of Tennessee, as has been recommended by the Judicial Conference of the United States.

This Judicial Conference, as Senators know, meets annually as provided by law, title 28, United States Code, section 331, to make a comprehensive survey of the condition of business in the courts of the United States and prepare plans for assignment of judges to or from circuits or districts where necessary, and shall submit suggestions to the various courts, in the interest of uniformity and expedition of business. The Chief Justice is directed to submit to Congress an annual report of the proceedings of the Judicial Conference and its recommendations for legislation.

The recommendation in this matter by the Judicial Conference of the United States is embodied in my pending amendment to provide for the creation of an additional judgeship, on a temporary basis, for the middle district of Tennessee.

The Committee on the Judiciary during its consideration of this bill in hearings did not receive evidence purporting to show need for a roving judge assigned to the middle and western districts of Tennessee.

There is a simple explanation for this; namely, that no evidence exists to show need for a roving judge to assist in the western district of Tennessee. On the contrary, all the evidence shows beyond a peradventure of doubt that the work in the western district of Tennessee is fully current, and that the incumbent judge, Hon. Marion S. Boyd, is doing one of the best jobs in the country in the expeditious handling of cases in his court, if not the best.

I have had placed on the desk of each Senator copies of certain communications I have received bearing on the pending question, all of which belittle the very suggestion of a need for a roving judge in the western district of Tennessee. I ask unanimous consent that the communications be printed at this point in my remarks.

Circuit Judge John D. Martin, who formerly served as district judge in the western district of Tennessee, begins his letter with this paragraph:

> In reply to your inquiry as to whether in my opinion there is necessity for a roving judgeship to include the western district of Tennessee, I desire to express the emphatic opinion that there is not.

Further on down in the letter Judge Martin states:

> My successor, Judge Marion S. Boyd, by zealous, diligent, and continuous service, has kept the docket in a completely current condition, as the official statistics of the administrative office will show.

Still further, he states:

> The inclusion of the western district of Tennessee was not recommended.

And further:

> As a former judge of the western district of Tennessee and now as a member of the sixth circuit judicial council, and, as such, a supervisor of the work of the district courts, I can unhesitatingly state that there is no need for an additional district judge for this district. The incumbent, Hon. Marion S. Boyd, has asked for no help except in a case now and then in which he disqualified himself for good reason. Moreover, he has served in other districts most graciously when designated to do so by the chief judge of the circuit.

There is copied a telegram, on page 6 of the exhibits placed before the Senate, from Hon. Xen Hicks, chief judge of the sixth judicial district, reading as follows:

> Assigned only one judge to Memphis in 1950 for one case in which Judge Boyd was disqualified by relationship.

From Judge Martin I also have a telegram, copy of which appears on page 5 of the exhibits, reading in part as follows:

> I think there is not only no need but also no justification or excuse for creating roving judgeship with jurisdiction in west Tennessee. * * * I would have opposed in our council creation of additional judgeship for Tennessee had such bill included also jurisdiction in the western district.

Beginning on page 3 of the exhibit before the Senate is a letter from the secretary of the Memphis and Shelby County Bar Association, Mr. Morgan, of Memphis, and the marked portion is as follows:

> Mr. Porter, as chairman of the committee, reported to the board of directors that in the unanimous opinion of the committee, because of the efficient manner in which Judge Boyd has conducted his court and the most current condition of his docket, that there is no need either now or in the foreseeable future for an additional Federal judge in west Tennessee. The report of the committee was unanimously adopted by the officers and directors.

An earlier letter from Mr. Morgan is quoted on page 5. It seems that the junior Senator from Tennessee [Mr. KEFAUVER] did not understand from this letter just what the position of the Memphis and Shelby County bar was, so the second letter, from which I have already quoted, was dispatched—and contains, among other things, this statement:

> It was the unanimous opinion of the board of directors that there is no need for an additional United States judge for the western district of Tennessee at the present time or in the foreseeable future.

Judge Marion S. Boyd, the incumbent judge in the western district, wired me, as shown on page 5 of the exhibits, "No one to my knowledge has suggested the need of additional judge for this district."

And following Judge Boyd's wire, at the top of page 6 of the exhibits, is a letter to the judge from Mr. Will Shaforth, statistician of the Administrative Office of the United States Courts, in which it is pointed out that the median time from filing to disposition in the western district of Tennessee was 5 months and 25 days compared to the national median of 11.2 months. I think, then, we might justifiably assume that if Judge Boyd needs help in his district in which the median time from filing to disposition of cases is one-half of the national median, every other district needs help. A ridiculous assumption, of course, just as ridiculous as the need for a roving judge in the western district of Tennessee.

On page 6 of the exhibits appears copy of a letter from the secretary of the Jackson-Madison County Bar Association, reading in part as follows:

> The directors of the Jackson-Madison County Bar Association, meeting in called session today, unanimously adopted the enclosed resolution, which commends the action of Judge Marion S. Boyd for the prompt and efficient manner in which his court is conducted here; that no roving judge is needed in the western district of Tennessee; and opposes any dividing of the judicial business now conducted by the eastern division of the western district of Tennessee.

The resolution referred to is printed on page 7 of the exhibits.

A roving judge for the middle and western districts of Tennessee is opposed unequivocally by Hon. John D. Martin, of the United States Court of Appeals for the Sixth Circuit; by Hon. Marion S. Boyd, the incumbent judge in the western district of Tennessee; by the Memphis and Shelby County Bar Association; and by the Jackson-Madison County Bar Association.

An additional judgeship, on a temporary basis, is recommended by the Judicial Conference of the United States, which recommendation is embodied in my amendment, offered as a substitute for the committee amendment.

The record clearly demonstrates the pressing need for an additional judge in the middle district of Tennessee; there is no evidence in support of the need for a roving judge in the western district. On the contrary, those best equipped to judge the need—the incumbent judge, the court of appeals, the local bar associations—categorically deny the slightest semblance of such need.

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT,
MICHIGAN-OHIO-KENTUCKY-TENNESSEE,
August 22, 1951.

Hon. KENNETH MCKELLAR,
United States Senator,
Washington, D. C.

DEAR SENATOR MCKELLAR: In reply to your inquiry as to whether in my opinion there is necessity for a roving judgeship to include the western district of Tennessee, I desire to express the emphatic opinion that there is not.

With your strong endorsement, I had the honor to be appointed and to serve as United States district judge for west Tennessee from May 8, 1935, to September 16, 1940, when again with your endorsement I was appointed to the United States Court of Appeals for the Sixth Circuit, on which court I have continuously served to this date.

When I went on the district bench in 1935, I found a heavily congested docket, including more than four hundred war risk insurance cases. By holding daily sessions, including Saturdays, and 70 night sessions, I was able to bring this calendar to currency within 14 months, during which time I had also served by designation for 3 weeks at Louisville, Ky. I was able to keep the docket current during the full period of my incumbency and to serve additionally for several months in other districts, including

9 weeks on the TVA trial at Chattanooga; several sessions with Judges Gore and Taylor on land condemnations at Knoxville; another period at Louisville; several weeks at Columbus, Ohio; and a month in the southern district of Mississippi. When I vacated the district bench, there was no more current district in the 84 districts of the United States. We were trying cases in all departments of our jurisdiction within 30 to 90 days of the filing of the action or the indictment.

My successor, Judge Marion S. Boyd, by zealous, diligent, and continuous service, has kept the docket in a completely current condition, as the official statistics of the administrative office will show.

Because of the long-continued illness of Judge Davies, a situation developed in middle Tennessee which required attention, as the cases were piling up. Dale Hollow and Center Hill projects near Cookeville brought many land condemnation suits which the Government and the landowners were unable to settle. So, by designation of Chief Judge Hicks, last summer I went to Cookeville and held six extended daily sessions each week for 5 weeks and tried 57 condemnation cases to juries and one case in which the jury was waived. Judge Chandler of Oklahoma gave about a month's time at Nashville and cleaned up the criminal calendar in the summer of 1950, and Judge Leslie Darr, of the eastern district of Tennessee, also from time to time gave additional aid to the middle district. But, inasmuch as Judge Davies continued to be partially disabled and could not hold long session hours, the Judicial Council for the Sixth Circuit recommended the creation of an additional judgeship for the middle district of Tennessee. Subsequently, the Judicial Council of the United States, composed of the Chief Justice and the chief judges of all the circuits, made the recommendation to Congress of an additional judge for middle Tennessee to be included in the so-called judicial omnibus bill now pending in the Senate. The inclusion of the western district of Tennessee was not recommended.

As a former judge of the western district of Tennessee and now as a member of the Sixth Circuit Judicial Council and, as such, a supervisor of the work of the district courts, I can unhesitatingly state that there is no need for an additional district judge for this district. The incumbent, Hon. Marion S. Boyd, has asked for no help except in a case now and then in which he disqualified himself for good reason. Moreover, he has served in other districts most graciously when designated to do so by the chief judge of the circuit.

In my humble judgment, the creation of district judgeships with overlapping jurisdiction is not wise public policy, except when both districts served are in real need of a regular extra judge, which is not the case in the western district of Tennessee. In a single-judge district, the established policy of the judge with respect to extent of punishment of the guilty and the exercise of probation in the broad judicial discretion vested in the judge produces a uniformity which does not exist where another judge has like jurisdiction in the district. Of course, in the large cities, of necessity there is plurality of district judges and, in consequence, a lack of uniformity in the imposition of criminal punishment. This is unfortunate, but unavoidable in big cities under the present system of jurisdiction; but there is no necessity to bring about a lack of uniformity where an additional district judge is not needed.

Furthermore, the matter of allowance of fees in bankruptcy and receiverships has brought disparity among individual judges; and, as a practical matter in the administration of justice, the creation of a roving judgeship where not needed would tend to lead to clashes between the two judges as to which will try certain types of cases; applications for injunctions would be presented to the particular judge whom the applicant's attorney chooses to select; and unpleasantness may come about in the appointment of court officials.

None of the ideas expressed herein is theoretical; all are based on practical observation. I should not have felt free to volunteer my personal views, but am responding freely and frankly to your request.

With warmest personal regards, as always.

Sincerely, your friend,

JOHN D. MARTIN.

MEMPHIS AND SHELBY COUNTY
BAR ASSOCIATION, INC.,
Memphis, Tenn., August 28, 1951.

Hon. KENNETH D. MCKELLAR,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MCKELLAR: In order that you may have full information with regard to the action taken by the officers and directors of the Memphis and Shelby County Bar Association on the request for a new Federal judge for west Tennessee, I wish to give you the following information:

The matter first came to the attention of the directors by reason of a letter written by Charles G. Neese, former administrative secretary for Senator KEFAUVER, to Mr. Lucius E. Burch, Jr. A copy of this letter is enclosed herewith.

Mr. Burch's law partner, Mr. John S. Porter, is a member of the board of directors of the Memphis and Shelby County Bar Association. Mr. Burch gave Mr. Neese's letter to Mr. Porter, who brought the matter to the attention of Judge Sam O. Bates, the president of the bar association.

A meeting of the directors was called for Thursday, August 16. At that time Mr. Porter read Mr. Neese's letter, and the matter was discussed generally. As it was the feeling that there should be a thorough investigation of the matter before any action was taken by the board of directors, Judge Bates appointed a committee composed of Mr. John S. Porter, chairman, Mr. Tom Prewitt, and Mr. Leo Bearman from the board of directors. Mr. C. A. Davis, chairman of the judiciary committee of the Memphis and Shelby County Bar Association, was also a member of the committee. The committee spent practically the entire morning of Friday, August 17, investigating Judge Boyd's docket, and also discussed the matter at length with Judge Marion S. Boyd and Judge John D. Martin, Sr., both of whom were very vigorously opposed to a roving judge for west Tennessee.

Mr. Porter, as chairman of the committee, reported to the board of directors that in the unanimous opinion of the committee, because of the efficient manner in which Judge Boyd has conducted his court and the most current condition of his docket, that there is no need either now or in the foreseeable future for an additional Federal judge in west Tennessee.

The report of the committee was unanimously adopted by the officers and directors.

As secretary of the association, I was instructed to write you and Senator KEFAUVER informing you of the action taken by the board of directors, and also calling your attention and that of Senator KEFAUVER to the adverse working conditions now prevailing in the United States district court room.

I wrote you and Senator KEFAUVER on Saturday, August 18. Senator KEFAUVER received exactly the same letters which you received. He has acknowledged receipt of the letter regarding courtroom conditions but has never replied to the other letter, although both were mailed at the same time.

There was an article in the local paper about Tuesday or Wednesday of last week quoting Senator KEFAUVER to the effect that no responsible opposition had developed to the plan for an additional Federal judge for west Tennessee. Senator KEFAUVER should have received the letter from the bar association at the same time you received this letter, both of which were sent air mail so that they should have arrived in Washington for delivery in the Monday morning mail.

I wanted you to have this information so that you might know the complete background of the proceedings in Memphis.

Yours very truly,

CHARLES G. MORGAN, *Secretary.*

MEMPHIS AND SHELBY COUNTY
BAR ASSOCIATION, INC.,
Memphis, Tenn., August 18, 1951.

Hon. KENNETH D. MCKELLAR,
Washington, D. C.

DEAR SENATOR MCKELLAR: Pursuant to a request that the officers and directors of Memphis and Shelby County Bar Association express an opinion as to the need for a new United States judge in the western district of Tennessee, a committee was appointed to investigate the matter and to report back to the board of directors. The committee made a thorough investigation and found that due to the highly efficient manner in which Judge Marion S. Boyd has conducted the affairs of the United States District Court for Western Tennessee that his docket is the most current of any district court in the United States. The average time required to finish a case in Judge Boyd's court is 50 percent less than the national average.

It was the unanimous opinion of the board of directors that there is no need for an additional United States judge for western district of Tennessee at the present time or in the foreseeable future.

As secretary of the association I have been directed to write you to give you the views of the board of directors.

Yours very truly,

CHARLES G. MORGAN, *Secretary.*

MEMPHIS, TENN.,
August 18, 1951.

Hon. KENNETH MCKELLAR,
Washington, D. C.:

Replying telegram I think there is not only no need but also no justification or excuse for creating roving judgeship with jurisdiction in west Tennessee. Judge Boyd has always kept his docket in current condition, as official statistics will show. He has worked diligently to accomplish this. Our sixth circuit judicial council recommended bill for creation of additional judgeship for middle Tennessee only because of long continued and present partial disability of Judge Davies. I would have opposed in our council creation of additional judgeship for Tennessee had such bill included also jurisdiction in the western district. Warmest personal regards.

As always, your friend,

JOHN D. MARTIN,
Circuit Judge, Sixth Judicial Circuit

MEMPHIS, TENN.

Hon. KENNETH D. MCKELLAR,
Washington, D. C.:

Answering your inquiry during 11 years I have presided over district court for western Tennessee every case has been handled promptly. Will Shafroths records at administrative office will show this. Our calendar is absolutely current at this time. No one to my knowledge has suggested the need of additional judge for this district.

MARION S. BOYD,
United States District Judge.

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS,
Washington, D. C., September 5, 1950.
Hon. MARION S. BOYD,
United States District Judge,
Memphis, Tenn.

DEAR MARION: I was working the medians last night for the annual report and came across your district—43 civil cases terminated by trial (excluding condemnation, forfeiture, and habeas corpus) in the median time from filing to disposition of 5 months and 25 days compared to the national median of 11.2 months. This gave a thrill of satisfaction to this battered old statistician. It's just like your distinguished and beloved predecessor. How do you do it? My hat is off to you.

Sincerely yours,

WILL SHAFROTH.

KNOXVILLE, TENN., *August 17, 1951.*
Hon. KENNETH D. MCKELLAR,
Washington, D. C.:

Assigned only one judge to Memphis in 1950 for one case in which Judge Boyd was disqualified by relationship.

XEN HICKS,
Chief Justice, Sixth Judicial District.

SCHNEIDER & SCHNEIDER,
Jackson, Tenn., August 30, 1951.
Senator K. D. MCKELLAR,
Washington, D. C.

DEAR SENATOR MCKELLAR: The directors of the Jackon-Madison County Bar Association, meeting in called session today, unanimously adopted the enclosed resolution, which commends the action of Judge Marion S. Boyd for the prompt and efficient manner in which his court is conducted here; states that no roving judge is needed in the western district of Tennessee; and opposes any dividing of the judicial business now conducted by the eastern division of the western district of Tennessee.

I was instructed to mail you a copy of this resolution for your consideration and action.

Very truly yours,
Mrs. ANNA H. SCHNEIDER,
Secretary, Jackson-Madison
County Bar Association.

Resolved by the directors of the Jackson and Madison Bar Association, That we commend the Honorable Marion S. Boyd, judge of the United States District Court for the Western District of Tennessee, and all officials of said court both in Memphis and in Jackson, for the prompt and efficient manner in which the business of said court has been and is now being conducted. Further, we recognize the fact that the docket of the court in Jackson is kept up to date at all times, the judge and court officials coming to Jackson at least four times a year and at other times when necessary;

Resolved further, That in our opinion there is no need for an additional or roving judge in the western district of Tennessee; be it further

Resolved, That in our opinion there is no need or necessity for dividing the judicial business of the eastern division at Jackson, or transferring the business of any of the counties now in the eastern division from Jackson to any other county in the district, since the court of Jackson as now constituted dispatches the business of all counties in the eastern division efficiently and promptly, and the creation of another place of holding court for any counties of the eastern division would be a useless expenditure of public funds.

MARIANNE AND MICHEL SPEELMAN

The VICE PRESIDENT. The time of the Senator from Tennessee has expired.

Is there objection to the present consideration of House bill 2498 for the relief of Marianne and Michel Speelman?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

OLLIE O. EVANS, JR.

The bill (H. R. 2459) for the relief of Ollie O. Evans, Jr., was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object—and I shall not object—while the bill proposes good legislation—it does waive the statute of limitations. Therefore, I think we should have an explanation of the bill.

Mr. McCARRAN. Mr. President, House bill 2459, Calendar 668, will merely, by waiving sections 16 to 20, inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties and for other purposes," allow this claimant to file a claim with the Department of Labor, for the purpose of determining whether or not he is entitled to disability compensation. Such compensation, if any, is based upon his service in the Civilian Conservation Corps during which he suffered an attack of pneumonia, which since 1947 has resulted in a complete disability. The bill does not confer any right other than to have this claim processed by the Department of Labor for determination of whether claimant is entitled to payment for disability.

Mr. HENDRICKSON. Mr. President, I thank the Senator, and I withdraw objection.

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

There being no objection, the bill (H. R. 2459) was considered, ordered to a third reading, read the third time, and passed.

DAVID LEE HARRIGAN

The bill (H. R. 1463) for the relief of David Lee Harrigan was considered, ordered to a third reading, read the third time, and passed.

MATTHEW TERRY

The bill (H. R. 2165) for the relief of Matthew Terry was considered, ordered to a third reading, read the third time, and passed.

JACK A. WITHAM

The bill (H. R. 1253) for the relief of Jack A. Witham was considered, ordered to a third reading, read the third time, and passed.

CLAIM OF PRESTON L. WATSON

The bill (H. R. 990) to confer jurisdiction on the Court of Claims to hear, determine, adjudicate, and render judgment on the claim of Preston L. Watson, as administrator of the goods and chattels, rights, and credits which were of Robert A. Watson, deceased, was announced as next in order.

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

Mr. SCHOEPPEL. Mr. President, reserving the right to object, may we have an explanation of the bill, please?

Mr. McCARRAN. Mr. President, House bill 990, Calendar No. 672, confers jurisdiction upon the Court of Claims to hear, determine, and render judgment on the claim of the estate of a sugar importer for losses which the claimant estate alleges were sustained when the importer purchased Argentine sugar because of the importunities of the Department of Justice. The sugar was to be sold in the United States in order to reduce the price of that commodity. However, the mere announcement by the Department of Justice of the impending series of importations of sugar caused a sharp decline in the sugar market, with the result that this importer was forced to sell the sugar at a severe loss to himself.

This appears to be the sole remaining claim against the United States arising out of the importation of sugar in aid of the Department of Justice in 1920. The merits of this claim seem indistinguishable from the merits of the claims already allowed and paid.

The committee felt that the claimant estate ought to have the opportunity to litigate this claim in view of the evidence available to it and in view of the precedents already established.

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

Mr. SCHOEPPEL. Mr. President, I should like to ask a question of the distinguished Senator from Nevada. This bill relates to a claim in the amount of approximately $795,000. Am I correct in understanding that this is the last of a series of claims of this type?

Mr. McCARRAN. That is correct.

Mr. SCHOEPPEL. Does the interest differential go back on this measure to 1920, and does the bill make provision or will provision be made for a tax on the interest differential?

Mr. McCARRAN. That will be up to the Court of Claims. It is to be remembered that this bill only permits the Court of Claims to consider the matter, and the Court of Claims can and may deal with the phases of the bill to which the Senator refers.

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

Mr. SCHOEPPEL. I have no objection.

There being no objection, the Senate proceeded to consider the bill (H. R. 990) which had been reported from the Committee on the Judiciary with an amendment on page 3, line 1, after the word "parties", to insert "enactment of this act shall not be construed to raise any implication of liability by the United States."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 1570) to amend the immunity provision relating to testimony given by witnesses before either House of Congress or their committees was announced as next in order.

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

Mr. LANGER. I ask that the bill go over.

The VICE PRESIDENT. The Senator from North Dakota objects, and the bill will be passed over.

LEO KIEVE

The Senate proceeded to consider the bill (S. 2027) for the relief of Leo Kieve which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That Leo Kieve, a United States citizen veteran of World War II, shall not be held to have lost United States citizenship under any of the provisions of the Nationality Act of 1940 providing for loss of citizenship through continuous residence in a foreign state: *Provided*, That the said Leo Kieve returns to the United States for permanent residence within a period of 1 year following the effective date of this act.

The amendment was agreed to.

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

ANA COBO ALONSO

The bill (S. 715) for the relief of Ana Cobo Alonso was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Ana Cobo Alonso shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the requirement visa fee and head tax.

PAYMENT OF ANNUITY TO WIDOWS OF JUDGES—BILL PASSED OVER

The bill (S. 16) to provide for payment of an annuity to widows of judges was announced as next in order.

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

Mr. HENDRICKSON. Mr. President, reserving the right to object, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, Senate bill 16, Calendar No. 677, is designed to relieve the anxieties and worries of members of the Federal judiciary in regard to the welfare of their widows and by so doing to further insure the freedom of the judiciary from business and professional interests outside the judiciary. The bill applies to all Federal judges having a life tenure, except those who chose to resign, rather than to retire, after the date of approval of this legislation. It provides that the widow of such a judge shall receive an annuity computed at the rate of 5 percent of the annual salary of the office, multiplied by the number of years of active service, but not in excess of 50 percent of the salary. The annuity so computed would be paid to the widow for life or until she remarries.

The provisions for annuities become operative only in the case of a widow who has been married to the judge for 10 years or more, unless the judge leaves minor, unmarried children surviving him for whose support his widow is responsible. The bill is retroactive in that it applies to the widows of judges who died prior to the date of approval of this bill.

The committee, in reporting this bill, felt that legislation of this type is necessary to maintain the independence of the Federal judiciary and to attract to the Federal bench and retain persons of ability and standing in the legal profession. The committee also felt, after examining the cost of this legislation, that the cost of implementing it is not unreasonable to satisfy the need related.

Mr. LANGER. Mr. President, I should like to ask the Senator to yield for a question.

Mr. McCARRAN. I yield.

Mr. LANGER. I was unavoidably absent last week when this bill was reported by the committee a week ago today. Let me ask the distinguished Senator whether an amendment was added to the bill, requiring contributions on the part of these judges.

Mr. McCARRAN. No; none was added to the bill.

Mr. LANGER. Then I object at this time.

The VICE PRESIDENT. The Senator from North Dakota objects, and the bill will be passed over.

CECELIA WAHLS

The bill (H. R. 4688) for the relief of Cecelia Wahls was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 18) to authorize suits against the United States to adjudicate and administer water rights was announced as next in order.

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

Mr. McCARRAN. Mr. President, a request was made of the chairman of the committee that this bill might go over for study. With that in mind, I comply with the request and ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. ELLENDER. Mr. President, what became of Calendar No. 680, House bill 3436?

The VICE PRESIDENT. It was not acted on. Under the unanimous-consent agreement, the Senate is considering first the bills reported from the Judiciary Committee, and will then go back to consider the other bills on the calendar.

EMMA BURR

The Senate proceeded to consider the bill (S. 582) for the relief of Emma Burr, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of the eleventh category, section 3, of the Immigration Act of 1917, as amended, Emma Burr may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

The amendment was agreed to.

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

STELA S. RANSIER

The Senate proceeded to consider the bill (S. 634) for the relief of Stela S. Ransier, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, Stela S. Ransier, the wife of Otis Ransier, a citizen of the United States, may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

The amendment was agreed to.

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

JOSEPH EMANUEL WINGER

The bill (S. 702) for the relief of Joseph Emanuel Winger was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Joseph Emanuel Winger shall be deemed to be the natural-born alien child of Sergeant and Mrs. R. L. Winger, citizens of the United States.

MYRTLE HARDING

The Senate proceeded to consider the bill (S. 1048) for the relief of Myrtle Harding, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the eleventh category of section 3 of the Immigration Act of 1917, as amended, Myrtle Harding may be admitted to the United States for permanent residence if she is found otherwise admissible under the provisions of the immigration laws.

The amendment was agreed to.

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

TAKAKO KITAMURA DALLUGE

The bill (S. 1158) for the relief of Takako Kitamura Dalluge was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, Takako Kitamura Dalluge, the wife of Gilbert Glen Dalluge, a United States citizen, may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of immigration laws.

JULIE NICOLA FRANGOU

The bill (S. 1199) for the relief of Julie Nicola Frangou was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws,

Julie Nicola Frangou shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MASAKI SUGIYAMA

The Senate proceeded to consider the bill (S. 1421) for the relief of Masaki Sugiyama, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the provisions of section 13 (c) of the Immigration Act of 1924, as amended, shall not hereafter apply to Masaki Sugiyama, the Japanese fiancée of Patrick L. Duane, a citizen of the United States, and that the said Masaki Sugiyama may be eligible for a nonquota immigration visa if she is found otherwise admissible under the immigration laws: *Provided*, That the administrative authorities find that marriage between the above-mentioned parties occurred within 3 months after the enactment of this act.

The amendment was agreed to.

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

DR. FRANCIS S. N. KWOK

The bill (S. 1541) for the relief of Dr. Francis S. N. Kwok was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Dr. Francis S. N. Kwok, also known as Dr. Chew Nam Young, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota officer to deduct one number from the appropriate quota for the first year that such quota is available.

DR. JACOB GRIFFEL

The bill (S. 1800) for the relief of Dr. Jacob Griffel was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be is enacted, etc., That, for the purposes of the immigration and naturalization laws, Dr. Jacob Griffel shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota officer to deduct one number from the appropriate quota for the first year that such quota is available.

HENDRYK KEMPSKI

The bill (H. R. 579) for the relief of Hendryk Kempski, was considered, ordered to a third reading, read the third time, and passed.

KWANG MYENG CHU

The bill (H. R. 580) for the relief of Kwang Myeng Chu was considered, ordered to a third reading, read the third time, and passed.

SHIZU TERAUCHI PARKS

The bill (H. R. 2916) for the relief of Shizu Terauchi Parks was considered, ordered to a third reading, read the third time, and passed.

ETHEL CRISTETA BERNER

The bill (H. R. 3895) for the relief of Ethel Cristeta Berner was considered, ordered to a third reading, read the third time, and passed.

WLADIMIR PETER LEWICKI, MRS. HEEDWIGE LEWICKI, AND GEORGE WLADIMIR LEWICKI

The bill (H. R. 744) for the relief of Wladimir Peter Lewicki, Mrs. Heedwige Lewicki, and George Wladimir Lewicki, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 4693) to amend section 77, subsection (c) (3), of the Bankruptcy Act, as amended, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. SCHOEPPEL. By request, I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over, on request.

PERMANENT RESIDENCE FOR CERTAIN ALIENS (H. CON. RES. 145)

The concurrent resolution (H. Con. Res. 145) favoring the granting of the status of permanent residence to certain aliens was considered, ordered to a third reading, read the third time, and passed.

PERMANENT RESIDENCE FOR CERTAIN ALIENS (H. CON. RES. 111)

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 111) favoring the granting of the status of permanent residence to certain aliens, which had been reported from the Committee on the Judiciary with an amendment on page 11, after line 10, to insert:

A-9767539, Nowak, Henry or Henryk Nowak or Novak.
A-6729857, Tkaczyk, Feliks John.
A-6729858, Tkaczyk, Irene Alecandira.
A-7491039, Witkowicki, Michal.
A-6956736, Boldyreff, Constantin Wassilievich.
A-6846518, Abrams, Maria Frank.
A-7052335, Kolde, Endel Jakob.
A-6985790, Malinowska, Casimira Maria or Mother M. Laetitia.
A-7095716, Pella, Vespasien Vespasian.
A-7095717, Pella, Margareta.

The amendment was agreed to.

Mr. McCARRAN. Mr. President, I ask unanimous consent that I may offer an amendment to this measure. The amendment which I offer will add the names of a family of four displaced persons to the concurrent resolution. The committee has reviewed the files of the Immigration Service relating to these aliens, and it appears that these cases are worthy of approval.

The subjects of the amendment desire to obtain a reentry permit so that they may go abroad to salvage some property which they are about to lose.

The VICE PRESIDENT. The Senator from Nevada offers another amendment, which will be stated.

Mr. McCARRAN. Mr. President, there has been suggested another amendment, which I do not have at hand at the moment. I have sent for the report on the concurrent resolution. I should like to have the opportunity to consider the other suggested amendment, other than the one I am sending to the desk.

The VICE PRESIDENT. The amendment offered by the Senator from Nevada will be stated.

The LEGISLATIVE CLERK. At the end of the concurrent resolution it is proposed to add the numbers and names:

A-7125242, Nadler, Salomon.
A-6655111, Nadler, Vera, nee Miloslavsky.
A-7125243, Nadler, Robert.
A-7125244, Nadler, Daniel.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. McCARRAN. Mr. President, since the amendments have been adopted, I now ask unanimous consent that the concurrent resolution may go to the foot of the calendar. I have a reason for that. I wish to examine the report, in connection with another amendment.

The VICE PRESIDENT. Without objection, the concurrent resolution will go to the foot of the calendar.

Mr. McCARRAN subsequently said: Mr. President, House Concurrent Resolution 111, after the adoption of two amendments, went to the foot of the calendar so that another amendment could be prepared and offered. I now offer the amendment, to add to the names already included an additional name, that of Ileana Maria Kerciu.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to add the following at the end of the bill:

A-64608878, Ileana Maria Kerciu.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The concurrent resolution (H. Con. Res. 111), as amended, was agreed to.

MRS. AIMEE HOYNINGEN-HUENE

The bill (H. R. 676) for the relief of Mrs. Aimee Hoyningen-Huene was considered, ordered to a third reading, read the third time, and passed.

FRANCESCO GABER

The bill (S. 590) for the relief of Francesco Gaber was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Francesco Gaber shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MARGARET A. USHKOVA-ROZANOFF

The bill (S. 905) for the relief of Margaret A. Ushkova-Rozanoff was consid-

ered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of the ninth category of section 3 of the Immigration Act of 1917, as amended (8 U. S. C. 136 (d)), Margaret A. Ushkova-Rozanoff may be admitted to the United States for permanent residence provided she is found otherwise admissible under the provisions of the immigration laws: *Provided*, That there be given a suitable and proper bond or undertaking, approved by the Attorney General, in such amount and containing such conditions as he may prescribe, to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against Margaret A. Ushkova-Rozanoff becoming a public charge.

VERA OUMANCOFF

The bill (S. 1274) for the relief of Vera Oumancoff was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Vera Oumancoff shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PETER THERKELSEN KIRWAN AND ERNEST O'GORMAN KIRWAN

The bill (S. 1464) for the relief of Peter Therkelsen Kirwan and Ernest O'Gorman Kirwan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Peter Therkelsen Kirwan and Ernest O'Gorman Kirwan, British subjects who were born in India of an American mother and British father, shall be deemed to have been born in Great Britain.

ALBERT GOLDMAN, POSTMASTER AT NEW YORK

The bill (S. 1686) for the relief of Albert Goldman, postmaster at New York, N. Y., was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. SCHOEPPEL. Mr. President, because of the amount involved, I ask for an explanation.

Mr. McCARRAN. Mr. President, this is Calendar No. 757, Senate bill 1686. This bill is to relieve Albert Goldman, postmaster at New York, N. Y., of all liability to refund to the United States the sum of $23,748.66, which sum represents a shortage in his money-order account due to loss of official funds in the sinking of the U. S. S. *Hugh L. Scott*, a branch of the New York post office, by enemy action on November 12, 1942, and to authorize the Secretary of the Treasury to pay said sum to the credit of the Postmaster General's money-order account—symbol No. 48-050. Enactment of this bill has been recommended by the Post Office Department in accordance with the provisions of Thirty-ninth United States Code, page 49.

The VICE PRESIDENT. Is there objection?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Albert Goldman, postmaster at New York, N. Y., is relieved of all liability to refund to the United States the whole or any part of the sum of $23,748.66. Such sum represents a shortage in his money-order account due to the loss of official funds in the sinking of the United States steamship *Hugh L. Scott* on November 12, 1942. The Comptroller General of the United States is authorized and directed to credit the money-order account of the said Albert Goldman in the sum of $23,748.66, and the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $23,748.66 to the credit of the Postmaster General's money-order disbursing account (symbol No. 48-050).

LOUIS E. GABEL

The bill (S. 1970) for the relief of Louis E. Gabel was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis E. Gabel, an individual trading as Gabel Construction Co., of Orlando, Fla., the sum of $24,916.71 in full satisfaction of his claim against the United States for uncompensated losses sustained by him under contract No. NOY-9336, for the construction of a water-softening plant at Florida City, Fla., for the navy yard at Key West, Fla., as a result of a delay in receiving materials and equipment provided for in said contract: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of sevices rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SHARON A. GATES

The bill (S. 2007) for the relief of Sharon A. Gates, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Sharon A. Gates, shall be held and considered to be the natural-born alien child of Major and Mrs. William M. Gates, citizens of the United States.

INOOKA KAZUMI

The bill (S. 2080) for the relief of Inooka Kazumi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions of law excluding persons of races ineligible to citizenship from admission to the United States, the minor child, Inooka Kazumi, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Henry Frazer Harris, Jr., citizens of the United States.

FEDE VITA GUZZARDI

The Senate proceeded to consider the bill (S. 606) for the relief of Fede Vita Guzzardi, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause, and insert:

That, for the purposes of the immigration and naturalization laws, Fede Vita Guzzardi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

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

HANS LENK

The Senate proceeded to consider the bill (S. 635) for the relief of Hans Lenk, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause, and insert:

That, for the purposes of the immigration and naturalization laws, Hans Lenk shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act: *Provided*, That there be given a suitable and proper bond or undertaking, approved by the Attorney General, in such amount and containing such conditions as he may prescribe to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against Hans Lenk becoming a public charge.

The amendment was agreed to.

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

RITSUKO CHOJIN

The Senate proceeded to consider the bill (S. 659) for the relief of Ritsuko Chojin, the wife of Masakatsu Chojin, a United States citizen, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause, and insert:

That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, Ritsuko Chojin, the wife of Masakatsu Chojin, a United States citizen, may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

The amendment was agreed to.

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

ESTHER V. WORLEY

The Senate proceeded to consider the bill (S. 970) for the relief of Esther V. Worley which had been reported from the Committee on the Judiciary with an amendment in line 4, after the word "aggregating," to strike out "$653.06" and

insert "$1,209.60," so as to make the bill read:

Be it enacted, etc., That any liability to the United States resulting from overpayments in retired pay aggregating $1,209.60 made so Esther V. Worley, Nurse Corps, United States Naval Reserve, for the period from December 15, 1947, through August 31, 1948, as a result of receipt by the said Esther V. Worley of retired pay and Federal civil-service pay concurrently, is hereby canceled.

The amendment was agreed to.

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

MISAKO KINOSHITA

The Senate proceeded to consider the bill (S. 1177) for the relief of Misako Kinoshita, the Japanese fiancée of Wilbert L. Rice, a citizen of the United States, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause, and insert:

That the provisions of section 13 (c) of the Immigration Act of 1924, as amended, relating to the exclusion of aliens inadmissible because of race shall not hereafter apply to Misako Kinoshita, the Japanese fiancée of Wilbert L. Rice, a citizen of the United States, and that the said Misako Kinoshita may be eligible for a nonquota immigration visa if she is found otherwise admissible under the immigration laws: *Provided*, That the administrative authorities find that marriage between the above-named parties occurred prior to 3 months immediately succeeding the enactment of this act.

The amendment was agreed to.

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

CATHY DANA BESSER

The Senate proceeded to consider the bill (S. 1640) for the relief of Cathy Dana Besser, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause, and insert:

That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions of law excluding persons of races ineligible to citizenship from admission to the United States, the minor child, Cathy Dana Besser, shall be held and considered to be the natural-born alien child of Staff Sergeant and Mrs. Gerald D. Besser, citizens of the United States.

The amendment was agreed to.

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

MRS. SUZANNE CHOW HSIA AND HER SON, SVEN ERIK HSIA

The bill (H. R. 710) for the relief of Mrs. Suzanne Chow Hsia and her son, Sven Erik Hsia, was considered, ordered to a third reading, read the third time, and passed.

GEORGE LUKES

The bill (H. R. 711) for the relief of George Lukes was considered, ordered to a third reading, read the third time, and passed.

SISTER MARIA DeRUBERTIS AND OTHERS

The bill (H. R. 804) for the relief of Sisters Maria DeRubertis, Agnese Cerina, Mariannia Bonifacio, Dina Bonini, and Edvige Gasparini, was considered, ordered to a third reading, read the third time, and passed.

JANET AND DAISY WONG

The bill (H. R. 901) to provide for the admission of Janet and Daisy Wong to the United States was considered, ordered to a third reading, read the third time, and passed.

EMILIO TORRES

The bill (H. R. 1102) for the relief of Emilio Torres was considered, ordered to a third reading, read the third time, and passed.

HARVEY McFARLAND AND LAURANCE ANTHONY WARNOCK

The bill (H. R. 1128) for the relief of Harvey McFarland and Laurance Anthony Warnock was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. SCHOEPPEL. Mr. President, may we have an explanation of this bill since it involves $24,000?

Mr. McCARRAN. Mr. President, this bill awards the sum of $14,000 to Laurance Anthony Warnock and the sum of $10,000 to Harvey McFarland, both of Everett, Wash., for personal injuries sustained as the result of an accident involving a United States Army vehicle on October 27, 1949, in the city of Everett, Wash.

These claimants were seriously injured in this accident which occurred without any contributory negligence on their part and the Government vehicle causing the accident was operated by a member of the United States Air Force acting outside the scope of his employment, as that term is used in the Federal Tort Claims Act. Both claimants had extended periods of hospitalization and heavy medical bills. As a result of the injuries received in this accident, both claimants have had to take lesser positions with consequent reductions in salary.

The committee believes that these claims are meritorious and, inasmuch as claimants have no remedy available to them except by private legislation, therefore recommends approval of the awards as set out in the bill.

The Department of the Air Force recommends enactment of this bill.

Mr. SCHOEPPEL. I have no objection.

The VICE PRESIDENT. Is there objection?

There being no objection, the bill (H. R. 1128) was considered, ordered to a third reading, read the third time, and passed.

SISTER NATALIE AND SISTER ALICE

The bill (H. R. 1136) for the relief of Sister Natalie (Marie Palagyi) and Sister Alice (Elizabeth Slachta) was considered, ordered to a third reading, read the third time, and passed.

DR. EUGEN JOSÉ SINGER AND MRS. FRIEDA SINGER

The bill (H. R. 1420) for the relief of Dr. Eugen José Singer and Mrs. Frieda Singer was considered, ordered to a third reading, read the third time, and passed.

HANOH, GIZELA, AND PHILIPPE SARAPANOVSCHI

The bill (H. R. 1598) for the relief of Hanoh Sarapanovschi (also known as Hanoh Charat), Gizela (Gizele) Sarapanovschi (nee Levy) and Philippe Sarapanovschi was considered, ordered to a third reading, read the third time, and passed.

SHOEMON TAKANO

The bill (H. R. 1816) for the relief of Shoemon Takano was considered, ordered to a third reading, read the third time, and passed.

HEGO FUCHINO

The bill (H. R. 1818) for the relief of Hego Fuchino was considered, ordered to a third reading, read the third time, and passed.

JAMES A. VINES

The bill (H. R. 2444) for the relief of James A. Vines was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 2546) for the relief of Charles W. Vanderhoop, was announced as next in order.

Mr. HENDRICKSON. Mr. President, by request I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

MRS. GIULIA DI GAETANO COCCIA

The bill (H. R. 2621) for the relief of Mrs. Giulia Di Gaetano Coccia was considered, ordered to a third reading, read the third time, and passed.

ELAINE DOVICO

The bill (H. R. 3128) for the relief of Elaine Dovico was considered, ordered to a third reading, read the third time, and passed.

YUTAKA NAKAEDA

The bill (H. R. 3818) for the relief of Yutaka Nakaeda was considered, ordered to a third reading, read the third time, and passed.

FIVE SISTERS OF THE FRANCISCAN MISSIONARIES OF MARY

The bill (H. R. 3965) for the relief of five Sisters of the Franciscan Missionaries of Mary was considered, ordered to a third reading, read the third time, and passed.

RAFAEL ALEMANY

The bill (H. R. 4121) for the relief of Rafael Alemany was considered, ordered to a third reading, read the third time, and passed.

MRS. DORIS ELLEN YOUNG

The bill (H. R. 4127) for the relief of Mrs. Doris Ellen Young was considered, ordered to a third reading, read the third time, and passed.

NADINE CAROL HESLIP

The bill (H. R. 4463) for the relief of Nadine Carol Heslip was considered, ordered to a third reading, read the third time, and passed.

GEORGE FRANCIS HAMMERS

The bill (H. R. 4756) for the relief of George Francis Hammers was considered, ordered to a third reading, read the third time, and passed.

NISON MILLER

The Senate proceeded to consider the bill (H. R. 3504) for the relief of Nison Miller, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 6, after the word "act", to insert a colon and the following proviso: "*Provided*, That there be given a suitable and proper bond or undertaking, approved by the Attorney General, in such amount and containing such conditions as he may prescribe, to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against Nison Miller becoming a public charge."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

GEORGETTE SATO

The bill (S. 1499) for the relief of Georgette Sato was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, solely for the purpose of section 4 (a) and section 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Georgette Sato, a minor half-Japanese child, shall be considered the alien natural-born child of Sergeant and Mrs. John H. Williams, citizens of the United States.

MICHIYO CHIBA

The bill (S. 2158) for the relief of Michiyo Chiba was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, solely for the purposes of section 4 (a) and section 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Michiyo Chiba, a minor Japanese child, shall be considered the alien natural-born child of Corporal Walter V. Subacz, a citizen of the United States.

The VICE PRESIDENT. That disposes of the so-called McCarran bills.

Mr. McCARRAN. Mr. President, there is one measure as to which I ask unanimous consent that it may go to the foot of the calendar.

Mr. SCHOEPPEL. Mr. President, for the purposes of the RECORD, that is calendar 729, House Concurrent Resolution 111, is it not?

Mr. McCARRAN. That is correct.

The VICE PRESIDENT. Without objection, the resolution will go to the foot of the calendar. The clerk will resume the call of the calendar.

TRANSPORTATION OF GRAIN BETWEEN UNITED STATES PORTS ON GREAT LAKES BY CANADIAN VESSELS

The bill (H. R. 3436) authorizing vessels of Canadian registry to transport grain between United States ports on the Great Lakes during 1951 was considered, ordered to a third reading, read the third time, and passed.

NATIONAL TRANSPORTATION POLICY

The bill (S. 1899) to further define the national transportation policy was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object, and I shall not object, I merely want to take advantage of this opportunity to commend the distinguished Senator from Maryland [Mr. O'CONOR] for bringing forth this bill.

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

There being no objection, the Senate proceeded to consider the bill (S. 1899) which had been reported from the Committee on Interstate and Foreign Commerce with an amendment on page 2, line 1, after the words "or the", to insert "reasonable", so as to make the bill read:

Be it enacted, etc., That section 1 of the act of September 18, 1940 (54 Stat. 899), defining the national transportation policy, is hereby amended by adding at the end thereof a new paragraph, to read as follows:

"It is hereby further declared to be the policy of the Congress that all modes of transportation subject to this act shall be kept free of terrorism, extortion, racketeering, and similar unlawful or unethical business tactics, and to this end due regard shall be given in all cases to any evidence of the use of such tactics, or the reasonable likelihood of the use of such tactics, by any applicant for, or transferee or holder of any certificate, permit, or license issued or outstanding under this act, or under any amendment thereto."

The amendment was agreed to.

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

UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND

The bill (S. 2079) to authorize the contribution of $12,000,000 to the United Nations International Children's Emergency Fund was announced as next in order.

Mr. SCHOEPPEL. Mr. President, reserving the right to object, may we have an explanation of this measure, particularly with reference to the amount of funds carried over which have not yet been used?

Mr. GREEN. Mr. President, in explanation I would say that what is now Senate bill 2079 was originally offered by 12 other Senators and myself as an amendment to the Mutual Security Act of 1951 and was referred to the Foreign Relations Committee. That committee decided that it was inadvisable to add the amendment, but it was in favor of the proposition, and authorized the approval of a bill to the same effect to be introduced separately, with a report. I have here the bill and the report. I think the bill was introduced last August 27, and I should like to read from the report the final paragraph which may answer the Senator's question:

The International Children's Emergency Fund has done a most constructive job over the past 4 years. Now its remaining funds have been largely allocated and a dollar deficiency has forced UNICEF to curtail new programs, and incur a freight deficit, and threatens to dry up pipelines for supplies needed in the winters of 1951 and 1952. Although the United States has always supported the aims and work of the Children's Fund, the United States has not contributed anything to the program for almost a year. Legislation authorizing contributions to the fund expired on June 30, 1951, and new authority is needed to make further contributions to the fund.

The need of the children of the underdeveloped countries is just as great as was that of the children of Europe and so is our interest in them. We are concerned with their welfare not only for humanitarian reasons but also out of the awareness that, as citizens of the future, they will bear tremendous responsibilities, and their emotional and physical well-being now will better prepare them for their task. The social stability which the Children's Fund seeks to develop is inseparable from the cause of world peace. The committee, therefore, urges the Senate to take favorable action on this bill as soon as possible.

Mr. SCHOEPPEL. I may say to the distinguished Senator from Rhode Island that I know the over-all purpose of the measure is laudable, and it is probably most important, but I find, after a hurried check, that $5,750,000 remain in the fund unused and I was wondering why there was any necessity for an additional $12,000,000 when there is available, ostensibly, almost $6,000,000.

Mr. GREEN. The fund is businesslike. It makes its plans according to the amount of money in sight, and that money is not in sight. The program calls for approximately $30,000,000. The amount appropriated earlier this year was $5,750,000. The balance is what is called for at this time. The amount which was originally asked for by the State Department was $15,000,000. That was reduced by the Budget to $12,000,000, and that was the amount for which the President sent a request. The total amount is necessary.

A great many other nations contribute, although not in as large amount as the United States. They are not making the additional contributions needed, but are waiting for the United States to proceed. The State Department is in the position of not being able to do so since we have not made made our contribution. Our funds ran out last spring. I will say that we have contributed to this fund every year since 1946.

The VICE PRESIDENT. The time of the Senator from Rhode Island has expired.

Mr. TAFT. Mr. President, I wish to make a statement on my own time. The $5,750,000 appropriated this year remains. The Senator will see from looking on page 3 of the report that the rate of the contribution to the fund was $27,000,000 in 1947, $21,000,000 in 1948, and $20,000,000 in 1949. So that even with the amount in question, $12,000,000, added there will be only $17,000,000, and some of it always hangs over and is not spent during the year. In other words, the total available under the bill will be $17,750,000; $5,750,000 which was appropriated early this year for the fiscal year 1951 has not been used, because the State Department had not considered that the foreign nations had met their requirements. They now think the

foreign nations will meet their requirements. Of the total requirements only one-third will come from the United States to be spent in these foreign countries. As to how that one-third is to be contributed is a matter to be interpreted by the State Department. The Department has now obtained an agreement on the part of the other nations to proceed, and finally to make the full amount available for allocation on the part of the United States $17,750,000.

Probably it does not mean that there will be an actual expenditure in 1 year or more than $12,000,000, because the allocation must be made quite in advance of the actual expenditure. So I should think this did not indicate an actual spending on the part of the United States. The bill is merely an authorization measure, and the Appropriations Committee can hold down the actual expenditure of money when it makes the appropriation.

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

Mr. TAFT. I yield.

Mr. GREEN. I thank the Senator from Ohio for his assistance.

Mr. LANGER. The Senator from Ohio is speaking in his own time, as I understand.

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from North Dakota?

Mr. TAFT. Yes; I yield.

Mr. LANGER. Who administers this fund?

Mr. TAFT. It is under the United Nations, but largely administered by Americans. It is one of the branches of the United Nations concerning which Americans have something to say. I think this particular contribution is more satisfactory than other contributions to foreign countries because the contributions go right to the children themselves, and not to the governments to apply the money under their budgets without telling their people where it comes from. I think it is one fund that does bring some real sense of charity being extended to needy children who are unable, otherwise, to get the food and health services they need for a decent living.

Mr. LANGER. Does the fund exclude the people of any country, such as for example, the people of certain areas of Germany?

Mr. TAFT. There is no one excluded except that the fund has withdrawn assistance for countries who have gone behind the iron curtain. No allocation has been made for iron-curtain countries for a year and a half, and of course no further allocation will be made.

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

Mr. TAFT. I yield.

Mr. LANGER. I notice the report states that some countries receive very little from the fund. I wondered why that was. Is the allocation made on the basis of population?

Mr. TAFT. The foreign governments have agreed to go along with the program. They have to permit those who administer the fund to operate. I imagine those in charge operate whenever the governments let them operate. Not only must the other nations contribute certain sums in addition to what the United States contributes, but also the particular country in each case must put up 50 percent for the operation of the program that is conducted. Secondly, if a nation does not cooperate contributions may not be made for it.

Mr. LANGER. I notice in the table on page 4 of the report that Liberia has received only 1 contribution, whereas Austrialia has received 10,499 contributions.

Mr. TAFT. I am afraid I cannot tell the Senator what the contributions are with respect to individual countries. There may be various reasons for discrepancies. In this particular case perhaps the country has not met the requirements of the fund, or there may not be sufficient personnel to cover every country. On what basis allocations are made I cannot tell the Senator. The fund is rather specializing in the Near East.

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

Mr. TAFT. I yield.

Mr. GREEN. In the case of Liberia that country contributed $1,000, and the voluntary private contributions amounted to another thousand dollars, making a total of contributions of $2,000. I should explain perhaps that government contributions are supplemented by private contributions.

Mr. LANGER. I should like to make a further inquiry. Australia and Liberia are not very much different in size, yet Australia received 10,449 contributions, whereas Liberia received only 1 contribution. Can the distinguished Senator from Rhode Island tell me why there should have been that discrepancy?

Mr. GREEN. I cannot. I am not familiar with the details. The organization itself contributes the funds, and, as the Senator from Ohio has told us, the contributions to the countries behind the iron curtain, for instance, have been gradually diminished until they have ceased.

Mr. LANGER. Mr. President, very reluctantly I must ask that the bill go over until I can find out something more about it.

The VICE PRESIDENT. The bill will be passed over.

Mr. SMITH of New Jersey. Mr. President, will the Senator withhold his objection for a minute?

Mr. LANGER. Yes; but I want to know why it was that Australia received 10,449 contributions whereas Liberia received only 1.

Mr. SMITH of New Jersey. Will the Senator from Ohio yield to me?

Mr. TAFT. I yield.

Mr. SMITH of New Jersey. I wish to call the attention of the Senator from North Dakota to the fact that it is not contributions but dollars that are involved.

The VICE PRESIDENT. The Senator from North Dakota has objected, and the bill has gone over.

Mr. LANGER. Mr. President, I withdraw my objection temporarily so that an explanation may be made.

Mr. SMITH of New Jersey. I cannot explain exactly what all the figures mean, but I notice that the columns show United States dollar equivalent, in thousands. It is not the number of contributions. In other words, the Australian Government has contributed $10,449,000, and the Australian people have been very generous in contributing $2,180,000. As to the management of the fund, I have known Mr. Maurice Pate for many years. He was one of the men who worked under Mr. Hoover for a long time. He has been greatly interested in the child problem ever since World War II broke out. He has given his entire time to the subject. So far as I know, he receives no financial recompense for the work he does in connection with the fund. I feel every confidence in the way he is organizing the program in the various countries.

Mr. TAFT. Mr. President, I ask that the bill go to the foot of the calendar until we can find out about the Liberian program. It is something I had not expected to be questioned about.

Mr. LANGER. Mr. President, I have no objection.

The VICE PRESIDENT. Without objection, the bill will be passed to the foot of the calendar.

Mr. TAFT subsequently said: Mr. President, I desire to make a brief statement with reference to Senate bill 2079, Calendar No. 683, which was passed over earlier today.

Mr. President, the distinguished Senator from North Dakota raised the question concerning Liberia's contribution to the program of the Children's Fund, as shown on a table which appears on page 4 of the committee report.

The figures on page 4 merely indicate that Liberia, through the goodness of its heart, contributed $1,000. That is, there was a contribution of $1,000 by the Government of Liberia and private contributors to the United Nations for the Children's Fund. There has never been any program in Liberia itself, because there never has been an application for it. The distinguished Senator from North Dakota [Mr. LANGER] wanted to know why there had not been a program in Liberia. It was simply because Liberia did not apply to the United Nations for such a program. Within the past 2 months application has been made. The only reason the program has not yet been put into effect is that there has been no meeting to approve it. If this bill is passed and the money is appropriated, there is every intention of establishing a program in Liberia.

CENTRAL BANK FOR COOPERATIVES

The bill (S. 2085) to further amend section 5136 of the Revised Statutes, as amended, with respect to underwriting and dealing in securities issued by the Central Bank for Cooperatives, was announced as next in order.

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

Mr. ELLENDER. Mr. President, reserving the right to object, may we have an explanation of the bill?

Mr. MAYBANK. Mr. President, I may say to the distinguished chairman of the Committee on Agriculture and Forestry that the bill merely puts the Central Bank for Cooperatives on the same basis

as other farm banks, so as to enable national banks and State member banks of the Federal Reserve System to receive compensation in the distribution of debentures issued by the Central Bank for Cooperatives.

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

There being no objection, the bill (S. 2085) to further amend section 5136 of the Revised Statutes, as amended, with respect to underwriting and dealing in securities issued by the Central Bank for Cooperatives, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the last sentence of paragraph seventh of section 5136 of the Revised Statutes, as amended (12 U. S. C. 24), is hereby amended by inserting "or the Central Bank for Cooperatives" after the word "Development"; by inserting "either of said banks" in lieu of the words "said bank"; by inserting "at any one time" after the words "no association shall"; by deleting "at any one time" after the word "exceeding"; and by inserting ", with respect to each issuer," after the word "amount"; so that said sentence shall read as follows: "The limitations and restrictions herein contained as to dealing in and underwriting investment securities shall not apply to obligations issued by the International Bank for Reconstruction and Development or the Central Bank for Cooperatives which are at the time eligible for purchase by a national bank for its own account: *Provided*, That no association shall at any one time hold obligations issued by either of said banks as a result of underwriting, dealing, or purchasing for its own account (and for this purpose obligations as to which it is under commitment shall be deemed to be held by it) in a total amount, with respect to each issuer, exceeding 10 percent of its capital stock actually paid in and unimpaired and and 10 percent of its unimpaired surplus fund."

AMENDMENT OF FEDERAL FARM LOAN ACT

The bill (S. 2091) to amend the Federal Farm Loan Act, as amended, to repeal the provisions therein for additional subscriptions on behalf of the United States to the capital stock of the Federal land banks, was announced as next in order.

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

Mr. THYE. Mr. President, may we have an explanation of the bill?

Mr. MAYBANK. The legislation is essential for this reason. All the stock held by the United States under this authority has already been paid off and retired. Therefore, there is no stock remaining, there is nothing to pay off, and the law remains on the books. The Department of Agriculture has asked for the legislation.

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

There being no objection, the bill (S. 2091) to amend the Federal Farm Loan Act, as amended, to repeal the provisions therein for additional subscriptions on behalf of the United States to the capital stock of the Federal land banks, was considered, ordered engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That the last paragraph of section 5 of the Federal Farm Loan Act as added by section 2 of the act of January 23, 1932 (47 Stat. 12), and amended by Executive Order No. 6084, March 27, 1933 (12 U. S. C., 1946 edition, 698), is hereby repealed.

RESTORATION IN THE PHILIPPINES

The Senate proceeded to consider the bill (S. 1415) to amend the War Claims Act of 1948 which was announced as next in order.

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

Mr. SCHOEPPEL. Mr. President, reserving the right to object, may we have an explanation of the bill?

Mr. O'CONOR. This War Claims Act, which was passed unanimously by the Eighty-first Congress, makes possible the payment from the war-claims fund to institutions, hospitals, charitable institutions, welfare institutions in the Philippine Islands. It is restricted to those particular institutions which rendered aid to American forces during the occupation. It is limited to them and merely enables payment to be made to them. Payment is not made of money from the United States Treasury, but from the funds sequestered from Japanese assets. It restricts payments to those which will be allowed after due investigation.

Mr. SCHOEPPEL. I have no objection.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That section 7 of the War Claims Act of 1948, as amended, is amended by inserting "(a)" after the section number, and by adding at the end thereof the following new subsections:

"(b) That any such religious organization or its personnel functioning in the Philippines and affiliated with a religious organization in the United States, which furnished relief in the Philippines to members of the Armed Forces of the United States or to civilian American citizens in accordance with the provisions of subsection (a) shall be compensated from the war claims fund, as hereinafter provided, for the loss and damage sustained as a consequence of the war to its schools, colleges, universities, scientific observatories, hospitals, dispensaries, orphanages, and other property or facilities connected with its educational, medical, or welfare work.

"(c) That any such affiliated organization furnishing relief which possessed any interest in, and whose personnel of American citizens substantially composed the administrative staff of, any hospital whose prewar facilities and capacity have not been restored shall be compensated in an amount sufficient to enable such organization to replace the hospital's facilities and capacity equal to that which existed at the time of the outbreak of the war, irrespective of what disposition was made subsequently of the land, buildings, and contents.

"(d) That claims filed pursuant to subsection (b) shall be determined and paid upon the basis of postwar cost of replacement which shall be ascertained by the War Claims Commission. In making such determinations the Commission shall utilize but not be limited to the factual information and evidence contained in the records of the Philippine War Damage Commission; the technical advice of experts in the field; the substantiating evidence submitted by the claimants; and any other technical and legal means by which fair and equitable postwar replacement costs shall be determined.

"(e) The Commission is hereby authorized and directed to proceed at once with the necessary investigation, study, and establishment of procedures in order to determine the replacement costs of the claims to be filed under subsections (b) and (c), using as a basis for beginning such investigation and study the evidence contained in the claims of those religious organizations or their personnel which have already filed and are eligible to be paid under the terms of subsection (a) of this section.

"(f) All claims under subsections (b) and (c) must be filed on or before January 1, 1952, and between that date and March 31, 1952, the Commission shall adjudicate according to law and provide for the payment of any claim filed pursuant to this section. In any case in which any money is payable as a result of subsections (b) and (c) to a religious organization or its personnel functioning in the Philippines, such money shall be paid upon request of such organization to its affiliate in the United States: *Provided*, That all money thus paid to such affiliated religious organization in the United States shall be used by such affiliate for the purpose of restoring the educational, medical, and welfare facilities described in subsections (b) and (c) and located in the Philippines.

"(g) The Commission shall expedite the payments under this section without reducing payment of claims of American civilian internees and prisoners of war filed before March 31, 1952, pursuant to the provisions of sections 5 and 6 of this act."

The amendment was agreed to.

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

The title was amended so as to read: "A bill to amend section 7 of the War Claims Act of 1948."

REMOVAL OF CERTAIN DISCRIMINATIONS AGAINST MARINE INSURANCE AND MUTUAL FIRE INSURANCE COMPANIES

The bill (H. R. 2562) amending section 437 (c) of the Internal Revenue Code was announced as next in order.

Mr. LANGER. Mr. President, may we have an explanation of the bill?

Mr. GEORGE. Mr. President, this is a House bill. It is intended merely to correct an error in the Excess Profits Tax Act. The House report makes this statement, which is true as a matter of fact:

In framing the Excess Profits Tax Act of 1950 your committee intended to give all insurance companies taxable under the provisions of section 204 of the code the same treatment with respect to the inclusion of their reserves in the computation of their equity capital. As presently worded, however, section 437 (c) and the other credit provisions of sections 437 and 439 of the code exclude marine insurance companies and mutual fire insurance companies issuing perpetual policies from all three of the basic credit provisions. H. R. 2562 corrects this oversight by amending section 437 (c) of the code to enable marine insurance companies

and mutual fire insurance companies issuing perpetual policies to obtain the same invested capital credit as other insurance companies taxable under section 204.

Mr. LANGER. Does the distinguished Senator from Georgia say that these organizations are on the same basis as cooperative associations dealing in insurance, or are they different?

Mr. GEORGE. They may be different from cooperative insurance organizations, but they are all placed upon the same basis so far as giving them credit for their invested capital is concerned. Their reserves are treated as equity capital.

There was an error in the act, and the House has undertaken to correct it by a bill which we have not amended, but which was unanimously reported by the committee.

Mr. LANGER. I understand that, but how does it deal with excess profits?

Mr. GEORGE. It simply gives the marine insurer and the mutual fire insurer a credit for their reserves in the computation of their equity capital, as a base on which the excess profits tax is levied.

Mr. LANGER. The Senator from North Dakota is trying to find out whether these companies are treated any differently than the average cooperative mutual insurance company.

Mr. GEORGE. No; I do not think they are. If any of them are taxable, these are given exactly the same treatment. The House is authority for the statement that this omission was entirely accidental, and the Treasury agrees to the correction.

Mr. LANGER. I have no objection.

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

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

INTERSTATE MOVEMENT, FOR IMMEDIATE SLAUGHTER, OF CERTAIN CATTLE

The bill (S. 1629) to amend the act of May 29, 1884, as amended, to permit the interstate movement, for immediate slaughter, of domestic animals which have reacted to a test for paratuberculosis or which, never having been vaccinated for brucellosis, have reacted to a test for brucellosis; and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 11 of the act of Congress approved May 29, 1884, entitled "An act for the establishment of a Bureau of Animal Industry, to prevent the exportation of diseased cattle, and to provide means for the suppression and extirpation of pleuropneumonia and other contagious diseases among domestic animals" (21 U. S. C. 114a), is hereby amended by deleting therefrom the words "Bang's disease of cattle" and substituting in lieu thereof the words "brucellosis of domestic animals."

SEC. 2. The said act is hereby further amended by adding, at the end thereof, the following new section:

"SEC. 13. Domestic animals which have reacted to a test recognized by the Secretary of Agriculture for paratuberculosis or which, never having been vaccinated for brucellosis, have reacted to a test recognized by the Secretary of Agriculture for brucellosis, may be shipped, transported, or otherwise moved from one State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia for immediate slaughter in accordance with such rules and regulations as the Secretary of Agriculture may prescribe to prevent the dissemination of said diseases from one State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia. The Secretary of Agriculture may, in his discretion and under such rules and regulations as he may prescribe, permit domestic animals which have been moved from one State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, for breeding purposes, and which, subsequent to such movement, have reacted to a test for brucellosis or paratuberculosis recognized by the Secretary of Agriculture, to be reshipped in interstate commerce to the original owner at the point of origin."

SALE WITHOUT ADVERTISEMENT OF CERTAIN NATIONAL FOREST TIMBER

The bill (S. 1517) to amend the act of June 4, 1897, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes," as amended, to enable the Secretary of Agriculture to sell without advertisement national forest timber in amounts not exceeding $2,000 in appraised value, was announced as next in order.

Mr. LANGER. Mr. President, reserving the right to object, I should like to have an explanation of the bill.

Mr. ELLENDER. On what point does the Senator wish information?

Mr. LANGER. The bill gives the Secretary of Agriculture the right to sell, without advertising, national forest timber in amounts not exceeding $2,000 in appraised value. Is there anything in the bill which would prevent the Secretary—whom I am not attacking at all, but for whom I have the highest regard—from dividing up a large area into 40-acre parcels, for example, and saying that the timber on each parcel is worth $1,999?

Mr. ELLENDER. No.

Mr. LANGER. Is there any prohibition against land being divided up into parcels for that purpose?

Mr. ELLENDER. Senate bill 1517 authorizes the Secretary of Agriculture to sell without advertisement timber, cordwood, and other forest products from the national forests in amounts not exceeding $2,000 in appraised value. The present limit, set in 1925, is $500 and since that time the unit value of timber has increased approximately four times. Therefore, a limit now of $2,000 would allow the Secretary to sell approximately the same quantity of forest products without advertisement as was allowed in the period after 1925.

The Senator from Idaho [Mr. WELKER] is the author of the bill.

Mr. LANGER. Upon the assurance of the distinguished Senator from Idaho that the bill is all right, I have no objection.

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

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of June 4, 1897, as amended by the act of June 6, 1900, and by section 3 of the act of March 3, 1925 (16 U. S. C. 476), is hereby amended to enable the Secretary of Agriculture, in his discretion, to sell, without advertisement, in quantities to suit applicants, at a fair appraisement, timber, cordwood, and other forest products not exceeding $2,000 in appraised value.

GRANTS FOR HOSPITAL FACILITIES TO THE DISTRICT OF COLUMBIA—BILL PASSED OVER

The bill (H. R. 2094) to amend the act of August 7, 1946, so as to authorize the making of grants for hospital facilities, to provide a basis for repayment to the Government by the Commissioners of the District of Columbia, and for other purposes, was announced as next in order.

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

Mr. SCHOEPPEL. Mr. President, reserving the right to object, I should like to have an explanation of the bill. As I understand, the Federal Government contributes 50 percent, the District of Columbia 30 percent, and the private institutions only 20 percent; and yet the private institutions have the entire operation of these institutions. Is that correct?

Mr. HUNT. Mr. President, I will say to the distinguished Senator from Kansas that I believe the private hospitals pay a considerably larger proportion than the percentage mentioned by the distinguished Senator. This bill is somewhat complex. It has a history going back to 1946. I think the best way to explain thoroughly what the bill attempts to do is to read a brief explanation of the bill, which goes into considerable detail.

The object of the bill is to authorize the making of grants for hospital facilities in the District of Columbia, and to provide the basis for repayment.

On August 7, 1946, Public Law 648 was enacted. This act, in its original form, authorized an expenditure of $35,000,000 for the construction of a hospital center in the District of Columbia and for assistance to hospitals which were unable or unwilling to participate in the plans for a proposed hospital center. By amendment on the floor of the House, the latter provision was stricken, though the amount of the authorized expenditure remained unchanged. The purpose of the proposed amendment to the act is to authorize assistance to those hospitals not participating in the hospital center. It is presently estimated that the center will cost approximately $21,700,000; the balance of the original authorization of $35,000,000, an amount of approximately $14,000,000, will therefore be available for the purposes of the act.

The scheme of the amendment proposed in House bill 2094 is that the hospitals in the District, in order to be eligible for the benefits of the amendment, must contribute 50 percent of the cost of construction of new facilities. The remaining 50 percent is to be advanced by

the Federal Works Administration, and 30 percent of this 50 percent—or 15 percent of the total cost of construction—is to be repaid by the District of Columbia in installments of 3 percent annually for 33⅓ years, without interest.

Testimony before the committee conclusively demonstrated the urgent need for additional hospital facilities in the District of Columbia and the impossibility of obtaining such additional facilities without the incentives supplied by the proposed amendment. The Hill-Burton Act has provided little relief to the District, first, because per capita income in Washington is high and benefits under the Hill-Burton Act are therefore low and, second, because the hospitals in the District of Columbia are largely responsible for serving an outlying population, almost as numerous as the residents of the District, for which no credit under the Hill-Burton Act is available.

I believe the Senator from Kansas knows that participation by the various States under the Hill-Burton Act at the present time is based on two factors; first, population, and, second, per capita income. The District of Columbia, as the Senator knows, has a very high per capita income. Therefore, the participation by the District of Columbia is considerably below that of many of the States.

Further, Washington's population consists of about 20 percent Federal employees, and the contribution provided by the amendment for hospital construction is a proper recognition of the Federal Government's interest in the welfare of its employees.

I may say also that such Federal employee population in Washington, which is nonresident, being here from other States, does not have the same attitude and generally does not make the same contribution to private hospitals as in the case of other cities, in which the population lives and has its home and in which it is interested as a community and therefore contributes more loyally in gifts and other ways to their hospitals.

The only objection raised to the bill, which was unanimously reported by the full committee, was on the ground that it violates the principle of separation between church and state, and, therefore, the first amendment to the Constitution. It was the feeling of the committee that this objection is clearly without merit. In view of the fact that the hospitals which will be eligible treat patients without regard to their religious belief, a differentiation should be made, and therefore the objection did not register with the committee.

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

Mr. HUNT. Yes.

Mr. LANGER. It is my recollection that hospitals outside the District of Columbia must pay interest when they borrow money. Hospitals in the State of Wyoming, for example, must pay interest on such contributions. Why should not the District of Columbia likewise be required to pay interest?

Mr. HUNT. Because the State of North Dakota and the State of Wyoming have legislatures, which have a right to appropriate money for interest payments directly from the State. In the District of Columbia Congress is the legislature. It would simply mean appropriating money to ourselves.

Mr. LANGER. Mr. President, these hospitals charge fees to their patients; do they not?

Mr. HUNT. They do for all cases except in the case of indigent patients.

Mr. LANGER. I remember very well the argument which was made by the distinguished former Senator from Maryland, Mr. Tydings, when he secured the appropriation for these hospitals in the city of Washington. One of his best arguments was that they wanted the money so that they could operate the hospitals on a business basis. It was said that Washington was short of hospitals. Very frankly I cannot see why a hospital in Washington which charges fees to its patients should not pay interest, just as hospitals elsewhere are required to pay interest.

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

Mr. LANGER. Mr. President, I will take 5 minutes on my own time.

Mr. HUNT. I believe that the Senator from North Dakota understands that these are all nonprofit or public institutions, not private institutions.

Mr. LANGER. I may say to my good friend that in Wyoming and in North Dakota when hospitals are organized they are organized under the so-called nonprofit laws. In the State of Wyoming and in the State of North Dakota, even for disaster loans the Government charges 3 percent interest. Very frankly, I cannot see why any exception should be made.

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

Mr. LANGER. Yes.

Mr. TAFT. Of course, in this instance most of the money is contributed outright, without any interest of any sort, under the Hill-Burton Act. The State of North Dakota gets a much larger proportion of the total construction cost than the District of Columbia does, because the wealth per person in North Dakota is lower. It is a surprise to me, because I always thought North Dakota was the wealthiest State in the Union.

Mr. LANGER. I will say to my distinguished friend from Ohio that North Dakota is the wealthiest State in the Union on a per capita basis. Per person, we have by far the largest income. North Dakota people pay their debts. They are willing to pay interest when they borrow money. I do not want to object to this bill. If an amendment is offered treating the District of Columbia the same as the States of the Union are treated, I have no objection to it, but I shall object to the bill if the District of Columbia is treated differently than the State of Colorado, the State of Louisiana, the State of Rhode Island, or any other State.

Mr. HUNT. Let me reiterate briefly, and in a slightly different way, the answer I previously gave. In the Senator's State and in my State there are county and State hospitals, and a great many of them are what might be considered private hospitals. In those cases the county does pay some interest, and the State does pay some interest. In the present situation it would merely mean that Congress would assess interest against the District of Columbia, and we would have to pay the interest. So it is a case of taking money out of one pocket, so to speak, and putting it into another pocket.

I shall be very happy to consider an amendment, however, if the Senator from North Dakota desires to suggest one.

Mr. LANGER. I offer an amendment, that at the appropriate place in the bill there be added a provision that the hospitals receiving the money from the District of Columbia shall pay interest at the rate of 3 percent per annum.

Mr. HUNT. I shall be glad to accept the amendment.

Mr. LANGER. I ask that the words "without interest" be eliminated from the bill.

The PRESIDING OFFICER. The Senator from North Dakota offers an amendment to strike out the words "without interest."

Mr. JOHNSTON of South Carolina. Mr. President, this bill changes the entire system of our allotments to hospitals. I shall have to object.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

AVIATION EDUCATION IN SENIOR HIGH SCHOOLS IN THE DISTRICT OF COLUMBIA

The bill (S. 1475) to amend section 1 of the act to provide aviation education in the senior high schools in the District of Columbia, and for other purposes, approved December 16, 1941, was announced as next in order.

Mr. McKELLAR. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. An explanation of the bill is requested.

Mr. HENDRICKSON. Mr. President, I object to the bill.

The PRESIDING OFFICER. Objection is heard.

Mr. HENDRICKSON. I shall gladly withhold my objection for the moment.

Mr. McKELLAR. Mr. President, before an explanation is given, I should like to ask that the two speeches I made this morning in regard to the appointment of an additional district court judge for the middle district of Tennessee be printed consecutively in the RECORD.

The PRESIDING OFFICER. Will the Senator restate his request?

Mr. McKELLAR. I ask unanimous consent that the two speeches I made earlier today in regard to a judgeship for the middle district of Tennessee be printed consecutively in the RECORD, and also that the papers to which I referred this morning may be published therewith as part of my remarks.

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

ADDITIONAL DISTRICT COURT JUDGE FOR TENNESSEE

Mr. McKELLAR. Mr. President, I notice that the junior Senator from Tennessee is on the floor. I want to state

to him that I am going to do everything in my power to get what is known as the Federal judge bill acted on at this session of Congress. I hope the junior Senator from Tennessee will be present. I would not want to have it considered in his absence. I hope he will be here when the bill is taken up. Then I will do everything in my power to have the amendment that he so ungraciously put to the bill stricken from the bill.

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

Mr. McKELLAR. I yield the floor. The Senator from New Jersey had the floor, I believe.

Mr. HENDRICKSON. I am withholding my objection to the present consideration of Calendar No. 695.

The PRESIDING OFFICER. The junior Senator from Tennessee is recognized for 5 minutes.

Mr. KEFAUVER. Mr. President, I want to make it very clear that I shall certainly join the chairman of the Judiciary Committee and the senior Senator from Tennessee in trying to get consideration for the bill to create some additional Federal judgeships throughout the country, because I know that they are very badly needed. Insofar as the bill which gives a Federal judge to middle and west Tennessee is concerned, as the bill now provides, that was the position of the Judiciary Committee on the amendment I presented. The facts fully justify the position taken by the committee. All I ask is that the matter be considered on its merits. I feel I can make out a good case for the bill as it stands.

Mr. McKELLAR. Will the Senator kindly indicate how many members were present when the bill was reported by the committee?

Mr. KEFAUVER. I did not understand the Senator.

Mr. McKELLAR. How many members of the Judiciary Committee were present when this bill was ordered reported by the committee?

Mr. KEFAUVER. My impression is that there were about 9 or 10 members present, or perhaps 11. We had much more than a majority of the committee.

Mr. McKELLAR. Will the Senator be good enough to give their names and put them in the RECORD?

I want to say to the Senator that every day from now on, I am going to make a request to have this bill passed. It ought to be passed. It ought not to have this amendment in it. This amendment is an outrage upon the people of Tennessee, especially upon the people of the middle district of Tennessee.

Mr. KEFAUVER. I hope the Senator is not inferring that I am holding up consideration of the bill.

Mr. McKELLAR. It looks very much like it. The Senator is on the committee and has made no effort to get the bill before the Senate.

Mr. KEFAUVER. I voted for the bill and I have done everything I know how to do to have it considered.

In regard to the amendment to have a roving judge appointed to serve the people of Tennessee, I was surprised to hear the Senator say what he did. Certainly the two great newspapers of Memphis feel that such a judge should be appointed.

Mr. McKELLAR. Mr. President, will the Senator yield at this point?

The PRESIDING OFFICER (Mr. STENNIS in the chair). Does the Senator from Tennessee yield to his colleague?

Mr. KEFAUVER. I yield.

Mr. McKELLAR. What single person ever wrote to the Senator in favor of having a roving judge for west Tennessee until after the hearing in which the Senator took that position and until after he had written quite a number of letters to people in west Tennessee, asking them to support him in his roving judge idea?

Mr. KEFAUVER. In the first place, I have not written any number of letters asking for such support.

Mr. McKELLAR. The Senator told me out of his own mouth that he had asked several men for their opinions. Whether he had written them a letter or talked to them over the telephone, I do not know; but he had done one or the other, or otherwise the Senator was not stating a fact to me.

Mr. KEFAUVER. In any event, the Commercial Appeal and the Memphis Press-Scimitar, the great newspapers of west Tennessee, and the bar associations of many of the counties of west Tennessee have asked that this judgeship be a roving judgeship. I have a file of the letters here.

Mr. McKELLAR. Mr. President, I rise to say that the Bar Association of Memphis——

The PRESIDING OFFICER. Does the Senator from Tennessee yield for a question?

Mr. KEFAUVER. I do not yield for a question.

Mr. McKELLAR. The Bar Association of Memphis was appealed to by the Senator, and it refused to endorse his project.

Mr. KEFAUVER. Mr. President, I do not yield.

The PRESIDING OFFICER. The Senator from Tennessee does not yield further.

Mr. McKELLAR. Very well.

Mr. KEFAUVER. The bar associations for quite a number of the counties in west Tennessee have petitioned that this judgeship be a roving judgeship.

It is true that on the question of whether the bar associations of Memphis or Jackson felt they needed an additional judge, they acted in the negative.

However, I wish to say that I have letters and resolutions which I am certain would be very persuasive to the Members of the Senate and to the distinguished senior Senator from Tennessee, which I will present when the bill comes up.

The fact of the matter is that west Tennessee has a larger population and has more lawyers and has considerably more legal business and has terminated more cases, both criminal and civil, than has middle Tennessee. Each district has a little bit more business than the national average. There is not enough work in middle Tennessee on a permanent basis for two judges there. In my opinion, there is not any logical reason why the lawyers and the litigants of west Tennessee should not also have some of the services of this Federal judge. That is the gist of the matter. The details we can go into later.

Mr. President, at this time I either yield to the senior Senator from Tennessee or I yield the floor.

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

Mr. KEFAUVER. I yield.

Mr. LANGER. I should like to know which Senator from Tennessee represents the Hatfields and which one represents the McCoys. [Laughter.]

Mr. McKELLAR. Mr. President, I shall take only a moment——

The PRESIDING OFFICER. The junior Senator from Tennessee has exhausted his time, and the senior Senator from Tennessee has spoken once. He will be eligible to speak during the consideration of the next measure on the calendar.

AVIATION EDUCATION IN THE SENIOR HIGH SCHOOLS OF THE DISTRICT OF COLUMBIA—BILL PASSED OVER

The PRESIDING OFFICER. Is there objection to the present consideration of Senate bill 1475, Calendar No. 695?

Mr. HENDRICKSON. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. NEELY. Mr. President, will the Senator state whether the objection is one which we might possibly be able to eliminate?

Mr. HENDRICKSON. I am objecting on my own behalf and also on behalf of another Senator.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

GARAGE KEEPERS' AND LIVERYMEN'S LIENS IN THE DISTRICT OF COLUMBIA

The bill (S. 1342) to amend acts relating to garage keepers' and liverymen's liens and the enforcement thereof in the District of Columbia, and for other purposes, was announced as next in order.

Mr. McKELLAR. Mr. President, I desire to take only a few minutes on the matter I have been discussing.

UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND

Mr. LANGER. Mr. President, will the Senator from Tennessee yield to me?

Mr. McKELLAR. I yield.

Mr. LANGER. Mr. President, the Senator from Rhode Island [Mr. GREEN] wishes to go to lunch, and I wish to withdraw objection to Senate bill 2079, calendar No. 683.

The PRESIDING OFFICER. Objection is withdrawn.

Mr. GREEN. Mr. President, does that mean that the bill is passed?

The PRESIDING OFFICER. Is there objection to reverting to the consideration of Senate bill 2079, calendar No. 683? The bill will be stated by title.

The CHIEF CLERK. A bill (S. 2079) to authorize the contribution of $12,000,000 to the United Nations International Children's Emergency Fund.

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

Mr. SALSTONSTALL. Mr. President, reserving the right to object, I understand that the Senator from Ohio wishes

to be on the floor when this bill is considered.

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

Mr. SALTONSTALL. I yield.

Mr. SCHOEPPEL. I should like to say to the distinguished acting minority leader that the Senator from Ohio stated a few minutes ago that the bill is perfectly acceptable to him.

Mr. SALTONSTALL. Then I have no objection.

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

There being no objection, the bill (S. 2079) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated to the President not to exceed $12,000,000 to enable him to make contributions to the United Nations International Children's Emergency Fund until June 30, 1952, in such manner and on such terms and conditions as he may deem to be in the interests of the United States to support international children's welfare work.

GARAGE KEEPERS' AND LIVERYMEN'S LIENS IN THE DISTRICT OF COLUMBIA

The PRESIDING OFFICER. The Senate now returns to the consideration of Senate bill 1342, Calendar No. 696, to amend acts relating to garage keepers' and liverymen's liens and the enforcement thereof in the District of Columbia, and for other purposes.

ADDITIONAL DISTRICT COURT JUDGE FOR TENNESSEE

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. The senior Senator from Tennessee is recognized.

Mr. SALTONSTALL. Mr. President, will the Senator yield in regard to the other matter for a few moments?

Mr. McKELLAR. Mr. President, I ask the Senator from Massachusetts to excuse me for a few minutes. I shall be glad to yield in a few minutes.

Mr. President, the statement the junior Senator from Tennessee has made here is a very remarkable one. He introduced a bill providing for a single judge in middle Tennessee. I ask the Senator whether that is the truth or not. Can the Senator answer that question?

Mr. KEFAUVER. I will answer if the Senator will let me make a brief explanation.

Mr. McKELLAR. No; I will not. I just want to know whether the Senator did.

Mr. KEFAUVER. I did, but I——

Mr. McKELLAR. That is all I want to get from the Senator.

The Senator introduced a bill for a single judge for middle Tennessee. I introduced a similar one. We presented both of them to the committee, and there the matter has remained.

This year we took all the testimony and had a great many witnesses, including representatives of all the bar of Nashville and of various other towns concerned. All the testimony was taken down. The additional judge was needed in the middle district because the sitting judge in Nashville had heart trouble. It looked like a foregone conclusion that the Senate, at least, would pass the bill, for it was absolutely necessary.

Two years after the junior Senator from Tennessee introduced a bill calling for the appointment of a judge for the middle district he suddenly appeared before his own committee—he did not appear before the committee very often, but he occasionally did—and said that he wanted a roving judge appointed. He was asked why. The record shows those facts. I am having all the record printed in the CONGRESSIONAL RECORD today, so that every Senator can see for himself.

The junior Senator from Tennessee said that he thought either way would be just as well, either to have a roving judge or to have a judge who could be assigned to west Tennessee when west Tennessee needed him.

I told him that I had never heard a single word from anyone about it. He had not heard a word at that time, but he insisted on it, and, when I pressed him about the matter, read a petition from a gentleman in Dyersburg, which is in the northwestern corner of our State. However, the man in Dyersburg did not ask for a roving judge at all. Senators will see that letter in the record. He did not ask for a roving judge at all, but he asked to have the Dyersburg community, which includes several counties, put in Judge Boyd's district. Judge Boyd is the sitting judge there.

The junior Senator from Tennessee was asked whether he knew Judge Boyd. He said that he did. He was asked whether Judge Boyd was a fine man. The junior Senator from Tennessee replied that Judge Boyd was a fine man, and that he had been in college with him.

The junior Senator from Tennessee was asked whether Judge Boyd was up with his docket. The reply was that he was up with his docket, with one exception—and that turned out to be a case in which a relative of Judge Boyd was one of the litigants. Of course he could not try the case, and another judge was brought in. There are letters from all the Federal judges in Tennessee utterly opposing this. The Memphis Bar Association opposed it. The Jackson Bar Association opposed it. The Senator leads us to believe that he has evidently obtained additional strength, that some bar association of some other county in west Tennessee favors it. That may be; it may not be; I do not know. If the Senator will tell me the name of the county, I shall find out and let the Senate know.

Mr. President, what we need is a judge for middle Tennessee. We do not need one for west Tennessee. So why hold back the matter, as the Senator has done through his silence and by his failure to act, although he was on the committee which had jurisdiction? Why has this matter not been attended to? The only conclusion I can reach is that the motive is purely political. The Senator says it is not political. Well, Mr. President, the Senator may say that.

The PRESIDING OFFICER. The Senator from Tennessee has exhausted his time.

Mr. McKELLAR. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The PRESIDING OFFICER. The senior Senator from Tennessee asks unanimous consent that he may proceed for five additional minutes. Without objection, it is so ordered.

Mr. McKELLAR. Mr. President, in July no one had ever heard of the roving judge, but I began to receive letters from lawyers in west Tennessee which indicated clearly and distinctly that someone was making a campaign for a roving judge in west Tennessee.

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

The PRESIDING OFFICER. Does the senior Senator from Tennessee yield to the Senator from New Jersey for question?

Mr. HENDRICKSON. Mr. President, I merely wanted to say I did not object, upon the Senator's request the last time, but that hereafter I am going to object to any requests which are not strictly relevant to the calendar.

Mr. McKELLAR. I thank the Senator. If he feels that way, I will yield the floor and say no more.

Mr. KEFAUVER. Mr. President, I ask to be recognized.

The PRESIDING OFFICER The junior Senator from Tennessee has 5 minutes.

Mr. KEFAUVER. Mr. President, I regret that this matter has come up, when it is not connected with the bill under consideration, but in view of certain statements made by the senior Senator from Tennessee, I feel that in fairness to the other side of the proposition I should make one or two statements.

It is quite true that about 2 years ago I introduced a bill to have an additional judge for the middle district of Tennessee, because the judge in that district had been sick and the docket had gotten very far behind. As time went on, and I looked into the records kept by the Administrative Office of the Supreme Court, I found that middle Tennessee had about the same docket found in a district with the normal case load, that the lawyers in northwest Tennessee wanted to have a term of court held there, and, of course, when a term of court is held it means more litigation and more work for some judge.

I also looked into the comparative case work in the various districts of Tennessee and found that there was a much heavier case load in west Tennessee, both in the number of cases started and in the number of cases terminated, than in middle Tennessee, that west Tennessee was growing in population much faster, and is now a great deal larger in population than middle Tennessee. There practice there a substantially larger number of lawyers. So it seemed to me that with a judge in middle Tennessee, two judges would soon get the docket current, and then there would not be enough for the two judges to do, and that it was only logical that the new man be assigned to help out in both middle and west Tennessee.

I have the documents before me, and while the judge in west Tennessee has worked hard and has kept abreast of his

case load, the amount of business is increasing. At some time he might become ill, and the court might get behind with the docket.

On the facts and records and statistics, there is more justification, over a long period of time, for assistance in west Tennessee than in middle Tennessee. I can see no harm in having the judge hold court and help out in both districts.

As to the sentiment of the people, Mr. President, in a letter in reply to a letter which the senior Senator from Tennessee sent to all the Members of the Senate, I indicated the two bar associations which had asked for the roving judgeship, the Bar Association of Dyer County, in which Dyersburg is located, and Weakley County, in which Dresden is located. Since then the Bar Association of Henry County, in which Paris is located, has also asked that there be a roving judge.

In regard to the great newspapers, certainly I would have no influence with them. I did not talk with the editors about the position they were going to take. I refer to the Commercial Appeal and to the News and the Press-Scimitar in Memphis. They know about the situation and the growth of the community. They have very strongly endorsed the position I have taken.

So far as I am concerned, there is no politics in this matter. The Senator intimated that there might be someone in west Tennessee whom I might wish to recommend. Of course, my recommendation would not amount to very much, but I agreed that if he would remove his objection to the roving judgeship I would agree then and there in the Judiciary Committee to recommend someone from middle Tennessee, if that were the difficulty.

Mr. McKELLAR. Mr. President, since the Senator has referred to me, I think I ought to be permitted to comment on it.

The PRESIDING OFFICER. Does the junior Senator from Tennessee yield to the senior Senator from Tennessee for a question?

Mr. KEFAUVER. I yield.

Mr. McKELLAR. Is it not absolutely true that the junior Senator made the same statement to me a number of times since he has been in the Senate, and that he has violated his word every time he has ever said it? Is it not further true that the junior Senator from Tennessee walked out of my office and went to the office of the Attorney General and recommended a fine Republican?

The PRESIDING OFFICER. Let the Senate be in order.

Mr. KEFAUVER. Recommended what? I did not hear.

Mr. McKELLAR. A fine Republican, Mr. Milsaps Fitzhugh, for the position of district attorney in my home city, without ever saying a word to me about it. The junior Senator came in my office and sat there and said he felt under obligations to me for having supported him, as a Democrat should have done, and the junior Senator then went right out of my office and recommended Mr. Fitzhugh. Did the Senator recommend him, or did he not? Will the Senator tell the truth about it?

Mr. KEFAUVER. Mr. President, I am sorry so much emotion is involved.

Mr. McKELLAR. I ask the Senator, can he tell the truth about it? Did he endorse Mr. Fitzhugh? Did he, or did he not?

Mr. KEFAUVER. Just a moment, if I may continue, Mr. President.

Mr. McKELLAR. The junior Senator declines to say. Well, that spells out the fact.

The PRESIDING OFFICER. The junior Senator from Tennessee has the floor.

Mr. KEFAUVER. Mr. President, I believe in trying to settle these matters on the facts, and I am not going to get excited about it.

Mr. McKELLAR. The junior Senator would not know a fact if he saw one in the middle of the road.

The PRESIDING OFFICER. The junior Senator from Tennessee has the floor.

Mr. KEFAUVER. Mr. President, I have another opinion about that.

Mr. McKELLAR. Yes; the Senator has, but no one else has, I believe.

The PRESIDING OFFICER. The Senate will be in order. The time of the junior Senator from Tennessee has expired.

Mr. KEFAUVER. Mr. President, since my time has been taken up, I wonder whether I might have unanimous consent to have one more minute.

Mr. HENDRICKSON. Mr. President, what is the unanimous-consent request?

Mr. KEFAUVER. That I be allowed one additional moment.

The PRESIDING OFFICER. The Senator from Tennesee requests one additional minute. Is there objection?

Mr. HENDRICKSON. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. McKELLAR subsequently said: Mr. President, what was done with Senate bill 1203, to provide for the appointment of additional circuit and district judges and for other purposes?

The PRESIDING OFFICER. That has not yet been called. It will not be on the call today. Under the order previously entered, the call began with calendar No. 665.

Mr. McKELLAR. I should like to give notice that I am going to make the request each day to bring up the bill so that we may not have a continuation of the outrageous situation which now exists in middle Tennessee.

The PRESIDING OFFICER. The Senate is so advised.

GARAGE KEEPERS AND LIVERYMEN'S LIENS IN THE DISTRICT OF COLUMBIA

The PRESIDING OFFICER. Is there objection to the consideration of Senate bill 1342?

There being no objection, the Senate proceeded to consider the bill (S. 1342) to amend acts relating to garage keepers' and liverymen's liens and the enforcement thereof in the District of Columbia, and for other purposes which had been reported from the Committee on the District of Columbia with amendments on page 2, line 7, after the word "vehicles", to insert "including trailers"; in line 8, after the word "their", to insert "agreed or reasonable"; in line 18, after the word "holders", to strike out "of record" and insert "shown by the certificate of title or registry of the vehicle," and on page 4, after line 3, to insert:

Any person selling such property in order to satisfy a fraudulent, excessive, or unreasonable lien shall be guilty of a conversion of such property and liable to the owner in damages therefor.

So as to make the bill read:

Be it enacted, etc.—

LIEN OF LIVERYMEN

SECTION 1. That it shall be lawful for all persons keeping or boarding any animals at livery within the District, under any agreement with the owner thereof, to detain such animals until all charges under such agreement for the care, keep, or board of such animals shall have been paid: *Provided, however,* That before enforcing the lien hereby given notice in writing shall be given to such owner in person or by registered mail at his last-known place of residence of the amount of such charges and the intention to detain such animal or animals until such charges shall be paid.

LIEN FOR STORAGE, REPAIRS, AND SUPPLIES FOR MOTOR VEHICLES

SEC. 2. All persons storing, repairing, or furnishing supplies of or concerning motor vehicles including trailers shall have a lien for their agreed or reasonable charges for such storage, repairs, and supplies when such charges are incurred by an owner or conditional vendee or chattel mortgagor (including a grantor of deed of trust in lieu of mortgage) of such motor vehicle, and may detain such motor vehicle at any time they may have lawful possession thereof. Such lien shall have priority over all other liens or rights in or to the vehicle except as hereinafter limited with respect to claims for storage. Before enforcing such lien, notice in writing shall be given to the title holder, all lien holders shown by the certificate of title or registry of the vehicle, and any other persons known to claimant who have any interest in or lien upon the vehicle. Such notice shall be delivered personally or sent by registered mail to the last-known address of the person to whom given, shall state that a lien is claimed for the charges therein set forth or thereto attached, and shall demand payment thereof. There shall be incorporated in or attached to said notice a statement of particulars of the charge or charges for which a lien is claimed, to which may be added a claim for storage of the vehicle from the date of said notice to the date of payment or sale, which amount shall be set forth at a daily or weekly rate which shall not be in excess of charges prevailing at the time for similar storage, and shall not be in excess of $3 per day or $21 per week, which additional charge shall in no event cover a period in excess of 90 days.

ENFORCEMENT OF LIEN BY SALE

SEC. 3. If the amount due and for which a lien is given by section 1 or 2 hereof is not paid by the end of 30 days after the giving of notice, then the party entitled to such lien may proceed to sell the property so subject to lien at public auction, after giving notice one a week for three successive weeks in some daily newspaper published in the District. Said advertisement shall set forth the date, time, and place of sale, which shall not be less than 15 days from date of the first publication of such notice, that the purpose of the sale is to satisfy a lien, the amount for which said lien is claimed, including storage to date of sale if allowable, the names of all interested parties, and a description of the chattel, including, in the case of vehicles, the make, type, year and

model number, serial number and engine number, if any, and State or District license number and year.

Any person selling such property in order to satisfy a fraudulent, excessive, or unreasonable lien shall be guilty of a conversion of such property and liable to the owner in damages therefor.

APPLICATION OF PROCEEDS OF SALE

SEC. 4. The proceeds of such sale shall be applied, first, to the expenses of such sales and the discharge of such lien; second, to payment of other liens, if any, in the order of their priority; and, third, to the owner of the property.

LIMITATION ON LIEN FOR STORAGE

SEC. 5. To the extent that any lien provided for in this chapter is based on a claim for storage of a motor vehicle in excess of $150, such lien shall be, as to such excess, inferior to the lien of a conditional vendor or chattel mortgagee (as defined in section 2) claiming under an instrument recorded on a date earlier than the period to which such charges are attributable.

REPEALER AND SAVINGS CLAUSE

SEC. 6. Section 1262 of the act of March 3, 1901 (31 Stat. 1388), as amended, is hereby repealed and sections 1263 and 1264 of said act are hereby made inapplicable to liens provided for in sections 1 and 2 hereof: *Provided, however*, That any liens heretofore acquired under the provisions of said section 1262, as amended, shall be unaffected by the repeal of said section and may be enforced either in the manner provied in said sections 1263 and 1264 or in the manner provided herein.

The amendments were agreed to.

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

REMOVAL OF LIMITATION ON NUMERICAL STRENGTH OF WHITE HOUSE POLICE FORCE

The bill (S. 1283) to remove the limitation on the numerical strength of the White House Police Force, was announced as next in order.

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

Mr. SCHOEPPEL. Mr. President, I should like to ask if the present law pertaining to the safety factors in this measure does not limit the numerical strength of the White House Police Force to 133.

Mr. HUNT. Mr. President, I was asked to explain the bill, but I should be very glad to yield to the chairman of the committee, the Senator from West Virginia [Mr. NEELY].

Mr. NEELY. Go right ahead.

Mr. HUNT. I will say to the Senator from Kansas that the present law prescribes 133 policemen, but for some considerable length of time necessity has prompted the use of 170, and appropriations have been made for that number. So long as we let the law prescribe 133 and appropriate for and provide for the use of 170, certainly the use of the appropriation is subject to a point of order. So it was thought desirable to bring the number authorized up to the number appropriated for, so that it would be consistent.

Mr. SCHOEPPEL. Mr. President, no one wants to have any laxity in the overall defense, security, and safety of the Chief Executive of the Nation, but I cannot see any justifiable reason for taking the limit off entirely. I am wondering whether the Senator would have any objection to having the present bill amended to include a limitation of 170 in place of 133.

Mr. HUNT. No; I would have no objection to that. In fact, I think I agree with the Senator, that perhaps there should be a maximum. We were thinking it would be controlled by the Committee on Appropriations. When request was made, the committee would necessarily have to be informed of the number of police who were to be assigned, and the appropriations would control. With the consent of the chairman of the committee, I would have no objection to writing in 170.

Mr. McKELLAR. Mr. President, will the Senator from Kansas yield?

Mr. SCHOEPPEL. I yield.

Mr. McKELLAR. I hope the Senator will accept the suggestion, because there should be authority for every appropriation. I shall see hereafter that the authority is granted. In my opinion the number which the Senator suggests is a very proper number. I think we should take care of the White House in every way possible, and I hope the Senator will agree to the number suggested.

Mr. NEELY. Mr. President, will the Senator from Kansas yield?

Mr. SCHOEPPEL. I yield.

Mr. NEELY. I assure the Senator from Kansas that as chairman of the committee I have no objection whatever to the limit which is suggested.

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

There being no objection, the Senate proceeded to consider the bill (S. 1283) to remove the limitation on the numerical strength of the White House Police Force.

Mr. HUNT. Mr. President, I move to amend the bill on page 2, line 1, after the word "necessary", to insert "but not exceeding 170 in number."

The amendment was agreed to.

The bill, as amended, was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That title 3, United States Code, section 203 (a), as amended by section 2 of the act of August 15, 1950 (Public Law 693, 81st Cong.), is amended to read as follows:

"SEC. 203. (a) The White House Police force shall consist of such number of officers, with grades corresponding to similar officers of the Metropolitan Police force, and of such number of privates, with grade corresponding to that of private of the highest grade in the Metropolitan Police force, as may be necessary, but not exceeding 170 in number. Members of the White House Police shall be appointed from the members of the Metropolitan Police force and the United States Park Police force from lists furnished by the officers in charge of such forces. Vacancies shall be filled in the same manner."

POLICING OF BUILDINGS AND GROUNDS OF SMITHSONIAN INSTITUTION

The Senate proceeded to consider the bill (H. R. 1038) relating to the policing of the buildings and grounds of the Smithsonian Institution and its constituent bureaus, which had been reported from the Committee on Rules and Administration with amendments on page 2, line 25, after the word "in", to strike out "one or more of the daily newspapers published in the District of Columbia" and insert "the Federal Register"; on page 3, line 14, after the word "than", to strike out "$10,000" and insert "$5,000"; and in line 15, after the word "than", to strike out "ten" and insert "five."

The amendments were agreed to.

Mr. HENDRICKSON. I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from New Jersey.

The CHIEF CLERK. On page 3, line 12, it is proposed to strike out the word "public."

Mr. HENDRICKSON. Mr. President, I wish to call attention to the fact that section 6 of the bill as reported from the committee provides sanctions for violations of sections 2, 3, and 4 of the bill.

Section 4 makes unlawful, among other things, the removal of or injury to objects of art or irreplaceable works of national historical value in the National Gallery of Art and in other buildings. As reported from the committee, provision is made that where such a violation involves damage to public property in any amount exceeding $100, a penalty of $5,000, or 5 years imprisonment, or both, may be meted out.

I wish to invite attention to the fact that such art objects may be in the National Gallery of Art and other Federal buildings on loan from private sources, and there is some question in my mind as to whether under the bill privately owned works of art on loan would be covered under the penalty provisions of the bill as reported, since they are expressly limited to public property. It seems to me that the same sanctions should be imposed for damage to or theft of privately owned works of art as would apply to such property when publicly owned.

That is the purpose of my amendment. I wish to delete the word "public" so that all works of art would be covered in the National Gallery of Art and other buildings.

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

Mr. HENDRICKSON. I yield.

Mr. HAYDEN. Mr. President, I reported the bill to the Senate. The Senator from New Jersey has made a very proper suggestion, because there are at times very valuable works of art on loan. If they should be stolen, the same penalty should be applied. I shall be glad to accept the amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New Jersey [Mr. HENDRICKSON].

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

EXEMPTION OF CERTAIN BLENDED WHISKIES AND BRANDIES FROM RECTIFICATION TAX

The bill (H. R. 2745) to amend section 2801 (c) (1) of the Internal Revenue Code was announced as next in order.

Mr. SCHOEPPEL. Mr. President, may we have an explanation of the bill?

Mr. GEORGE. Mr. President, this is a House bill which the Senate Finance Committee reported unanimously without amendment. What the bill actually does is to amend paragraph 1 of subsection (c) (1) of section 2801 of the Internal Revenue Code by striking out, wherever they appear, the words "ninety proof" and substituting in lieu thereof the words "eighty proof." The bill deals with a rectifying tax. Under existing law and regulations, if water alone is added to a whisky or a brandy prior to bottling, the character of the product is not considered to be changed, and even though the proof is reduced as low as 80 proof, the resulting product is not subject to a rectification tax. However, if a rectifier blends two or more pure straight whiskies, or brandies, as provided by section 2801 (c) (1) of the Internal Revenue Code, the addition of water to reduce the proof below 90 is not permitted without subjecting the product to the rectification tax.

The Treasury Department and the Alcohol Division have reported that there would be no administrative difficulties involved, and it would not throw any cost upon the Treasury, and they have recommended this change in the existing law.

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

Mr. GEORGE. I yield.

Mr. SCHOEPPEL. A question which was raised with some of us who were in charge of the calendar was that if this change was made there would be a substantial loss of revenue. May we have the benefit of the Senator's statement on that point?

Mr. GEORGE. The Treasury Department appeared, through an agent, and also through a report received by the committee, and stated that any possible loss would be negligible. I do not think it would involve any loss of revenue.

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

There being no objection, the bill (H. R. 2704) to amend section 2801 (c) (1) of the Internal Revenue Code was considered, ordered to a third reading, read the third time, and passed.

ISSUANCE BY POSTMASTER GENERAL OF DUPLICATE CHECKS FOR LOST CHECKS

The Senate proceeded to consider the bill (S. 1411) to authorize the Postmaster General to issue duplicate checks without requiring bond when checks of the Post Office Department are lost while in custody of the United States, which had been reported from the Committee on Post Office and Civil Service with amendments on page 1, line 5, after the word "amended", to strike out "by inserting at the end thereof the following: *'Provided further,'*" and insert "to read as follows: *'Provided,'*"; and on page 2, line 3, after the word "made", to strike out "before any postmaster", so as to make the bill read:

Be it enacted, etc., That the proviso in section 3646 (e) of the Revised Statutes of the United States (31 U. S. C. 528 (e)) is amended to read as follows: *"Provided,* That when the Postmaster General is satisfied that such loss, theft, or destruction occurred without fault of the owner or holder or while any check was in the custody or control of the Post Office Department or in the mails, the Postmaster General may, in lieu of an indemnity bond, authorize the issuance of a substitute check or warrant upon such affidavit as he may prescribe, to be made by the payee or owner of an original check."

The amendments were agreed to.

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

The title was amended so as to read: "A bill to authorize the Postmaster General to issue duplicate checks without requiring bond when such checks of the Post Office Department are lost while in the custody of the United States or lost without fault of owner or holder."

ACREAGE ALLOTMENT ADJUSTMENTS FOR TYPES OF TOBACCO

The bill (H. R. 4475) to amend the Agricultural Adjustment Act of 1938, as amended, was announced as next in order.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Is there objection to the present consideration of the bill?

Mr. SCHOEPPEL. Mr. President, reserving the right to object, may we have an explanation?

Mr. ELLENDER. Mr. President, H. R. 4475 authorizes the Secretary of Agriculture to make an increase in marketing quotas and acreage allotments for any type or types within a kind of tobacco if needed to meet market demands and carry-over requirements for such type or types of tobacco and there is a substantial difference in usage or market outlets for such type or types of tobacco.

The bill provides that the additional production authorized shall be in addition to the national market quota established for such kind of tobacco. The committee amendment provides that the additional acreage by virtue of an increase for any type or types shall not be considered in determining State and farm acreage allotments in subsequent years. Thus the bill would result in changes in the acreage in type-producing areas only as necessary to maintain an adequate supply of the tobacco grown in such type-producing area, and the apportionment of the national marketing quota proclaimed for any subsequent year would be made uniformly for all types of tobacco without regard to the increase previously made in any type.

Under present law—this is what I should like my distinguished friend from Kansas to listen to—under present law the only way a shortage in one type of tobacco can be met is by increasing the marketing quota for the kind of tobacco and then distributing it uniformly among the types. Under the bill, a realistic quota can be set and then one or more types within the kind can be granted an increase to take care of any shortage.

Mr. President, of the eight kinds of tobacco that are considered by the Department of Agriculture in establishing quotas for each kind, four have different types. In order to increase the supply of a type of tobacco which is short in supply it is necessary to increase all the types of the particular kind of tobacco. The bill will simply permit the Secretary of Agriculture to raise the quota only as to the types which are in shortage, without having to increase the production of types that are in adequate supply. That is the purpose of the bill.

Mr. SCHOEPPEL. Mr. President, I have no objection.

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

There being no objection, the Senate proceeded to consider the bill (H. R. 4475) to amend the Agricultural Adjustment Act of 1938, as amended, which had been reported from the Committee on Agriculture and Forestry with an amendment, on page 2, line 17, after the word "act.", to insert "The increase in acreage under this subsection shall not be considered in establishing future State or farm acreage allotments."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

REIMBURSEMENT OF NAVAL PERSONNEL FOR CERTAIN EXPENSES INCURRED—BILL PASSED TO THE FOOT OF THE CALENDAR

The bill (H. R. 2737) to authorize the reimbursement of certain naval attachés, observers, and other officers for certain expenses incurred while on authorized missions in foreign countries, was announced as next in order.

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent that that bill may go to the foot of the calendar.

The PRESIDING OFFICER. Is there objection?

Mr. DOUGLAS. Mr. President, I believe the Senator from Colorado has made his request on my behalf. I had not expected to be in the Chamber, when the bill was reached, but I find myself here now. Reserving the right to object, I wonder if we may have an explanation of the bill.

The PRESIDING OFFICER (Mr. STENNIS in the chair). If the Senator from Illinois will let the bill go to the foot of the calendar, I, the present occupant of the chair, will be glad to make an explanation when it is reached later.

Mr. DOUGLAS. Very well.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

USE OF SUBMARINE "ULUA" AS TARGET

The Senate proceeded to consider the bill (S. 1994) to authorize the use of the incompleted submarine *Ulua* as a target for explosive tests, and for other purposes, which had been reported from the Committee on Armed Services with an amendment, on page 2, line 2, after the name *"Ulua"*, to strike out "with or with-

out repairs for further tests and experimentation, for further naval use, or for further disposition in accordance with other provisions of law" and insert "and make such repairs as will equip the *Ulua* for further tests and experimentation, or disposed of her in accordance with other provisions of law", so as to make the bill read:

Be it enacted, etc., That notwithstanding the proviso of title III of the Second Supplemental Surplus Appropriation Rescission Act, 1946, under the heading "Increase and replacement of naval vessels, emergency construction" (60 Stat. 227), the Secretary of the Navy is authorized to employ the incompleted submarine *Ulua* (SS-428) as a target for explosive tests in order to gather research data for new weapon and submarine design.

SEC. 2. Upon conclusion of the explosive tests, the Secretary of the Navy may, in his discretion, sink the *Ulua* if considered unseaworthy, or retain the *Ulua* and make such repairs as will equip the *Ulua* for further tests and experimentation, or dispose of her in accordance with other provisions of law.

The amendment was agreed to.

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

APPOINTMENT OF JOSEPH F. CARROLL AS PERMANENT COLONEL IN THE REGULAR AIR FORCE—BILL PASSED OVER

The bill (H. R. 4692) to authorize the appointment of Joseph F. Carroll as a permanent colonel in the Regular Air Force, was announced as next in order.

Mr. SCHOEPPEL. Mr. President, by request I ask that the bill go over.

Mr. KNOWLAND. Mr. President, will the Senator withhold his objection for a moment?

Mr. SCHOEPPEL. Yes; I withhold my objection.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. KNOWLAND. I wish to make an explanation for the RECORD of the bill at this time, so that those who may have objected to the bill will have a background of the purpose of the bill.

PURPOSE OF THE BILL

This bill would authorize the appointment in the Regular Air Force in the grade of colonel of an outstanding Air Force Reserve officer who is already serving with the Air Force in the grade of major general.

BACKGROUND INFORMATION

Members of the Senate will recall that a similar bill was reported by the Committee on Armed Services during the second session of the Eighty-first Congress.

The senior Senator from California filed a minority report at the time, feeling that appointments of this kind should be made only after the most painstaking efforts had been made to secure a different solution to the problem.

At the time this first bill was reported by the committee the Secretary of the Air Force appeared personally and asked for the enactment of the legislation. I did not feel that the appointment was one which of necessity had to be made at that time. I did feel, moreover, that the matter should be reexamined by the Department of the Air Force.

REASON FOR ENACTMENT OF THE BILL AT THIS TIME

The Secretary of the Air Force appeared before the committee a second time, and renewed his request that General Carroll be appointed in the grade of colonel in the Regular Air Force. I believe it is quite clear that the Air Force has exhausted every other avenue of approach to this problem and that we are simply faced with a situation which requires this unusual type of legislation.

GENERAL CARROLL'S QUALIFICATIONS

The senior Senator from California wishes to make it completely clear that throughout this procedure there has been no question in the minds of anyone as to General Carroll's eminent qualifications for the task which the Air Force has in mind for him. He is an officer of demonstrated ability. Furthermore he has qualifications which are unusual and which are needed to fill the job for which his appointment is recommended.

Mr. President, I may point out that Colonel Carroll served in the FBI a number of years, and the work to which he is assigned is directed to investigative matters relative to either corruption in contracts or in the Department of the Air Force where they would have to make examinations and investigations of all types.

CONCLUSION

The committee, therefore, feels that this subject has been examined with the utmost care over a period of several years, with two complete hearings, at which highly competent witnesses testified. For that reason the committee has recommended that this legislation be passed by the Senate.

Mr. President, I merely wish to say that I realize the Senator is objecting for some other Senator who is not able to be present. I hope the majority leader, in case the bill is held up on the next call of the calendar, will bring it up on motion so that it may be considered.

Mr. SCHOEPPEL. I thank the Senator from California. As he has indicated, the objection is made by request, so I must object.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

DETERMINATION OF WHEN MULTIPLE SCLEROSIS SHALL BE PRESUMED TO BE SERVICE-CONNECTED

The Senate proceeded to consider the bill (H. R. 3205) to amend the Veterans Regulations to provide that multiple sclerosis developing a 10 percent or more degree of disability within 3 years after separation from active service shall be presumed to be service-connected, which had been reported from the Committee on Finance with an amendment to strike out all after the enacting clause and insert:

That the second last proviso of subparagraph (c) of paragraph I, part I, Veterans Regulation No. 1 (a), as amended, is hereby amended by inserting after the words "3 years" the words "or multiple sclerosis developing a 10 per centum degree of disability or more within 2 years."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "A bill to amend the Veterans Regulations to provide that multiple sclerosis developing a 10 percent or more degree of disability within 2 years after separation from active service shall be presumed to be service-connected."

DETERMINATION OF WHEN PSYCHOSIS SHALL BE PRESUMED TO BE SERVICE-CONNECTED—BILL PASSED OVER

The bill (H. R. 320) to amend Veterans Regulations to establish for persons who served in the Armed Forces during World War II a further presumption of service connection for psychoses developing to a compensable degree of disability within 3 years from the date of separation from active service was announced as next in order.

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

Mr. DOUGLAS. Mr. President, reserving the right to object, I think there should be a clear distinction drawn between service-connected disabilities, for which the Government should assume full responsibility, and non-service-connected disabilities, which to my mind are in a different situation.

As I understand, this bill provides that if anyone develops a psychosis within 3 years after leaving the military service, the psychosis will be presumed to have been caused by conditions in the military service.

We are already blurring the distinction between service-connected disabilities and non-service-connected disabilities, and are resolving a whole series of doubts in favor of the applicant.

I believe that a psychosis is at times a somewhat dubious disease. I am not at all satisfied with the classification of psychoneurosis as though it were a definitely described disease.

I am not a doctor, and I cannot profess to produce adequate medical opinion, but from my observation of troops in the field it is my opinion that many cases of psychosis involve moral weakness, and not purely a medical condition. This bill would permit anyone developing a psychosis within 3 years after leaving the service to be rated as having a service-connected disability.

Mr. GEORGE. Mr. President, the Senator from Illinois is in error. The Finance Committee amended the bill and reduced the period to 2 years. Furthermore, I think there are substantial amendments in the bill which virtually undertake to give to the patient who is afflicted with this trouble, if he develops a compensable degree of disability within 2 years, the assurance of hospitalization and out-patient treatment by the Veterans' Administration. This is not the provision of the House bill. The House bill did exactly what the distinguished Senator has stated, but the Finance Committee amended the bill.

Mr. DOUGLAS. Mr. President, I thank the Senator for correcting my

previous statement. I have before me a letter which is printed on pages 2 to 4 of the report, Senate Report No. 749. The letter is signed by O. W. Clark, for Carl R. Gray, Jr., Administrator. The letter reads in part as follows:

There is nothing in the circumstances of military service in time of war which creates a presumption of fact that a delayed manifestation of a psychosis some time after discharge is in any was related to the fact or circumstances of service.

We are already being extremely liberal in making a psychoneurosis which manifests itself within the period of military service compensable, because in a very large percentage of cases it was not the military service which created the psychosis, if it existed, but military service merely revealed what had already existed.

I wonder if the committee would not be willing to reconsider this matter and give the bill more careful consideration. I think we shall be opening Pandora's box if we permit legislation of this type to pass. It will result in tens of thousands of cases accumulating, with great cost to the Government, and with a great blurring of the very necessary distinction which I believe should exist between service-connected disabilities and non-service-connected disabilities.

Mr. GEORGE. The Senator is quite right about the bill as it came from the House. But I invite the attention of the Senator to what the Finance Committee has done.

In these cases a 1-year presumption now obtains. If the disease develops to a compensable degree within a year, there is now the presumption that it occurred as a result of military service. The House increased the period to 3 years. We were not able to justify that long a period. What the Senate committee has done, and what the bill does, is to strike out all of the House bill and insert the following:

That, for the purpose of hospital and medical treatment, including out-patient treatment, authorized under laws administered by the Veterans' Administration, a veteran of World War II (as defined in Veterans Regulation No. 10, as amended) developing an active psychosis within 2 years from the date of separation from active service in such war shall be deemed to have incurred such disability in such active service.

The purpose of the bill is limited to insuring hospitalization and medical treatment, including out-patient treatment. I invite the attention of the distinguished Senator from Illinois to a fact which he undoubtedly knows, namely, that these cases are among the most unfortunate ones in our society. Throughout the country—certainly, I regret to say, in my own section—in many instances persons suffering from this ailment are confined in ordinary penal institutions. That happens far too often. They become dangerous to society as a whole. Something must be done, and there are simply not adequate facilities to care for them. They are already entitled to hospitalization, that is true, but hospital facilities are not always available. This bill would give first priority, so to speak, to the psychosis cases, if a compensable degree of disability develops within 2 years.

It would seem from the evidence submitted to the committee and from the investigation made by the committee that there was some justification for a 2-year presumption for this purpose, and particularly for the purpose of giving first priority with respect to hospitalization and medical treatment. If hospitalization cannot be secured, then there should be an assurance of outpatient treatment for these most unfortunate veterans of World War II.

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

Mr. GEORGE. I hope the Senator will let us take the bill to conference, if possible. I am not sure that we shall ever be able to agree with the House, because the House is insisting on a 3-year presumptive period.

Mr. DOUGLAS. One naturally has a feeling of reluctance in differing with the opinion of so eminent and able a Member of this body as the senior Senator from Georgia. However, I again point out that the Veterans' Administration, on page 3 of the report, in the paragraph succeeding that which I have read, addressed its objection not merely to the period of time in which the alleged psychosis might develop, but also to the principle involved, namely the principle of extending the presumption of service-connection to diseases for which a blanket presumption is not justified and for which individual examination of each case is necesary in order accurately to determine service-connections.

This is stated in the Veterans' Administration letter to the committee as follows:

Singling out psychosis as a disease which should be accorded a presumptive period of service connection of 3 years, as proposed by the bill, would be discriminatory and could be urged as a precedent for extending the presumptive period for many of the chronic diseases. The matter of causation of any disease, or etiology, should be determined on the basis of sound medical principles and judgment.

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

Mr. DOUGLAS. I shall be reluctantly compelled to object.

Mr. GEORGE. May I take just a moment to explain the bill to the Senator, if he will withhold his objection?

The PRESIDING OFFICER. Does the Senator from Illinois withhold his objection?

Mr. DOUGLAS I withhold my objection temporarily.

Mr. GEORGE. The report of Major Clark for the administrator was made on the House bill, which gave the presumption for disease or infirmity developing within 3 years. We have changed the whole purport of the bill, and have tried to give to the men involved what they would seem to need more than any other thing, namely, hospitalization and medical treatment. The administrator's letter, written by Major Clark, referred to the House bill. The Senate committee completely departs from the House bill. I cannot say what would happen in conference, but this bill and the preceding bill would both go to conference, and we would have to iron it out, or else report a disagreement.

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

Mr. DOUGLAS. I regret that I must object.

The PRESIDING OFFICER. Objection is heard. The bill goes over.

CONSTRUCTION OF EXPERIMENTAL SUBMARINES

The Senate proceeded to consider the bill (H. R. 1227) to amend further the act entitled "An act to authorize the construction of experimental submarines, and for other purposes," approved May 16, 1947, as amended, which had been reported from the Committee on Armed Services with an amendment in line 8, after the word "thereof", to strike out " "$50,000,000" " and insert " "$49,000,000"."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

WILLIAM O. STEVENS

The bill (H. R. 662) for the relief of William O. Stevens was considered, ordered to a third reading, read the third time, and passed.

MERGER OF NATIONAL BANKING ASSOCIATIONS AND STATE BANKS—BILL PLACED AT FOOT OF CALENDAR

The bill (S. 2128) to provide for the merger of two or more national banking associations and for the merger of State banks with national banking associations and for other purposes was announced as next in order.

Mr. SCHOEPPEL. Mr. President, reserving the right to object—and I have been requested to object—I should like to ask unanimous consent that this bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

BILLS PASSED OVER

The bill (S. 1452) to promote the further development of public library service in rural areas was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that the bill go over.

The PRESIDING OFFICER. Objection is heard. The bill goes over.

The bill (S. 106) to amend the act entitled "An act to regulate the practice of optometry in the District of Columbia was announced as next in order.

Mr. SCHOEPPEL. Over, by request.

The PRESIDING OFFICER. Objection is heard. The bill will go over.

CITATION OF HERMAN ORMAN FOR CONTEMPT

The resolution (S. Res. 211) citing Herman Orman for contempt of the Senate was considered and agreed to, as follows:

Resolved, That the President of the Senate certify the report of the Special Committee To Investigate Organized Crime in Inter-

state Commerce of the United States Senate as to the refusal of Herman Orman to disclose to the said special committee the contents of those records and documents which he had been directed by subpena to produce and to answer a series of questions before the said special committee, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of New Jersey, to the end that the said Herman Orman may be proceeded against in the manner and form provided by law.

CITATION OF PATRICK JOSEPH SIZE FOR CONTEMPT

The resolution (S. Res. 212) citing Patrick Joseph Size for contempt of the Senate, was considered and agreed to, as follows:

Resolved, That the President of the Senate certify the report of the Special Committee To Investigate Organized Crime in Interstate Commerce of the United States Senate as to the refusal of Patrick Joseph Size to disclose to the said special committee the contents of those records and documents which he had been directed by subpena to produce and to answer a series of questions before the said special committee, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Patrick Joseph Size may be proceeded against in the manner and form provided by law.

CITATION OF JOSEPH C. BALDASSARI FOR CONTEMPT

The resolution (S. Res. 213) citing Joseph C. Baldassari for contempt of the Senate was considered and agreed to, as follows:

Resolved, That the President of the Senate certify the report of the Special Committee To Investigate Organized Crime in Interstate Commerce of the United States Senate as to the refusal of Joseph C. Baldassari to disclose to the said special committee the contents of those records and documents which he had been directed by subpena to produce and to answer a series of questions before the said special committee, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Joseph C. Baldassari may be proceeded against in the manner and form provided by law.

CITATION OF JOSEPH SCALLEAT FOR CONTEMPT

The resolution (S. Res. 214) citing Joseph Scalleat for contempt of the Senate was considered and agreed to, as follows:

Resolved, That the President of the Senate certify the report of the Special Committee To Investigate Organized Crime in Interstate Commerce of the United States Senate as to the refusal of Joseph Scalleat to produce those records and documents which he had been directed by subpena to produce and to answer a series of questions before the said special committee, together with all the facts in connection therewith, under the seal of the United States Senate to the United States attorney for the District of Columbia, to the end that the said Joseph Scalleat may be proceeded against in the manner and form provided by law.

TRANSFER TO DEPARTMENT OF THE NAVY OF PROPERTY AT DECATUR, ILL.

The bill (H. R. 3585) to authorize and direct the Administrator of General Services to transfer to the Department of the Navy certain property located at Decatur, Ill., was considered, ordered to a third reading, read the third time, and passed.

TRANSFER TO THE DEPARTMENT OF THE ARMY OF CERTAIN PROPERTY AT ST. LOUIS. MO.

The bill (S. 466) to authorize and direct the Administrator of General Services to transfer to the Department of the Army certain property in St. Louis, Mo., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed to transfer, without reimbursement, to the Department of the Army those buildings formerly known as the War Assets Administration Sales Buildings, located at 8900 South Broadway, St. Louis, Mo., together with the land and facilities in connection therewith, and now under the control and jurisdiction of the General Services Administration.

BILL PASSED OVER

The bill (S. 2137) to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to enter into lease-purchase agreements to provide for the lease to the United States of real property and structures for terms of more than 8 years but not in excess of 25 years and for acquisition of title to such properties and structures by the United States at or before the expiration of the lease terms, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object—and I shall not object—I wonder whether we could have an explanation of the bill.

The PRESIDING OFFICER. An explanation of the bill is requested.

Mr. McFARLAND. Mr. President, I have a request that the bill go over.

Mr. HENDRICKSON. I shall be glad to withhold my request for an explanation.

The PRESIDING OFFICER. Does the Senator from Arkansas wish to be heard?

Mr. McCLELLAN. I understand that the majority leader objects on behalf of the Senator from New Mexico [Mr. CHAVEZ], who is absent. I was inquiring about the source of the objection.

The PRESIDING OFFICER. Objection is heard. The bill goes over.

AMENDMENT OR REPEAL OF CERTAIN LAWS RELATING TO GOVERNMENT RECORDS

The Senate proceeded to consider the bill (S. 1967) to amend or repeal certain laws relating to Government records, and for other purposes, which had been reported from the Committee on Expenditures in the Executive Departments with amendments on page 5, after line 14, to strike out:

(1) By inserting "until disposed of as provided by law," after the comma following "preserve" in line 35 of section 8 of the act of July 31, 1894, as amended, on page 208 of volume 28 of the Statutes at Large (31 U. S. C. 74).

And in lieu thereof to insert the following:

(1) By amending the third paragraph appearing on page 208 of volume 28 of the Statutes at Large in section 8 of the act of July 31, 1894, as amended (31 U. S. C. 74), to read as follows:

"The General Accounting Office shall preserve all accounts which have been finally adjusted, together with all vouchers, certificates, and related papers, until disposed of as provided by law."

And on page 8, line 9, after the word "office", to insert "at which time it may be disposed of as provided by law"; so as to make the bill read:

Be it enacted, etc., That the following acts and parts of acts are hereby repealed:

(1) The sixth paragraph on page 642 of volume 31 of the Statutes at Large, in the act of June 6, 1900 (2 U. S. C. 147).

(2) Section 4 of the act of July 19, 1919 (41 Stat. 233; 5 U. S. C. 111).

(3) The second full paragraph on page 412 of volume 21 of the Statutes at Large, in the act of March 3, 1881 (5 U. S. C. 112).

(4) The second sentence of the first full paragraph on page 228 of volume 22 of the Statutes at Large, in the act of August 5, 1882 (5 U. S. C. 112).

(5) The act of February 16, 1889 (25 Stat. 672; 5 U. S. C. 112).

(6) The fourth full paragraph on page 933 of volume 28 of the Statutes at Large, in the act of March 2, 1895 (5 U. S. C. 112).

(7) The act of July 27, 1892, chapter 267 (27 Stat. 275; 5 U. S. C. 193).

(8) The last paragraph commencing on page 403 and ending on page 404 of volume 28 of the Statutes at Large, in the act of August 18, 1894 (5 U. S. C. 193).

(9) The act of March 2, 1913 (37 Stat. 723; 5 U. S. C. 193).

(10) The act of April 28, 1904, No. 35 (33 Stat. 591; 5 U. S. C. 194).

(11) The last sentence in the paragraph commencing on page 970 and ending on page 971 of volume 25 of the Statutes at Large, in the act of March 2, 1889 (5 U. S. C. 194a).

(12) The last sentence in the sixth full paragraph on page 403 of volume 33 of the Statutes at Large, in the act of April 27, 1904 (5 U. S. C. 414).

(13) The second paragraph on page 5.9 of volume 34 of the Statutes at Large, in the act of June 29, 1906 (5 U. S. C. 414).

(14) The fifth full paragraph on page 1281 of volume 34 of the Statutes at Large, in the act of March 4, 1907 (5 U. S. C. 544).

(15) The third paragraph on page 204 of volume 31 of the Statutes at Large, in the act of May 25, 1900 (15 U. S. C. 321).

(16) The act of August 13, 1946, chapter 961 (60 Stat. 1057; 30 U. S. C. 12).

(17) Section 1 of the act of June 22, 1926, chapter 650 (44 Stat. 761; 31 U. S. C. 121).

(18) The last paragraph commencing on page 329 and ending on page 330 of volume 37 of the Statutes at Large, in the act of August 22, 1912 (34 U. S. C. 547).

(19) The proviso in the last paragraph commencing on page 929 and ending on page 930 of volume 38 of the Statutes at Large, in the act of March 3, 1915 (34 U. S. C. 548).

(20) Section 8 of the act of August 4, 1851 (10 Stat. 572; 35 U. S. C. 17).

(21) The act of February 13, 1925, chapter 230 (43 Stat. 942; 35 U. S. C. 18).

(22) Section 6 of the act of April 11, 1930 (46 Stat. 156; 35 U. S. C. 23).

(23) The matter appearing before the proviso in the last paragraph commencing on page 415 and ending on page 416 of volume 35 of the Statutes at Large, in the act of May 27, 1908 (39 U. S. C. 759).

(24) Section 58 of the act of June 8, 1872 (R. S. 4060; 17 Stat. 292; 39 U. S. C. 792).

(25) The act of May 28, 1926, chapter 415 (44 Stat. 672; 43 U. S. C. 25, 25a, 25b).

(26) The first proviso in the second paragraph on page 112 of volume 55 of the Statutes at Large, in the act of April 5, 1941;

(27) The proviso in the fifth full paragraph on page 411 of volume 56 of the Statutes at Large, in the act of June 27, 1942 (44 U. S. C. 364).

(28) The first full paragraph on page 1000 of volume 56 of the Statutes at Large, in the act of October 26, 1942 (44 U. S. C. 365).

SEC. 2. The following acts and parts of acts are amended by addition of the words "until no longer needed in conducting current business", as shown below:

(1) After "advocate" in line 8 of section 217 of the act of June 25, 1948, on page 632 of volume 62 of the Statutes at Large (10 U. S. C. 1507).

(2) After "remain" in line 4 of section 42c as set forth in the act of June 22, 1938, on page 860 of volume 52 of the Statutes at Large (11 U. S. C. 70c).

(3) After "offices" in line 3 of section 71 as set forth in the act of June 22, 1938, on page 882 of volume 52 of the Statutes at Large (11 U. S. C. 111).

(4) After "institution" in line 4 of section 7 of the act of August 10, 1846, on page 105 of volume 9 of the Statutes at Large (20 U. S. C. 46).

SEC. 3. The following acts and parts of acts are amended, as shown below:

(1) By amending the third paragraph appearing on page 208 of volume 28 of the Statutes at Large in section 8 of the act of July 31, 1894, as amended (31 U. S. C. 74), to read as follows:

"The General Accounting Office shall preserve all accounts which have been finally adjusted, together with all vouchers, certificates, and related papers, until disposed of as provided by law."

(2) Section 248 of the act of June 8, 1872 (17 Stat. 313), as amended by section 2 of the act of June 13, 1898 (30 Stat. 444; 39 U. S. C. 428), is revised to read as follows:

"The Postmaster General shall have recorded, in a book to be kept for that purpose, a true and faithful abstract of all proposals made to him for carrying the mail, giving the name of the party offering, the terms of the offer, the sum to be paid, and the time the contract is to continue; and he shall put on file and preserve the originals of all such proposals until disposed of as provided by law. The reports of the arrivals and departures of the mails on mail routes made and sent by postmasters to the Second Assistant Postmaster General, on which no fines or deduction from the pay of contractors for carrying the mails have been based, and the certificates of oaths taken by carriers on mail routes may be disposed of as provided by law when no longer needed in conducting current business."

(3) By inserting "until disposed of as provided by law" after "office" in line 11 of section 1 of the act of May 18, 1858, chapter 39, as amended, on page 289 of volume 11 of the Statutes at Large (43 U. S. C. 59).

(4) By deleting "permanently" from the final sentence of section 505 (a) of the act of June 29, 1936, as amended, on page 1998 of volume 49 of the Statutes at Large (46 U. S. C. 1155), and by adding "until disposed of as provided by law" between "file" and the period at the end of said sentence.

SEC. 4. The following acts and parts of acts are amended, as shown below:

(1) By changing to a colon the period at the end of the twelfth paragraph on page 858 of volume 35 of the Statutes at Large, in the act of March 4, 1909, and inserting thereafter *"Provided,* That no records of the Federal Government shall be transferred, disposed of, or destroyed under the authority granted in this paragraph." (2 U. S. C. 149.)

(2) By changing to a colon the period at the end of section 9 of the act of April 25, 1914, on page 350 of volume 38 of the Statutes at Large, and inserting thereafter *"Provided,* That nothing in this section shall preclude the disposition of such records as provided by law when they are no longer needed in conducting the current business of the Department." (5 U. S. C. 196.)

(3) By changing the period at the end of the first full paragraph on page 788 of volume 28 of the Statutes at Large, in the act of March 2, 1895 (5 U. S. C. 197), to a colon and inserting thereafter *"Provided,* That the disposition of any records required in furnishing such transcripts shall, after they are otherwise not needed in conducting current business, be made as provided by law."

(4) By deleting all after "kept" in line 7 of section 482 (e) of the act of June 17, 1930, on page 721 of volume 46 of the Statutes at Large (19 U. S. C. 1482 (e)) and by substituting therefor "until no longer needed in conducting the current business of the consular office, at which time it may be disposed of as provided by law."

(5) By deleting all after the enacting clause of the act of March 27, 1934, chapter 93 (48 Stat. 501; 25 U. S. C. 199a) and by substituting therefor "That title to records of Indian tribes heretofore placed with the Oklahoma Historical Society of the State of Oklahoma by the Secretary of the Interior shall remain vested in the United States and such records shall be held by the said society under rules and regulations prescribed by the Administrator of General Services: *Provided,* That copies of any such records, documents, books, or papers held by the said society when certified by the secretary or chief clerk thereof under its seal, or by the officer or person acting as secretary or chief clerk, shall be evidence equally with the original, and in making such certified copies the said secretary or acting secretary and the said chief clerk or acting chief clerk shall be acting as a Federal agent, and such certified copies shall have the same force and effect as if made by the Administrator of General Services as provided in section 509 (b) of the Federal Records Act of 1950 (64 Stat. 583): *Provided further,* That whenever such certified copies are desired for official use by the Federal Government they shall be furnished without cost: *Provided further,* That any such records held by the said society shall be promptly returned to the Government official designated by the Administrator of General Services upon his request therefor."

(6) By deleting "it deems advisable" in the last line of section 1120 on page 162 of volume 53 of the Statutes at Large, in the act of February 10, 1939 (26 U. S. C. 1120), and substituting therefor "is provided by law."

(7) By inserting "until deposited with the National Archives of the United States" after "kept" in the first sentence of section 6 of the act of June 25, 1948, on page 870 of volume 62 of the Statutes at Large (28 U. S. C. 6).

(8) By inserting a comma, followed by "subject to the provisions of the act entitled 'An act to provide for the disposal of certain records of the United States Government,' approved July 7, 1943 (57 Stat. 380), as amended," after "authorized" in line 3 of the act of May 11, 1906, on page 186 of volume 34 of the Statutes at Large (39 U. S. C. 8).

(9) By inserting a comma, followed by "until disposed of as provided by law," after "and" in line 7 of section 71 of the act of June 8, 1872, on page 293 of volume 17 of the Statutes at Large (39 U. S. C. 41).

Mr. JOHNSTON of South Carolina. I should like to have an explanation of the bill.

The PRESIDING OFFICER. An explanation of the bill is requested.

Mr. McCLELLAN. The purpose of this bill is to repeal parts of laws, containing limitations, restrictions, and other provisions which have become obsolete or are inoperative because they have been superseded by recent legislation relating to Federal records management, records disposal, and the control and disposition of records maintained by the various departments and agencies of the Federal Government.

Under existing law the General Services Administration is required from time to time, after making studies, to report to our committee and Congress on the obsolete laws that should be repealed. I may say that all the laws contained in this bill have been checked, rechecked, and double checked by every source that could give us information. I cannot identify all the laws, but the purpose of the bill is to eliminate obsolete laws on the statute books. Otherwise they must be printed every time the statutes are compiled.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

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

DENTAL CARE FOR PERSONNEL OF UNITED STATES ARMY AND UNITED STATES AIR FORCE

The bill (S. 781) to provide more efficient dental care for the personnel of the United States Army and the United States Air Force, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the general officer of the Dental Corps appointed as assistant to the Surgeon General of the Army and the general officer of the dental service appointed as assistant to the Surgeon General of the Air Force shall be known as Chief of the Dental Division, Office of the Surgeon General, United States Army, and as Chief of the Dental Division, Office of the Surgeon General, United States Air Force, respectively, and shall be responsible to their respective Surgeons General for—

(1) planning and making recommendations on all matters relating to the dental health of the Army and Air Force, respectively;

(2) staff supervision of the execution of approved plans pertaining to the dental health of the Army and the Air Force, respectively; and

(3) the progressive development of the dental service of the Army and the Air Force, respectively.

All matters in the Offices of the Surgeons General of the United States Army and the United States Air Force, respectively, pertaining to the dental health of the Army and the Air Force, respectively, shall be referred to the respective chiefs of the dental divisions of such offices.

SEC. 2. The Chief of the Dental Division, Office of the Surgeon General, United States Army, and the Chief of the Dental Division, Office of the Surgeon General, United States Air Force, shall—

(1) establish professional standards and policies for dental practice in the Army and the Air Force, respectively;

(2) conduct inspections and surveys for maintenance of such standards in the Army and the Air Force, respectively;

(3) plan and recommend action pertaining to appointments, advancement, training, assignment, and transfer of dental personnel in the Army and the Air Force, respectively; and

(4) serve as the adviser to the Surgeon General, United States Army, and the Surgeon General, United States Air Force, respectively, on all matters relating to dentistry.

SEC. 3. Under regulations prescribed by the Secretary of the Army and the Secretary of the Air Force, respectively, an officer of the Dental Corps in each major command or installation of the Army or the Air Force, respectively, shall, in addition to his other duties, be assigned as staff dental officer for that command or installation. The staff dental officer shall be responsible to the commander of the command or installation, through appropriate channels, for—

(1) planning and making recommendations on all matters relating to the dental health of the command or installation;

(2) staff supervision of the execution of approved plans pertaining to the dental health of the command or installation;

(3) the progressive development of the dental service in the command or installation; and

(4) advice on all matters relating to dentistry in the command or installation.

SEC. 4. There shall be assigned to the Dental Corps of the Army and to the dental service of the Air Force, respectively, an authorized commissioned officer strength (including non-Regular officers on extended active duty) which shall be not less than two commissioned officers for each one thousand members of the Army and the Air Force, respectively, who are on the active list or extended active duty.

BILL REFERRED TO COMMITTEE ON THE JUDICIARY

The bill (H. R. 1181) to amend section 207 of the Legislative Reorganization Act of 1946 so as to authorize payment of claims arising from the correction of military or naval records was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object, I wonder if the distinguished junior Senator from Wyoming would agree with me that the Committee on the Judiciary should make a further study of the bill?

Mr. HUNT. Mr. President, replying to the distinguished Senator from New Jersey, I would say that, of course, I would not object to such a request. I may say that the purpose of the bill is to bring the situation into harmony with the Reorganization Act, which was handled by the Committee on Expenditures in the Executive Departments. Some 900 records have been corrected. Even though the correction has been made the payment allowed under the correction cannot be made. The pending bill primarily is designed to prevent the necessity of 900 separate bills for relief being presented to the Judiciary Committee. It has to do in its entirety with the armed services. The board which passes on the corrections of the various records is a citizen board. It is not a board comprised of members of the armed services. It is a board appointed by the President. We find the servicemen have had their records corrected, but there is no way in which they can be compensated. I would think that there is a dual responsibility involved, possibly of the Committee on Expenditures in the Executive Departments and the Judiciary Committee, but I believe primarily it rests with the Committee on Armed Services.

Mr. HENDRICKSON. I wonder whether the Senator would object to a unanimous-consent agreement that this bill be referred to the Committee on the Judiciary with instruction to report back before the next calendar call.

Mr. HUNT. I would not object.

Mr. HENDRICKSON. Mr. President, I make that request.

The PRESIDING OFFICER (Mr. MONRONEY in the chair). Is there objection? Without objection, the bill is referred to the Judiciary Committee with instructions to report back before the next call of the calendar.

RETIREMENT BENEFITS FOR CHIEF OF DENTAL DIVISION OF THE NAVY—BILL PASSED OVER

The bill (H. R. 4205) to provide retirement benefits for the Chief of the Dental Division of the Bureau of Medicine and Surgery, and for other purposes, was announced as next in order.

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

Mr. SCHOEPPEL. Reserving the right to object, may we have an explanation of the bill?

Mr. HUNT. Mr. President, I will say to the distinguished Senator from Kansas that the bill is designed to provide permanent benefits for the Chief of the Dental Division of the Bureau of Medicine and Surgery of the Navy Department. It would give him the pay and allowances of a rear admiral of the upper half and the retirement benefits now or hereafter provided for officers who have served as bureau chiefs within the Navy Department.

The purpose of the bill is achieved by an amendment to section 3 of the act of September 28, 1945 (59 Stat. 666). That act provides that an officer of the Dental Corps of the Navy in the grade of rear admiral shall be detailed as Chief of the Dental Division, Bureau of Medicine and Surgery. The officer so detailed does not, however, necessarily become a rear admiral of the upper half during the period of his detail as Chief of the Dental Division.

The bill would clarify this situation by providing that the officer filling this very important post should receive the pay and allowances provided by law for rear admirals of the upper half. It would also provide that such officer be entitled in all respects to the privileges of retirement and retired pay as now accrues by law for chiefs of bureaus of the Navy Department, who may be retired in the highest grade held after 2½ years or more of service as a bureau chief.

I should like to say to the Senator from Kansas that the corresponding officers in the Army and the Air Force hold the rank of major general which is comparative to that of rear admiral, upper half. They draw the pay and allowances of that rank and retire with the benefits accruing therefrom. This bill would, therefore, place the Chief of the Dental Division of the Navy in a status comparable to that in the other two military departments.

The committee is of the opinion that this bill would result in no increased cost to the Government, inasmuch as the officer now occupying the position of Chief of the Dental Division, Bureau of Medicine and Surgery is a rear admiral of the upper half and therefore is entitled to all of the benefits which would accrue from this legislation. The committee cannot conceive of circumstances under which an officer of lower rank would be nominated for this very important position, the counterpart of which in both the other services is filled by a major general.

It is of special significance to note that the action recommended in this bill conforms to the practice now in effect in the Navy Department through administrative regulation, and is the same as that prescribed by law for the Army.

The bill would make no change whatsoever in existing situations with reference to pay or rank, but simply would incorporate in the Navy law the same provision now existing in the Army law and the Air Force law.

Mr. JOHNSTON of South Carolina. But this officer would be placed under the retirement system and would draw retirement pay which he would not draw if the bill were not passed.

Mr. HUNT. I think that is entirely correct.

Mr. JOHNSTON of South Carolina. So I will have to object.

Mr. HUNT. Why should we discriminate against an officer in the Navy who has rank equal to corresponding officers in the Army and the Air Force?

Mr. JOHNSTON of South Carolina. If we begin including persons who are not in the Army and Air Force, I do not know where we shall stop.

Mr. HUNT. I would agree if a different division of the service were affected; but in this case the corresponding officers in two other components of our Defense Establishment are given certain rank and certain retirement benefits, but the corresponding officer in a third component branch of the Armed Forces does not receive them. We should make the provision uniform.

Mr. JOHNSTON of South Carolina. Would this officer's assistant be included?

Mr. HUNT. No.

Mr. JOHNSTON of South Carolina. Why do not we treat him just as we treat his chief?

Mr. HUNT. Because the assistant does not have the same rank.

Mr. JOHNSTON of South Carolina. In other words, the bill would extend the privilege to the other officer because he has a higher rank and is drawing more pay at the present time. However, I am interested in looking after those who are in the lower grades, as well. No provision is made in this bill for additional retirement payments for them.

Mr. HUNT. I may say that dentists all over the United States are very anxious that the bill be passed. The American Dental Association has approved the bill.

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

Mr. JOHNSTON of South Carolina. I object.

The PRESIDING OFFICER. Objection being heard, the bill is passed over.

BILL PASSED OVER

The bill (S. 2104) to repeal section 104 of the Defense Production Act of 1950, as amended, was announced as next in order.

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

Mr. MAGNUSON. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

GENERATION OF HYDROELECTRIC POWER AT CHEATHAM DAM ON CUMBERLAND RIVER IN TENNESSEE

The Senate proceeded to consider the bill (S. 97) to authorize the construction, operation, and maintenance of facilities for generating hydroelectric power at the Cheatham Dam on the Cumberland River in Tennessee was announced as next in order.

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

Mr. SCHOEPPEL. Mr. President, reserving the right to object, although I shall not object, I should like to have a brief explanation of the bill.

Mr. STENNIS. Mr. President, this is an authorization bill. I understand that the Senator from Kansas has requested an explanation of the bill.

Mr. SCHOEPPEL. Yes; I ask for an explanation of the bill. I understand that an appropriation of approximately $18,000,000 has been requested. What assurance can we expect to receive that that amount will be sufficient? Is it merely a preliminary estimate?

Mr. STENNIS. The facts in connection with the bill are that the Cheatham Dam is now in process of construction. The Cumberland is one of the tributaries of the Tennessee River.

The original authorization act did not provide for hydroelectric power. In response to the present demand for additional hydroelectric power in that area, the United States engineers propose, if authorized, to install power-generating units now, several years ahead of the date originally anticipated.

The bill originally proposed to authorize the appropriation of $15,000,000. However, in view of the increased prices, the bill now calls for the authorization of an appropriation of $18,200,000, which is expected to be sufficient for the power units, according to the best present estimates.

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

Mr. STENNIS. I yield.

Mr. KEFAUVER. Has not the building of the plant at Paducah, Ky., made this construction urgently necessary?

Mr. STENNIS. That is one of the primary sources of the increased demand.

Mr. SCHOEPPEL. Mr. President, I thank the Senator for the explanation.

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

There being no objection, the Senate proceeded to consider the bill (S. 97), which had been reported from the Committee on Public Works with an amendment on page 2, line 3, after the word "of", to strike out "$15,000,000" and insert "$18,200,000", so as to make the bill read:

Be it enacted, etc., That the comprehensive plan of improvement of the Cumberland River and tributaries for navigation, flood control, power development, and other purposes authorized by section 1 of the act of Congress of July 24, 1946 (Public Law 525, 79th Cong.), is hereby amended to include the construction, operation, and maintenance under the direction of the Secretary of the Army and supervision of the Chief of Engineers of hydroelectric power generating facilities (including step-up switchboard) at the Cheatham Dam on the Cumberland River in Tennessee at an estimated additional cost of $18,200,000, for the power facilities.

The amendment was agreed to.

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

INCREASE OF AMOUNT AVAILABLE FOR WORK ON HIGHWAYS AND BRIDGES DAMAGED BY FLOODS OR OTHER CATASTROPHES

The bill (S. 2025) to amend section 9 of the Federal-Aid Highway Act of 1950 (64 Stat. 785) to increase the amount available as an emergency relief fund for the repair or reconstruction of highways and bridges damaged by floods or other catastrophes, was announced as next in order.

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

The Chair recognizes the Senator from Florida, if he wishes to speak at this time.

Mr. HOLLAND. Mr. President, I shall be glad to answer any questions which Senators may have in regard to this measure or which they may wish to put to the committee which handled the bill.

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

Mr. HOLLAND. I am glad to yield to my colleague, the Senator from Kansas, who has a very direct interest in the bill and who, I believe, should be allowed to state what the bill means to his State.

Mr. CARLSON. Mr. President, of course I shall appreciate very much having the bill considered. It proposes to increase the authorization for emergency relief highway construction from $5,000,000 to $15,000,000.

It had been my hope that the bill would contain an authorization of some funds for the purpose of reconstruction of highways which are not on the Federal and State road systems.

This matter was discussed at some length in the committee. Let me say that the senior Senator from Florida [Mr. HOLLAND], the chairman of the committee, not only held extended hearings, but also went into the matter very thoroughly. He is entitled to the sincere thanks and commendation of everyone interested in this legislation.

If an opportunity presents itself, when the emergency legislation dealing with flood rehabilitation comes before the Senate, I am very hopeful that there may be submitted an amendment which will provide us with an opportunity to vote for the authorization of funds for the reconstruction of highways of counties or townships or other governmental units which have highways not on the State systems.

In Kansas in the last flood we had highway damage totaling $22,000,000. Approximately $12,000,000 of that damage occurred on county and township roads, which are not eligible for any of these funds.

It is my contention that those who are interested in the county and township roads are entitled to some consideration on the basis of the history of the highway department's disaster road program.

It is true that this situation may not be in complete analogy with some of the work which has been done by the Bureau of Public Roads in the restoration of highways destroyed or damaged by our Armed Forces. These were county and township roads around the military camps and training areas of the Nation. No other agency is better qualified for this type of work than the Bureau of Public Roads.

I shall ask consent to have placed in the RECORD a report which I have received from Mr. Thomas MacDonald, Commissioner of Public Roads. In the report he gives extracts from final reports on the Tennessee DA-WR 500, as effective April 26, 1948, which give some information regarding the restoration of highways in Tennessee, Louisiana, Texas, and Mississippi. The Bureau of Public Roads have had experience and background in dealing directly with boards of county supervisors and county commissioners. It is this type of program that is essential in the flood-disaster areas. I ask unanimous consent, Mr. President, to place in the RECORD section 7 of Public Law 146, Seventy-eighth Congress, chapter 236, first session, and Public Law 288, Seventy-eighth Congress, chapter 164, second session, in order that they may be available as a basis for giving consideration to what I think is a very distinct problem affecting the reconstruction of highways which are not eligible under this emergency relief fund.

The PRESIDING OFFICER. Is there objection?

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

[Public Law 146—78th Cong.]

[Ch. 236—1st sess.]

H. R. 2798

An act to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplement, and for other purposes

* * * * *

SEC. 7. (a) Not to exceed $10,000,000 of any money heretofore or hereafter appropriated for expenditure in accordance with the provisions of the Federal Highway Act, as amended and supplemented, shall be available for expenditure by the Commissioner of Public Roads, in accordance with the provisions of the Federal Highway Act, as amended and supplemented, as an emergency relief fund, after receipt of an application therefor from the highway department of any State, in the repair or reconstruction of highways and bridges on the system of Federal-aid highways (including secondary and feeder roads)

which he finds, after investigation, have been damaged or destroyed by floods, hurricanes, earthquakes, or landslides, and there is hereby authorized to be appropriated any sum or sums necessary to reimburse the funds so expended from time to time under the authority of this section.

(b) Notwithstanding any other provision of law, any money heretofore apportioned to any State under the provisions of the Federal Highway Act, as amended and supplemented, or section 4 of the Defense Highway Act of 1941, which is unobligated on the date of approval of this act shall be available for expenditure for the rehabilitation of roads and bridges as provided in section 3 of the act approved June 18, 1934 (48 Stat. 993), section 4 of the act of June 8, 1938 (52 Stat. 633), and paragraph (a) of this section, without regard to the limitation of funds contained in such sections: *Provided*, That any amounts made available to any State under the provisions of this paragraph may be used to pay the share of such State in the cost of any project authorized by this section: *Provided further*, That the provisions of this section shall apply only during the continuance of the emergency declared by the President on May 27, 1941, and for a period of 1 year thereafter.

[Public Law 288—78th Cong.]
[Ch. 164—2d Sess.]
H. R. 3912

An act to amend section 6 of the Defense Highway Act of 1941, as amended

Be it enacted, etc., That section 6 of the Defense Highway Act of 1941, as amended by the act of July 2, 1942 (23 U. S. C. 106), is hereby further amended by striking out the amount "$260,000,000" and inserting in lieu thereof "$290,000,000": *And provided further*, That not exceeding $5,000,000 of this appropriation be used by the Commissioner of Public Roads in areas certified to the Federal Works Administrator, by the Secretary of War, or the Secretary of the Navy, or by their authorized representatives, as maneuver areas, for such improvement and construction as may be necessary to keep the roads therein, which have been or may be used for training of the Armed Forces, in suitable condition for such training purposes, and to repair the damage caused thereto by the operations of men and equipment in such training.

Approved April 4, 1944.

Mr. CARLSON subsequently said: Mr. President, I ask unanimous consent to include as part of my remarks a letter and a report.

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

AUGUST 27, 1951.

Hon. SPESSARD HOLLAND,
Chairman, Subcommittee on Public Roads, Public Works Committee, United States Senate, Washington, D. C.

MY DEAR SENATOR: I had hoped to attend the hearing that you called for Wednesday morning on Senate 2025, but an occasion has arisen which takes me out of the city.

I want to express my deep concern and interest in the proposal to increase the authorization of funds available for emergency relief money from $5,000,000 to $15,000,000, under section 9 of the 1950 Highway Act.

Kansas has just suffered one of its most disastrous floods and our highways, Federal, State, county and township, have suffered damages to the extent of some $22,000,000.

Our State Highway Department, through our director, Gale Moss, advises me they have had the best of cooperation from the Bureau of Public Roads, under the direction of Commissioner Thomas MacDonald.

I have every reason to believe that with this additional authorization our highway department will be able to receive additional aid, which will be important in our highway reconstruction program.

Our losses have been so great that I would urge that the committee give consideration to making available to our State and other governmental units of the State funds based on 100-percent grants. Such provision to be completely equitable should apply to all bridges and highways, whether a part of various Federal aid systems or not. If this is not done, we have many counties and townships in our State that, even though they levy the full legal limit, plus 25 percent which is authorized by our State statutes, will not be able to repair many of these bridges for many years.

As an example of the above statement, I would refer you to Pottawatomie County, which is one of our smaller counties in valuation and population. Its estimated loss, based on figures submitted to my office by the State highway department, in cooperation with the community facilities administration, totals $963,000.

It would be impossible for this county to raise such an amount by its ad valorem levies for road purposes to repair and reconstruct these highways over a long period of years.

As a member of the Public Works Committee, I will be most pleased to cooperate with your committee when it reports to the full committee.

Should the subcommittee hearings be continued on Friday or into next week, I will be most pleased to appear personally.

Sincerely yours,

FRANK CARLSON.

EXTRACTS FROM FINAL REPORT ON TENNESSEE DA-WR 500 SUBMITTED BY L. W. TUROFF, SENIOR HIGHWAY ENGINEER, APRIL 26, 1948

HISTORY OF THE PROJECT

"Between June 1943 and March 26, 1944, extensive maneuvers were conducted by the Second Army in middle Tennessee. The maneuver area designated by the Army at this time extended from State Route 15, U. S. Route 64, on the south, to the Tennessee-Kentucky State line on the north and on the west along State Route 11 and State Route 52 just east of Nashville to a point on the eastern boundary approximately in Cookeville, Sparta, and McMinnville along State Routes 42, 1, and 108. This area included 22 counties or parts of counties.

"Troops, equipment, and supplies were loaded and unloaded at Camp Forrest near the southern end of the area. The headquarters of the maneuvers were at Lebanon in Wilson County.

"Two hundred thousand men were engaged at one time at the peak of the maneuvers, together with all necessary equipment such as attendant field artillery required in full armored divisions, heavy trucks, tanks, and guns up to 6 inches in size. The weight of the equipment which was a part of the armored divisions ranged from 2,930 pounds for small howitzers to 55,400 pounds for 155 M-12 guns. All told, approximately one-half million men were trained in all phases of combat during these extensive maneuvers.

"The nature of the maneuver work required extensive use of State and county roads within these 22 counties. The county roads in particular were not designed to carry the heavy traffic imposed upon them and suffered very severe damage. While the engineer troops repaired the roads and bridges during the maneuvers to permit troop movements, the roads in the area suffered heavy damage that could not be repaired by the Army. When it became apparent that extensive repairs would be required to restore the county roads to usable condition, or more specifically to a condition substantially the same as they were prior to the maneuvers, a bill was introduced in Congress known as the McCord-Stewart bill, which proposed the appropriation of $5,000,000 for the purpose of repairing the damage caused by Army maneuvers in training areas designated by the Army or Navy for maneuver training purposes. This bill was later made an amendment to the Defense Highway Act as amended and was passed by Congress. The bill was designated as Public Law No. 288, Seventy-eighth Congress, and was approved on April 4, 1944, with an appropriation of $5,000,000 of access road funds for the purpose of maintaining suitable roads for the training of the Armed Forces and to repair damage caused to roads and bridges by the operations of men and equipment in such training areas.

"It was felt that the proper way to arrive at an estimate of the damage would be by detailed inspection and check of each county road upon which damage was incurred. For the purpose of making this inspection, five engineers were assigned to this work; two from the Washington office, two from the Alabama office, and one from the Mississippi office. These men arrived in Nashville the middle of March 1944. Each man was assigned specific counties for inspection. The inspection was made in the following manner: Each inspecting engineer was accompanied by a representative of the department of highways and public works and a representative of the county, either the county judge or the county supervisor of roads. The county presented a map on which was designated all county roads claimed to have been damaged. Each county road was assigned a number. The inspecting engineer, together with the State and county representatives, traveled over each individual road. The engineer noted in a notebook the amount of repairs estimated to be required to restore the road to a condition substantially the same as it was before the maneuvers. He also noted the amount of repairs believed required by the county official. In general, agreement was reached between the two men. The representative of the State was consulted from time to time, and the benefit of his intimate knowledge of the location was obtained.

"Between March 23 and April 15, 1943, these inspecting men covered 4,624.35 miles. The actual average of travel by the men in the field for the checking of roads varied from 44.8 miles to 54.3 miles per day or very close to 50 miles per man per day. This was extremely difficult work and was further handicapped by almost continual rain. The roads in many cases were next to impassable, and horses, jeeps, and tractors were freely used in pulling the cars along when they were stuck.

"After the field notes had been prepared, an estimate was prepared for each county showing the type of replacement required to correct deficiencies and an estimated cost of each item of replacement. For example, practically all of the roads involved had a crushed stone or gravel surface, and the nature of the repairs was (1) ditching and blading, (2) replacement of crushed stone or gravel, and (3) culvert or bridge repairs. By estimating a cost per mile for ditching and blading and a cost per ton or cubic yard for crushed stone or gravel, a cost per linear foot for culvert replacement, and a lump-sum cost of bridge repair, an estimate was obtained for the cost of repairing the 4,624.35 miles. The total cost of this repair was estimated to be $1,864,607.65. This is an average cost per mile of $403.21. The damage varied considerably among the counties as well as the number of miles damaged in each county. For example, Wilson County, which was located in the center of the maneuvers, suffered damage to the greatest number of roads amounting to 721 miles at an average cost of replacement of $360.92 per mile. Sumner County suffered damage to 563.95 miles of road with an average cost of $507.05 per mile. Counties along the edge of the

maneuver area had a small mileage of damaged roads with small estimated damage. Clay County, for example, had 54.3 miles' damage with an average damage of $43.28 per mile. The highest average was $681.19 in De Kalb County. The variation in the dollar value of the damage depended upon numerous factors, such as topography, soil, subsoil conditions, location of surfacing material with respect to haul, and type of surfacing, whether gravel or stone. Also, of course, the type of Army equipment used in the particular county materially affected the amount of the damage. Heavy tanks and guns caused more damage than trucks and smaller equipment.

"Between September 28, 1944, and October 14, 1944, a second but smaller maneuver was held by an armored division located at Camp Campbell, Tenn. and Ky. This maneuver consisted of approximately 11,000 men and 2,000 trucks with full equipment for an armored division. The maneuver proceeded from Camp Campbell along State routes to a point near Gallatin in Sumner County. At this point, the maneuver spread out on county roads in Sumner, Wilson, Trousdale, and Rutherford Counties. Sumner and Wilson Counties, however, were the only ones damaged. In Sumner County, additional damage was found on 57.05 miles, of which mileage 32.5 had already been repaired by the county. This damage was appraised and found to amount to $11,976.15 or at the rate of $209.92 per mile on the 57.05 miles. The damage in Wilson County was found to cover 153.3 miles, of which 86.65 miles had already been repaired by the county. The total estimated damage found in Wilson County on the 153.3 miles amounted to $21,266.75 or at the rate of $138.72 per mile."

METHOD OF MAKING REPAIRS

"The nature of the damage in the various counties, the relatively light work, and the fact that the work was extended over a large area made the repair of this damage unattractive to prospective contractors. While the estimate of the work was prepared on a unit price basis as though it were to be done by contract, it became necessary to devise some method by which the work could be done by the individual counties whether by force account or on a contract basis. Were this not done, it seemed likely that the Public Roads Administration would have to do the work themselves, either by contract or by day labor. The department of highways showed no willingness in letting contracts or drawing up specifications and contracts, since they did not have the engineers or office personnel to take care of their own highway needs let alone assuming this additional burden. Public Roads also lacked the personnel to assign to the counties if the work were to be done by the Public Roads Administration directly, either by contract or by force account.

"The best solution seemed to be to enter into a cooperative agreement with each county, permitting each individual county to undertake the work involved in that particular county. A cooperative agreement was, therefore, perpared, based on unit prices. By this agreement the counties agreed to repair the roads and bridges according to quantities set up in a log which was entitled 'Exhibit B' and which became a part of the cooperative agreement. Unit prices were set up in the cooperative agreement for each item of work involved. The counties paid for all salaries, materials, equipment, etc., and did the work, either with their own forces or by contract as they wished and were reimbursed monthly for all units of work at agreed unit prices. The cooperative agreement provided that if any work had already been done it would not be included in the agreement. It also provided that additional work could be done if it were considered necessary in the field to properly repair the damage, but that no increase in work for any individual road could amount to more than 10 percent of the cost shown in the cooperative agreement for the repair of that road. Included in the cooperative agreement was an amount of money which was the limit payable to the county and which amounted to the estimate of repairs plus 10 percent. Of course, by this form of cooperative agreement the county acted as a contractor, and it was possible that they might make some profit on the work undertaken, but by the same line of reasoning, it was possible that they would lose money at the unit prices established. This cooperative agreement was prepared for and signed by each of the counties involved in the maneuver repair work.

"In the case of Wilson and Sumner Counties, a revision of the cooperative agreement was effected following the second maneuvers to incorporate within the cooperative agreement the damages sustained by the second maneuvers."

INSPECTIONS DURING REPAIRS

"Inspection of the repair work by Public Roads Administration engineers was made from time to time, but always at least monthly to help direct the work, to assist the county where assistance was required and to prepare monthly estimates.

"The county superintendents in charge were requested to keep a record of the number of yards of stone or gravel or other items placed on the road, and at the end of each month or at the time of the monthly Public Roads Administration inspection in that county to sign a certified sworn statement as to the units of work and quantities of materials placed on each individual road. From this certified statement and a visual inspection of the road, monthly estimates were prepared for each county. A certificate was required for each county superintendent of roads prior to the payment of any monthly voucher as follows: 'I hereby certify that the quantities and units of work shown on each road were checked and compiled by me and are correct to the best of my knowledge and belief and the work has been performed and materials used in accordance with the log and estimate and the cooperative agreement.'

"The public roads engineer assigned to the work inspected each road prior to work being done upon it and was in a position to establish from visual inspection whether necessary repairs as called for in the cooperative agreement had been actually made. No further effort was made to establish the exact quantities of materials placed upon each individual road other than the certification by the county superintendent of roads. No Federal road checkers or other employees were maintained in the field to keep records of the work claimed to have been done by the counties. An estimate was prepared monthly covering the work done in each county, provided such work was of a substantial nature and payments were made to the counties monthly. From this system, the counties collected from the Federal Government the moneys which they had expended and were able to continue their repairs with current funds.

"At the start of the repair work, inspection by public roads engineers was on the basis of special assignments from other public roads offices to the Nashville office, but as the work got well under way, one public roads engineer assigned full time to this project was able to carry on all of the work. As the amount of work decreased and did not require the full time of the engineer, he was, of course, assigned other duties in the Nashville office.

"The 10-percent engineering and contingency fund carried in the cooperative agreement was used sparingly and only when errors had to be corrected in the initial inspection of damages, or when unusual or extraordinary cause was found to increase the repair work for each county. In the case of Wilson and Sumner Counties, repairs for the second maneuver damage came from the engineering and contingency fund. In the balance of the counties, the great bulk of the engineering and contingency fund was unused.

"Actual repair work by the counties started in July 1944 and was not completed until March 1948. The greatest difficulty which the counties encountered in performing this labor was their lack of equipment. Most of the counties were sufficiently organized to perform the work and those counties not so organized, in general, had but a small amount of work to do. In every case, county equipment was taxed to the limit to make immediate repairs so that the roads might at least be kept passable and then to repair other damages as rapidly as possible with the trucks and other equipment available. Tires were a particularly acute problem. As the work progressed, old tires gave way and tires had to be recapped and patched in order to make them serviceable as long as possible. When the work started, there were available in the counties approximately 100 trucks varying from poor to fair condition. The Public Roads Administration assisted the counties with a varying degree of success in obtaining priorities to purchase equipment and in locating equipment which was available for sale. Absence of equipment materially delayed operations and prevented earlier completion of this project. Another delaying feature in the completion of the project was the fact that by no means all of the county roads were included among those damaged, and the county superintendents of roads could not devote all of their time to the repair of the maneuver-damaged roads inasmuch as roads not damaged by maneuvers had to be maintained also."

No evidence of substantial damage was found in White County and Davidson and Lincoln Counties elected to file a claim under Public Law No. 146, Seventy-eighth Congress, in lieu of entering into a cooperative agreement. Cooperative agreements with 19 counties, 4 cities, and the State department of conservation made available $2,088,928.23 for the repair of 4,639.71 miles of roads and streets. Subsequent to the execution of cooperative agreements with the 19 counties mentioned above, maneuvers out of Camp Campbell damaged roads in Sumner and Wilson Counties. No additional funds were made available for this work as it was paid for from the engineering and contingency fund included in the original agreements. The total of final vouchers under cooperative agreements amounted to $1,896,607.58 and with the $23,146.31 paid the Army for work performed by them made a total of $1,919,763.69 paid out under this project.

"All work under Public Law No. 288 has now been completed. It is the opinion of the writer, who was assigned to this work at various times from the time of the initial inspection of the damage to the completion of the project, that the counties were well pleased with the method in which this repair work was undertaken by the Public Roads Administration. Doing this work under cooperative agreement with the several counties avoided confusion and resulted in a kindly feeling between the counties and the Public Roads Administration and restored roads to satisfactory condition."

Mr. HOLLAND. Mr. President, as chairman of the subcommittee which conducted the hearings on this measure I should like to say that all members of the subcommittee were extremely sympathetic with the plight of the good State of Kansas, so ably represented by its two Senators, both of whom appeared before the committee. However, it was

felt that the only sound ground upon which the committee could stand at this time in offering this amendment to the Federal Highway Act of 1950 was to adhere to the traditional pathway which has existed for a great many years, under which, when there is storm damage, the Federal Government is committed to meet up to one-half of the costs of reconstruction and repair of Federal Aid highways, both of the primary and secondary systems. It was not thought wise in the haste of this closing period of Congress to attempt to go into the new field just discussed by the able Senator from Kansas, which is the field repair and reconstruction of county roads and other roads which are not upon the Federal-aid system.

The action of the committee does not by any means indicate lack of sympathy with the situation in the areas which have been mentioned by the Senator from Kansas, but both the main committee and the subcommittee felt, as the Senators know, that the way which we should follow in order to proceed safely and soundly was to follow the path already laid down in the Federal Highway Act.

Mr. President, in conclusion I may say that the money now provided by the 1950 act, $5,000,000, will have been much more than exhausted when the pending allocations have been made; for the damage in Kansas alone is much more than enough to take up the remaining unexpended portion of that amount, and the amendment here proposed to raise the amount provided from $5,000,000 to $15,000,000 will take care of present emergency needs in Kansas and Missouri, and will leave about $6,000,000 of continuing contract authorizations in the act for future emergency needs.

This measure is of peculiar benefit, because its passage does not require the stricken areas to await appropriations. It permits use of appropriated funds made available to the Bureau of Public Roads for other Federal-aid purposes, to meet these emergency needs, and requires replacement or restitution of the expended funds when the appropriation bill comes along in due course. I hope the bill may be swiftly passed, so that under the contracts now pending the needs now existing may be fully and properly met.

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

Mr. HOLLAND. I yield to the Senator from Kansas.

Mr. SCHOEPPEL. I should like to say to the distinguished Senator from Florida, chairman of the subcommittee which considered the bill, that I join with my distinguished colleague, the junior Senator from Kansas, in his remarks.

I desire to say further that we are extremely appreciative of the consideration which was given by the committee to the situation in Kansas. We had naturally hoped that we might be able to obtain relief for subdivisions of our State and other States in like and similar situations, but I appreciate how the committee approached what has been done and I understand the problem. I am happy to hear the Senator from Florida say that the committee realizes the situation in Kansas. I know they do, and there is a bare possibility that some place down the line further relief may be provided; but we recognize that this bill is a tremendous help, aid and assistance in an already troublesome situation. I commend the committee for approaching it in the manner in which it has been approached, because it saved a considerable length of time; and time of course as the Senator knows is the essence of going forward at this season of the year.

Mr. HOLLAND. I thank the distinguished Senator, and I may say that the committee was very fearful that if it undertook to embark on new policy we would never be able to get the measure passed in these closing days of the session.

The PRESIDING OFFICER. Is there objection to the present consideration of Senate bill 2025?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 9 of the Federal-Aid Highway Act of 1950, approved September 7, 1950 (64 Stat. 785), is hereby amended by striking out the figure $5,000,000 and inserting in lieu thereof $15,000,000.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4473) to provide revenue, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DOUGHTON, Mr. COOPER, Mr. DINGELL, Mr. MILLS, Mr. REED of New York, Mr. JENKINS, and Mr. SIMPSON of Pennsylvania were appointed managers on the part of the House at the conference.

AMENDMENT OF FEDERAL-AID HIGHWAY ACT OF 1950 AND DEFENSE ACT OF 1941

The Senate proceeded to consider the bill (S. 1956) to amend section 12 of the Federal-Aid Highway Act of 1950 and sections 6 and 14 of the Defense Highway Act of 1941, and for other purposes, which had been reported from the Committee on Public Works with amendments, on page 1, line 8, after the word "appropriated", to strike out "such sums as may be deemed necessary for such purpose, to remain available until expended" and insert "the sum of $45,000,000 to remain available for obligation until June 30, 1953"; on page 2, line 3, after the word "of", to strike out "$15,000,000" and insert "$20,000,000"; in line 9, after the word "purpose", to strike out the comma and "except that where any such project is on the Federal-aid primary system no part of such cost shall be paid from funds authorized or appropriated pursuant hereto"; on page 3, line 22, after the word "unable", to strike out "or unwilling", and on page 4, line 1, after the word "promptness", to strike out "or if he shall determine for any other reason that it will be more feasible and practicable for such rights-of-way, lands, or interests in lands, including the control of access thereto from adjoining lands, to be acquired in the name of the United States,", so as to make the bill read:

Be it enacted, etc., That in addition to the funds heretofore authorized by section 12 of the Federal-Aid Highway Act of 1950, approved September 7, 1950, for the purpose of carrying out the provisions of section 6 of the Defense Highway Act of 1941 (55 Stat. 765), as amended, there is hereby authorized to be appropriated the sum of $45,000,000, to remain available for obligation until June 30, 1953: *Provided*, That in addition to the sums heretofore made available for contract for such purpose, the sum of $20,000,000 shall be available for contract immediately upon the passage of this act: *Provided further*, That the cost of construction, reconstruction, or maintenance work performed on any access-road project certified pursuant to section 12 of the Federal-Aid Highway Act of 1950, may be paid in whole or in part with Federal funds appropriated for such purpose: *And provided further*, That not exceeding $5,000,000 of any funds appropriated under this authorization may be used by the Secretary of Commerce, in areas certified to him by the Secretary of Defense as maneuver areas, for such reconstruction, maintenance, and repair work as may be necessary to keep the roads therein which have been or may be used for training of the Armed Forces in suitable condition for such training purposes, and for repairing the damage caused to such roads by the operations of men and equipment in such training.

SEC. 2. (a) Section 6 of the Defense Highway Act of 1941, as amended, is hereby further amended to provide that the second sentence thereof shall read as follows: "The acquisition of new or additional rights-of-way necessary for such projects, including the control of access thereto from adjoining lands, may be included to the extent determined by the Secretary of Commerce as part of the construction of such projects and Federal funds shall be available to pay the cost of such acquisition."

(b) Section 14 of said act is hereby amended to read as follows:

SEC. 14. By agreement with the highway department of any State such new or additional rights-of-way, lands, or interests in lands, including the control of access thereto from adjoining lands, as may be required for any project in such State authorized by section 6 of this act, as amended, may be acquired by highway department or by any political subdivision of such State, and the construction, reconstruction, maintenance, or repair of any such project may be undertaken by such highway department, and the Commissioner of Public Roads may advance or reimburse the share of the cost of such rights-of-way and the cost of the construction, reconstruction, maintenance, or repair of such project, payable by the Federal Government: *Provided, however*, That if the Secretary of Commerce shall find that the highway department of any State is unable to acquire the required rights-of-way, lands, or interests in lands, including the control of access thereto from adjoining lands, or to obtain possession and the right to enter upon and use the same with sufficient promptness, he is authorized to acquire the same by purchase, donation, condemnation, or otherwise, in accordance with the laws of the United States (including the act of February 26, 1931, 46 Stat. 1421), and, during the continuance of the emergencies declared by the President on May 27, 1941, and December 16, 1950, may enter upon and take possession thereof, and expend public funds for projects thereon, prior to approval of title by the Attorney General (without regard to the provisions of sections 355, 1136,

and 3709 of the Revised Statutes, as amended, and without regard to State, municipal, or local laws, ordinances, or regulations). The costs incurred by the Secretary of Commerce in acquiring any such hights-of-way, lands, or interests in lands, including the control of access thereto from adjoining lands, may include the cost of examination and abstract of title, certificate of title, advertising, and any fees or other necessary costs incidental to such acquisition, and the Federal share thereof shall be payable out of the funds available for paying the cost of the project for which such rights-of-way, lands, or interests in lands, including the control of access thereto from adjoining lands, are acquired. The Secretary of Commerce is further authorized and directed when he shall determine that such action will be in the public interest, to convey any lands or interests in lands, including the control of access thereto from adjoining lands, acquired by him in any State under the provisions of this section to the highway department of such State, or to such political subdivision thereof as its laws may provide, upon such conditions as may be agreed upon by the Secretary of Commerce and such highway department or political subdivision providing for the acceptance of same and for the maintenance, preservation, and use of the project as constructed thereon.

Mr. HOLLAND. Mr. President, this bill is of very great importance, and it is of immediate importance to provide access roads now needed in the defense effort. I had hoped that it might be passed on the Consent Calendar, but I do want to make it clear that if there are questions, there are upon the floor of the Senate at this time five or six members of the committee which considered this bill, who would be very happy to respond to any questions which might be addressed to them.

Mr. CASE. Mr. President, I do not care to ask any questions, having served on the subcommittee under the able chairmanship of the Senator from Florida. We had very extensive hearings on the bill, and it was the subject of considerable deliberation. Each of the amendments was made as a result of the hearings, and for a definite object. I think very briefly it should be pointed out that what the committee did by its amendments was to place a limitation upon the total amount which was authorized to be appropriated, instead of making an open-end appropriation. We also placed a limitation upon the time for which the availability for obligation would exist, and made that time June 30, 1953, which is consistent with the dates for the expiration of other highway authorizations. We met the problem which was brought before the committee with many illustrations of the need for making access-roads money available on units of the Federal-aid primary system, although in the report we admonished the Bureau of Public Roads to make the best negotiations possible with the local communities, so that the local communities or the States may share an appropriate part of the cost of building the access roads, consistent with the relative needs of the Federal Government and of the local communities.

Finally, in section 14, the committee very definitely rejected the proposal in the language which had been apparently approved by the Secretary of Commerce, and suggested by the budget, which would have made the State highway commissions subordinate to the Bureau of Public Roads, and the amendments which are made in section 2 of the bill and thereby in section 4 of the existing law retain the law more or less as it is at present, when the Federal Government has need to resort to condemnation proceedings. In other words, the committee rejected the proposal that the Secretary of Commerce might have authority to go into a State for any reason that he might assign when he found the State highway department not merely unable but unwilling to proceed by way of condemnation. We let him step in only if the State highway department is unable to acquire lands with sufficient promptness. But we struck out the language which would provide that if he should determine for any other reason that it would be "more feasible or practicable to acquire the lands in the name of the Government," and so forth.

I invite attention to those matters because they are basic questions in good legislation. As one member of the committee and of the subcommittee, I feel that we discharged our responsibility to the Congress in striking out the proposal to give unprecedented authority to the United States Bureau of Public Roads.

Mr. HOLLAND. Mr. President, I am very appreciative of the careful explanation of the bill which the Senator from South Dakota has given so ably. I should like to add one brief statement which perhaps extends the Senator's statement as to one field of the bill, namely, that the contract authorization of $20,000,000 should be immediately available. This $20,000,000 would permit immediate construction of roads giving access to atomic energy plants at various places in the country, uranium mining operations, defense installations, and so forth, where highways are very urgently needed. The clear justification is that the work must begin at once.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

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

A LETTER FROM KOREA

Mr. MILLIKIN. Mr. President, I ask unanimous consent that the clerk may read a letter consisting of about 2 pages which I received from the mother of Capt. David R. Hughes, a graduate of West Point, appointed to that school in 1946 by the junior Senator from Colorado.

The legislative clerk read as follows:

AUGUST 27, 1951.

Again from Korea. Again from a mountain top.

Yesterday I took out a patrol. It was Sunday, Sunday without services, Sunday out in that quiet land that lies between two armies.

No; the day seemed only like a wet, slick day anywhere, and I wondered, as we moved down the slopes to seek out our enemies, why the feeling of Sunday had so completely deserted me.

Then, expected, but surprising as always, a group of Chinese who had been waiting, opened up and shot our leadman, and we suddenly became involved in a short, sharp struggle of grenades and bullets. But we, at a disadvantage, had to pull back without our dead soldier.

Yet we knew what we had to do, and soon set out again to risk much to get to him. This time we moved, not to gain knowledge, for we knew about our foe; not for ground, for we were turning back; not for glory, for we had been there for a long, long time. We returned into an open holocaust of fire and bullets to recover the symbol of someone so alive only a short while before, and we returned to gain the confidence that we, too, would be treated in the same way, were we ever there.

We set out, taut in every nerve, moving in that high-tension sort of way. I happened to look at the wet, bony wrist of someone beside me. He held his rifle with a hand that was gripped white, flesh and caution, against the savagery of bullets and sharp little fragments.

We set out, an intense group of men, under that terrible broken sound of artillery, and the snicker of machine-gun bullets in the bushes. Then, in a final, fearful second of confusion and control, in a second of awful silence, one gutty private crawled up, and with the last ounce of his courage, pulled our soldier back to us.

We had succeeded. We started back feeling a little better, a little more certain there would be a tomorrow, but rubbery legged and very tired. We had done something important. We were bringing our soldier with us.

Then it was night and the rain was soft again. We drew up on a nameless ridge and dug into the black earth to wait for the enemy, or for the dawn. The dim gray light and the fog mixed in among the trees. I sat for a long time looking at the end of the world out there to the north.

Nine months in a muddy, forgotten war where men still come forth in a blaze of courage, where men still go out on patrol, limping from old patrols and old wars. A raggedy war of worn hopes of rotation and bright faces of green youngsters in new boots, soon to be raggedy and lean.

But a soldier's war of worthy men, of patient men, of grim men, of dignified men.

A sergeant sat beside me. For him, 12 months in the same company, in the same platoon, meeting the same life and death day. Rest? Five days, he said, in Japan, 3 days in Seoul, and 357 days on this ridge. Now he sat looking, as I was, at the same end of the world to the north.

Nine months, and I am a company commander now, with the frowning weight of many men and many battles to carry. A different, older feeling than of a platoon leader. New men, I must calm them, teach them, fight them, send them home whole and proud or broken and quiet. But get them home. Then wait for new replacements to fill the gap here, and so that gun can be operated over there.

There is much work to be done. I must put this man where he belongs, and I must send many men where no man belongs. I must work harder and laugh merrier, and answer that mother's letter to give her the full information of her lost son. Yes; I was there; I heard him speak; I saw him die. In many ways I must write the epitaph to many families. How can I regard it lightly or permit someone else to do it? Each letter must be the best that I can give to his loved ones.

And each fighting soldier must be given much attention, much help and understanding. There is always that decision to make as to whether a man is malingering or sick, whether to send him firmly out for his own sake and the protection of others, or return

him for a necessary rest. One must never be wrong.

One must be ready, too, and willing to give his life for the least of his men. But perhaps that is the most worth-while part of all of this, the tangible sacrifice that every infantryman, every soldier, knows, and can understand.

"I see these things still I am slave
When banners flaunt and bugles blow
Content to fill a soldier's grave
For reasons I shall never know."

And now it is raining again. The scrawny tents on the line are wet and dark, and the enemy is restlessly probing. It will not be a quiet night.

VOCATIONAL REHABILITATION TRAINING FOR CERTAIN VETERANS

The bill (H. R. 3932) to provide vocational rehabilitation training for veterans with compensable service-connected disabilities who served on or after June 27, 1950, was announced as next in order.

Mr. SCHOEPPEL. Mr. President, is the Senate now considering Calendar No. 749, House bill 3932?

The PRESIDING OFFICER. That bill is before the Senate. Is there objection to its present consideration?

Mr. SCHOEPPEL. Mr. President, this is a most commendable piece of proposed legislation. It affords to veterans in Korea—and we have just listened to the reading of a touching letter from Korea—the same rights and opportunities granted to the veterans of World War II. I should like to emphasize one point. I note in the report that there is no information—probably it is not available—as to the cost of the proposed legislation, because it will depend upon the future size of the Armed Forces, the number of men who may be disabled, and the future cost of each particular trainee and the benefits provided.

According to vocational rehabilitation authorities, under Public Law 16 it was stated by the Veterans' Administration last December that the cost was more than $1,285,000,000 through October 31, 1950. There is an opportunity here provided to take care of the veterans from Korea in line with veterans of World War II, who are entitled to this type of treatment. I commend the proposed legislation.

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

There being no objection, the bill (H. R. 3932) was considered, ordered to a third reading, read the third time, and passed.

WORLD METALLURGICAL CONGRESS

The joint resolution (H. J. Res. 290) providing for the recognition and endorsement of the World Metallurgical Congress was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OR REPEAL OF CERTAIN GOVERNMENT PROPERTY LAWS

The Senate proceeded to consider the bill (S. 1952) to amend or repeal certain Government property laws, and for other purposes which had been reported from the Committee on Expenditures in the Executive Departments with amendments on page 14, after line 13, to strike out:

(107) The fourth full paragraph on page 547 of volume 44 of the Statutes at Large, in the act of May 13, 1926 (41 U. S. C. 6a).

On page 14, at the beginning of line 17, to change the number from "108" to "107"; at the beginning of line 20, to change the number from "109" to "108"; at the beginning of line 23, to change the number from "110" to "109"; on page 15, at the beginning of line 1, to change the number from "111" to "110"; at the beginning of line 3, to change the number from "112" to "111"; at the beginning of line 5, to change the number from "113" to "112"; at the beginning of line 7, to change the number from "114" to "113"; at the beginning of line 9, to change the number from "115" to "114"; at the beginning of line 11, to change the number from "116" to "115"; at the beginning of line 13, to change the number from "117" to "116"; at the beginning of line 16, to change the number from "118" to "117"; at the beginning of line 18, to change the number from "119" to "118"; at the beginning of line 20, to change the number from "120" to "119"; at the beginning of line 24, to change the number from "121" to "120"; on page 16, at the beginning of line 3, to change the number from "122" to "121"; at the beginning of line 6, to change the number from "123" to "122"; at the beginning of line 9, to change the number from "124" to "123"; at the beginning of line 12, to change the number from "125" to "124"; at the beginning of line 15, to change the number from "126" to "125"; at the beginning of line 18, to change the number from "127" to "126"; at the beginning of line 20, to change the number from "128" to "127"; at the beginning of line 22, to change the number from "129" to "128"; at the beginning of line 24, to change the number from "130" to "129"; on page 17, at the beginning of line 1, to change the number from "131" to "130"; at the beginning of line 3, to change the number from "132" to "131"; at the beginning of line 5, to change the number from "133" to "132"; on page 22, after line 18, to insert:

(14) Of "and shall submit through the Secretary of the Interior, estimates thereof" in the first proviso in the last full paragraph on page 147 of volume 19 of the Statutes at Large, in the act of August 15, 1876, and of "and shall submit through the Secretary of the Interior annually estimates thereof" in the twelfth full paragraph on page 298 of volume 19 of the Statutes at Large, in the act of March 3, 1877 (40 U. S. C. 136).

(15) Of "Extension, and the same shall be paid for by the Secretary of the Interior out of the appropriations for such extension, and from no other appropriation" in section 1816 of the Revised Statutes (40 U. S. C. 166).

(16) The ninth full paragraph on page 612 of volume 31 of the Statutes at Large, in the act of June 6, 1900 (40 U. S. C. 168a).

(17) Of "with the approval of the Secretary of the Interior" in section 11 of the act of June 26, 1912, as amended (37 Stat. 184; 40 U. S. C. 171).

(18) The fifth paragraph on page 458 of volume 38 of the Statutes at Large, in the act of July 16, 1914 (40 U. S. C. 172).

(19) Section 1832 of the Revised Statutes (40 U. S. C. 218).

(20) Section 1833 of the Revised Statutes (40 U. S. C. 219).

(21) Section 220 of the Revised Statutes (40 U. S. C. 220).

And at the top of page 26, to insert:

(10) By amending the fourth full paragraph appearing on page 547 of volume 44 of the Statutes at Large, in the act of May 13, 1926 (41 U. S. C. 6a), to read as follows:

"Hereafter the purchase of supplies and equipment and the procurement of services for all branches under the Architect of the Capitol may be made in the open market without compliance with section 3709 of the Revised Statutes of the United States, as amended, in the manner common among businessmen, when the aggregate amount of the purchase or the service does not exceed $500 in any instance."

So as to make the bill read:

Be it enacted, etc., That the following acts and parts of acts are hereby repealed:

(1) The sixth paragraph on page 865 of volume 32 of the Statutes at Large, in the act of February 25, 1903 (2 U. S. C. 148).

(2) The first full paragraph on page 1404 of volume 36 of the Statutes at Large, in the act of March 4, 1911 (3 U. S. C. 47).

(3) Section 197 of the Revised Statutes, as amended (5 U. S. C. 109).

(4) Section 226 of the Revised Statutes (5 U. S. C. 201).

(5) The act of June 7, 1924, as amended (43 Stat. 597; 5 U. S. C. 203–207).

(6) The act of May 29, 1928, as amended (45 Stat. 985, ch. 900; 5 U. S. C. 219).

(7) Section 8 of the act of July 24, 1946 (60 Stat. 643; 5 U. S. C. 229).

(8) The last paragraph commencing on page 817 and ending on page 818 of volume 25 of the Statutes at Large, in the act of March 2, 1889 (5 U. S. C. 454), and said paragraph shall be inapplicable to the Bureau of Supplies and Accounts, notwithstanding the second sentence of the second full paragraph on page 245 of volume 27 of the Statutes at Large, in the act of July 19, 1892.

(9) The third full paragraph on page 270 of volume 41 of the Statutes at Large, in the act of July 24, 1919 (5 U. S. C. 550).

(10) So much of the first full paragraph on page 614 of volume 47 of the Statutes at Large, in the act of July 7, 1932 (7 U. S. C. 386g), as reads: "to transfer to any Government department or establishment or to local authorities or institutions such property and/or equipment or to sell the same at public or private sale and."

(11) The sixth paragraph on page 274 of volume 37 of the Statutes at Large, in the act of August 10, 1912 (7 U. S. C. 392).

(12) The matter appearing after the semicolon in the second full paragraph on page 143 of volume 59 of the Statutes at Large, in the act of May 5, 1945 (7 U. S. C. 419).

(13) The first full paragraph on page 748 of volume 55 of the Statutes at Large, in the act of October 28, 1941 (10 U. S. C. 576a).

(14) The last proviso on page 1347 of volume 40 of the Statutes at Large, in the act of March 4, 1919 (10 U. S. C. 1122).

(15) Section 3714 of the Revised Statutes, as amended (10 U. S. C. 1191, 34 U. S. C. 560).

(16) The last paragraph commencing on page 737 and ending on page 738 of volume 42 of the Statutes at Large, in the act of June 30, 1922 (10 U. S. C. 1225).

(17) The first paragraph of chapter IV of the act of July 11, 1919 (41 Stat. 130; 10 U. S. C. 1251).

(18) Section 8 of the act of June 5, 1920 (41 Stat. 1015; 10 U. S. C. 1257, 1311).

(19) Section 1241 of the Revised Statutes (10 U. S. C. 1261).

(20) The first and second paragraphs of chapter II of the act of July 11, 1919 (41 Stat. 129–130; 10 U. S. C. 1263–1264).

(21) The last proviso on page 105 of volume 41 of the Statutes at Large, in the act of July 11, 1919 (10 U. S. C. 1265).

(22) The act of April 17, 1920 (41 Stat. 554; 10 U. S. C. 1266).

(23) Section 5 of the act of July 19, 1919 (41 Stat. 233; 10 U. S. C. 1267).

(24) The last paragraph on page 132 of volume 41 of the Statutes at Large, in the act of July 11, 1919, as amended (10 U. S. C., Supp. 1274).

(25) The eighth paragraph on page 1028 of volume 40 of the Statutes at Large, in the act of November 4, 1918 (10 U. S. C. 1286).

(26) The act of May 5, 1920 (41 Stat. 588; 10 U. S. C. 1349).

(27) The proviso in the act of February 20, 1931 (46 Stat. 1191, ch. 235; 10 U. S. C. 1354).

(28) So much of the matter following the heading "Transportation of the Army and Its Supplies" in the act of March 2, 1905 (33 Stat. 837; 10 U. S. C. 1372), as reads: "and hereafter no steamship in the transport service of the United States shall be sold or disposed of without the consent of Congress having been first had or obtained."

(29) The act of March 12, 1926, as amended (44 Stat. 203; 10 U. S. C. 1594, 1595–1597, 1598–1605).

(30) The second and third provisos on page 585 of volume 58 of the Statutes at Large, in the act of June 28, 1944 (10 U. S. C. 1594b).

(31) Section 3 of the act of February 25, 1927 (44 Stat. 1236; 10 U. S. C. 1597a).

(32) Section 92 (e) of section 1 of the act of August 4, 1949 (63 Stat. 503; 14 U. S. C., Supp., 92 (e)).

(33) Section 93 (k) of section 1 of the act of August 4, 1949 (63 Stat. 504; 14 U. S. C., Supp., 93 (k).

(34) So much of the fourth paragraph on page 1258 of volume 34 of the Statutes at Large, in the act of March 4, 1907 (15 U. S. C. 320), as reads: "and hereafter the Secretary of Agriculture is authorized to sell any surplus maps or publications of the Weather Bureau, and the money received from such sales shall be deposited in the Treasury of the United States, section 227 of the Revised Statutes notwithstanding;".

(35) The fifth paragraph on page 1215 of volume 42 of the Statutes at Large, in the act of January 24, 1923 (16 U. S. C. 7).

(36) Section 519 of the Revised Statutes (20 U. S. C. 5).

(37) The provisos in the fifth paragraph on page 397 of volume 20 of the Statutes at Large, in the act of March 3, 1879 (20 U. S. C. 61).

(38) The first paragraph on page 661 of volume 38 of the Statutes at Large, in the act of August 1, 1949 (20 U. S. C. 62).

(39) The fourth paragraph on page 930 of volume 41 of the Statutes at Large, in the act of June 5, 1920 (20 U. S. C. 63, 33 U. S. C. 867).

(40) The second sentence of the third paragraph on page 629 of volume 22 of the Statutes at Large, in the act of March 3, 1883 (20 U. S. C. 64).

(41) The act of November 19, 1919 (41 Stat. 360, ch. 118; 20 U. S. C. 93).

(42) The act of May 26, 1928 (45 Stat. 753, ch. 760; 20 U. S. C. 94).

(43) The fifth proviso on page 452 of volume 60 of the Statutes at Large, in the act of July 5, 1946 (22 U. S. C. 1140).

(44) Section 8 of the act of February 12, 1925 (43 Stat. 890; 23 U. S. C. 49).

(45) The act of March 15, 1920 (41 Stat. 530; 23 U. S. C. 51–53, 39 U. S. C. 502–503).

(46) The seventh full paragraph on page 373 of volume 40 of the Statutes at Large, in the act of October 6, 1917 (24 U. S. C. 178).

(47) The act of June 20, 1939 (53 Stat. 843, ch. 220; 24 U. S. C. 298).

(48) The proviso under the heading "Transportation" on page 291 of volume 19 of the Statutes at Large, in the act of March 3, 1877, and the fifth full paragraph on page 676 of volume 30 of the Statutes at Large, in the act of July 17, 1898 (25 U. S. C. 100).

(49) Section 2122 of the Revised Statutes (25 U. S. C. 188).

(50) Section 2123 of the Revised Statutes (25 U. S. C. 189).

(51) Section 6 of the act of July 1, 1898, as amended (30 Stat. 596; 25 U. S. C. 191).

(52) Section 3796 of the Internal Revenue Code of February 10, 1939 (53 Stat. 469; 26 U. S. C. 3796).

(53) Section 3945 of the Internal Revenue Code of February 10, 1939 (53 Stat. 482; 26 U. S. C. 3945).

(54) Section 5 of the act of June 5, 1920 (41 Stat. 987; 29 U. S. C. 16).

(55) The matter appearing after the last semicolon in the fifth paragraph on page 807 of volume 26 of the Statutes at Large, in the act of March 2, 1891 (31 U. S. C. 641).

(56) Section 7 of the act of August 30, 1935 (49 Stat. 1048; 33 U. S. C. 558a).

(57) The second sentence of section 3 of the act of August 11, 1888 (25 Stat. 423; 33 U. S. C. 623).

(58) Section 2 of the act of September 19, 1890 (26 Stat. 452), and the first sentence of section 8 of the act of July 25, 1912 (37 Stat. 233; 33 U. S. C. 625).

(59) Section 6 of the act of December 22, 1944 (58 Stat. 890; 33 U. S. C. 708).

(60) The last proviso in the third paragraph on page 688 of volume 40 of the Statutes at Large, in the act of July 1, 1918 (33 U. S. C. 868).

(61) The second full paragraph on page 605 of volume 39 of the Statutes at Large, in the act of August 29, 1916 (34 U. S. C. 493).

(62) Section 7 of the act of July 19, 1940 (54 Stat. 780; 34 U. S. C. 493a).

(63) The first full paragraph on page 818 of volume 25 of the Statutes at Large, in the act of March 2, 1889 (34 U. S. C. 525).

(64) The act of June 6, 1941 (55 Stat. 247, ch. 177; 34 U. S. C. 532a).

(65) The eleventh full paragraph on page 194 of volume 26 of the Statutes at Large, in the act of June 30, 1890 (34 U. S. C. 543).

(66) The third through the sixth sentences of section 2 of the act of August 5, 1882, as amended (22 Stat. 296; 34 U. S. C. 544).

(67) The act of February 14, 1927 (44 Stat. 1096, ch. 133; 34 U. S. C. 546a).

(68) The act of July 3, 1926 (44 Stat. 836; 34 U. S. C. 551a).

(69) The act of August 7, 1946 (60 Stat. 884, ch. 785; 34 U. S. C. 1123f).

(70) Section 202 (11) of the act of June 7, 1924 (43 Stat. 621; 38 U. S. C. 485).

(71) The third paragraph under the heading "Office of the Second Assistant Postmaster General" in the act of June 5, 1920 (41 Stat. 1031; 39 U. S. C. 468).

(72) Section 8 of the act of July 2, 1918 (40 Stat. 753), and section 3 of the act of April 24, 1920 (41 Stat. 583; 39 U. S. C. 504).

(73) The act of July 19, 1932 (47 Stat. 705, ch. 510; 40 U. S. C. 5a).

(74) The sixth paragraph in the act of July 8, 1918 (40 Stat. 831; 40 U. S. C. 7).

(75) The matter appearing after the semicolon in section 1798 of the Revised Statutes (40 U. S. C. 8).

(76) The second sentence under the heading "State, War, and Navy Department Building" in the act of March 3, 1883 (22 Stat. 553; 40 U. S. C. 9).

(77) So much of the sixth paragraph on page 218 of volume 35 of the Statutes at Large, in the act of May 22, 1908, as reads: ", and the State Department Annex Building"; the fourth paragraph under the heading "State, War, and Navy Department Buildings" in the act of March 28, 1918 (40 Stat. 482); and the last paragraph commencing on page 598 and ending on page 599 of volume 40 of the Statutes at Large, in the act of June 4, 1918 (40 U. S. C. 10).

(78) The third paragraph under the heading "Temporary Office Buildings" in the act of March 28, 1918 (40 Stat. 483), and the tenth paragraph on page 598 of volume 40 of the Statutes at Large, in the act of June 4, 1918 (40 U. S. C. 11).

(79) The first paragraph under the heading "Custody of Interior Department Building" in the act of May 24, 1922 (42 Stat. 554; 40 U. S. C. 12, 21).

(80) The third, sixth, and last paragraphs on page 1239 and the third and fifth paragraphs on page 1240 of volume 42 of the Statutes at Large, in the act of February 13, 1923 (40 U. S. C. 13, 14, 15, 17, 18).

(81) The seventh paragraph on page 66 of volume 43 of the Statutes at Large, in the act of April 4, 1924 (40 U. S. C. 16).

(82) The paragraph entitled "First" in section 1812 of the Revised Statutes (40 U. S. C. 20).

(83) The final proviso commencing on page 608 and ending on page 609 of volume 50 of the Statutes at Large, in the act of August 9, 1937 (40 U. S. C. 27a).

(84) The proviso in the third full paragraph on page 659 of volume 34 of the Statutes at Large, in the act of June 30, 1906 (40 U. S. C. 44).

(85) The last paragraph commencing on page 672 and ending on page 673, and the last proviso in the second full paragraph on page 673, of volume 40 of the Statutes at Large, in the act of July 1, 1918 (40 U. S. C. 110, 116).

(86) The third full paragraph on page 148 of volume 41 of the Statutes at Large, in the act of July 11, 1919 (40 U. S. C. 111).

(87) The first full paragraph on page 200 of volume 41 of the Statutes at Large, in the act of July 19, 1919 (40 U. S. C. 112).

(88) The fourth full paragraph, excluding the last two provisos, on page 1211, and the last paragraph commencing on page 1211 and ending on page 1212, of volume 42 of the Statutes at Large, in the act of January 24, 1923 (40 U. S. C. 114, 117).

(89) The first full paragraph on page 913 of volume 41 of the Statutes at Large, in the act of June 5, 1920 (40 U. S. C. 119).

(90) The matter appearing after the semicolon in the third full paragraph on page 1091 of volume 32 of the Statutes at Large, in the act of March 3, 1903 (40 U. S. C. 266).

(91) Section 21 of the act of June 6, 1902 (32 Stat. 326; 40 U. S. C. 269).

(92) The first full paragraph on page 512 of volume 24 of the Statutes at Large, in the act of March 3, 1887 (40 U. S. C. 273).

(93) The last paragraph commencing on page 592 and ending on page 593 of volume 31 of the Statutes at Large, in the act of June 6, 1900 (40 U. S. C. 287).

(94) Section 5 of the act of June 14, 1946 (60 Stat. 258; 40 U. S. C. 294).

(95) Section 3749 of the Revised Statutes (40 U. S. C. 302).

(96) The tenth full paragraph on page 383 of volume 20 of the Statutes at Large, in the act of March 3, 1879 (40 U. S. C. 303a).

(97) The last proviso on page 1030 of volume 45 of the Statutes at Large, in the act of December 20, 1928 (40 U. S. C. 312).

(98) Section 1 of the act of October 10, 1940 (54 Stat. 1109; 41 U. S. C. 6).

(99) The third paragraph on page 281, the fourth full paragraph on page 289, the last proviso on page 292, and the last proviso in the fourth full paragraph on page 302, of volume 55 of the Statutes at Large, in the act of June 28, 1941 (41 U. S. C. 6).

(100) The proviso in the first paragraph on page 347 of volume 56 of the Statutes at Large, in the act of June 8, 1942 (41 U. S. C. 6).

(101) The last proviso on page 483, the fourth full paragraph on page 500, and the proviso in the first full paragraph on page 505, of volume 56 of the Statutes at Large, in the act of July 2, 1942 (41 U. S. C. 6).

(102) The proviso in the eighth paragraph on page 236 and the proviso in the fourth full paragraph on page 243 of volume 57 of the Statutes at Large, in the act of June 28, 1943 (41 U. S. C. 6).

(103) The proviso in the seventh paragraph on page 351 and the proviso in the second paragraph on page 358 of volume 58 of the Statutes at Large, in the act of June 26, 1944 (41 U. S. C. 6).

(104) The proviso in the first full paragraph on page 256 of volume 59 of the Statutes at Large, in the act of June 13, 1945 (41 U. S. C. 6).

(105) The first proviso on page 405 of volume 60 of the Statutes at Large, in the act of July 1, 1946 (41 U. S. C. 6).

(106) The proviso in the fourth full paragraph on page 144 of volume 40 of the Statutes at Large, in the act of June 12, 1917 (41 U. S. C. 6a).

(107) Section 2, paragraphs (b)-(e), (g), (i), (k)-(n), of the act of October 10, 1940 (54 Stat. 1110; 41 U. S. C. 6a).

(108) The proviso on page 344 of volume 55 of the Statutes at Large, in the act of June 28, 1941 (41 U. S. C. 6a).

(109) Section 7 of the act of June 5, 1920 (41 Stat. 947; 41 U. S. C. 27).

(110) Section 2 (b) of the act of July 1, 1944 (58 Stat. 649; 41 U. S. C. 102 (b)).

(111) Section 18 (b) of the act of July 1, 1944 (58 Stat. 666; 41 U. S. C. 118 (b)).

(112) Section 6 (b) of the act of September 1, 1937 (50 Stat. 890; 42 U. S. C. 1406 (b)).

(113) Section 2 of the act of August 8, 1946 (60 Stat. 958; 42 U. S. C. 1574).

(114) Sections 1, 2, and 3 of the act of July 5, 1884 (23 Stat. 103; 43 U. S. C. 1071-1073).

(115) Section 95 of the act of January 12, 1895 (28 Stat. 623; 44 U. S. C. 93).

(116) The proviso in the fourth full paragraph on page 259 of volume 26 of the Statutes at Large, in the act of July 11, 1890 (44 U. S. C. 283a).

(117) Section 10 of the act of July 9, 1941 (55 Stat. 582; 44 U. S. C. 300 jj).

(118) Section 12 of the act of July 7, 1943, as amended (57 Stat. 382; 44 U. S. C. 377).

(119) The matter appearing after the semicolon in the first full paragraph on page 1338 of volume 34 of the Statutes at Large, in the act of March 4, 1907 (48 U. S. C. 39).

(120) The proviso in the second full paragraph on page 584 of volume 42 of the Statutes at Large, in the act of May 24, 1922 (48 U. S. C. 39).

(121) The proviso in the fourth full paragraph on page 1205 of volume 42 of the Statutes at Large, in the act of January 24, 1923 (48 U. S. C. 39).

(122) The proviso in the second full paragraph on page 427 of volume 43 of the Statutes at Large, in the act of June 5, 1924 (48 U. S. C. 39).

(123) The proviso in the first full paragraph on page 1181 of volume 43 of the Statutes at Large, in the act of March 3, 1925 (48 U. S. C. 39).

(124) The proviso in the second full paragraph on page 492 of volume 44 of the Statutes at Large, in the act of May 10, 1926 (48 U. S. C. 39).

(125) The last proviso on page 968 of volume 44 of the Statutes at Large, in the act of January 12, 1927 (48 U. S. C. 39).

(126) Section 2 of the act of February 25, 1925 (43 Stat. 978; 48 U. S. C. 174).

(127) The act of March 27, 1928 (45 Stat. 371, ch. 251; 48 U. S. C. 472, 472a).

(128) Section 4 (f) of the act of June 22, 1936, as amended (49 Stat. 1808; 48 U. S. C. 1405c (f)).

(129) The act of June 16, 1948 (62 Stat. 458, ch. 478; 50 U. S. C. App., Supp. 1622 note).

(130) Section 208 of the act of July 18, 1939 (53 Stat. 1065).

(131) Section 5 of the act of June 28, 1944 (58 Stat. 531; D. C. Code, Supp., 1-241).

(132) Section 4 of the act of December 20, 1944 (58 Stat. 822; D. C. Code, Supp., 1-247).

SEC. 2. The following acts and parts of acts are amended by addition of the words "subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended," as shown below:

(1) After "Columbia," in line 4 of the seventh paragraph on page 865 of volume 32 of the Statutes at Large, in the act of February 25, 1903 (5 U. S. C. 110).

(2) After "That" in line 7 of the act of February 27, 1948 (62 Stat. 37; 5 U. S. C., Supp., 150p).

(3) After "That" in line 2 of the act of July 16, 1946 (60 Stat. 535; 5 U. S. C. 207a).

(4) After "That" in line 2 of the act of April 10, 1878 (20 Stat. 36; 5 U. S. C. 218).

(5) After "(a)" in line 9 of the act of May 26 1948 (62 Stat. 274; 5 U. S. C., Supp., 626 1 (a)).

(6) After "That" in line 2 of the act of June 1, 1926 (44 Stat. 680; 10 U. S. C. 1209).

(7) After "That" in line 2 of the act of May 15, 1937 (50 Stat. 167, ch. 193; 10 U. S. C. 1259).

(8) After "That" in line 15 on page 949 of volume 41 of the Statutes at Large, in the act of June 5, 1920 (10 U. S. C. 1262).

(9) After "and" in section 92 (d) of section 1 of the act of August 4, 1949 (63 Stat. 503; 14 U. S. C., Supp., 92 (d)); and there is deleted therefrom all after "them."

(10) After "vehicles, and" in section 93 (h) of section 1 of the act of August 4, 1949 (63 Stat. 504; 14 U. S. C., Supp., 93 (h)); and there is deleted therefrom all after "them."

(11) After "Commandant" in section 641 (a) of section 1 of the act of August 4, 1949 (63 Stat. 547; 14 U. S. C., Supp., 641 (a)); and there is deleted therefrom "regularly organized flotilla or other organized" and "incorporated" is substituted therefor.

(12) After "Service" in section 302 (b) of the act of September 21, 1944 (58 Stat. 738; 16 U. S. C. 590q-1).

(13) After "That" in line 15 of section 401 of the act of June 15, 1935 (49 Stat. 383; 16 U. S. C. 715s); and there is also added after "That" in line 24 thereof "except as otherwise provided by section 204 of the Federal Property and Administrative Services Act of 1949."

(14) After "purpose" in the last line of section 1 of the act of June 23, 1930 (46 Stat. 798; 16 U. S. C. 793).

(15) After "needed" in line 8 of the act of August 27, 1935 (49 Stat. 906; 22 U. S. C. 277e).

(16) After "That" in line 2 of the act of April 12, 1924 (43 Stat. 93, ch. 93; 25 U. S. C. 190); and there is deleted all after the semicolon in the last paragraph thereof.

(17) After "That" in line 1 of the fourth paragraph on page 973 of volume 39 of the Statutes at Large, in the act of March 2, 1917 (25 U. S. C. 293); there is deleted "net" from line 7 of said paragraph; and there is deleted "such" from line 13 of said paragraph and "the net" is substituted therefor.

(18) After "directed" in section 2 of the act of February 25, 1919 (40 Stat. 1154; 30 U. S. C. 4).

(19) After "discretion" in line 9 on page 277 of volume 39 of the Statutes at Large, in the act of July 1, 1916 (31 U. S. C. 418).

(20) After "That" in line 1 under the heading "Treasury Department" in the act of June 8, 1896 (29 Stat. 268; 31 U. S. C. 489).

(21) After "discretion" in the act of March 1, 1929 (45 Stat. 1430, ch. 429; 34 U. S. C. 546b).

(22) After "prescribe" in the act of December 23, 1932 (47 Stat. 751; 34 U. S. C. 546d).

(23) After "discretion" in section 2 of the act of August 7, 1946 (60 Stat. 897; 34 U. S. C. 546g).

(24) After "That" in line 6 of the act of June 3, 1939 (53 Stat. 808; 40 U. S. C. 311b); and there is deleted therefrom "notwithstanding the first proviso in the fourth [sic] paragraph under the heading "Division of Supply" in title I of the act entitled "An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1930, and for other purposes", approved December 20, 1928 (45 Stat. 1030),".

(25) After "authorized" in section 7 of the act of May 28, 1948 (62 Stat. 278; 48 U. S. C., Supp., 485f).

(26) After "authorized" in section 14 of the act of May 28, 1908 (35 Stat. 443; 50 U. S. C. 64).

(27) After "prescribe," in line 4 of the act of February 8, 1889 (25 Stat. 657, ch. 116; 50 U. S. C. 66).

(28) After "authorized" in section 47 of the act of March 4, 1909 (35 Stat. 1075; 50 U. S. C. 68).

SEC. 3. The following acts and parts of acts are amended by deletions, as shown below:

(1) All after "bee-breeding stock" in section 103 of the act of September 21, 1944 (58 Stat. 735; 7 U. S. C. 283).

(2) The first proviso in section 1 of the act of June 28, 1944, as amended (58 Stat. 624, ch. 306; 10 U. S. C., Supp., 1213, 34 U. S. C., Supp., 555a).

(3) All after "Coast Guard shore establishments" in section 92 (c) of section 1 of the act of August 4, 1949 (63 Stat. 503; 14 U. S. C., Supp., 92 (c)).

(4) Of "are surplus or" in section 1 of the act of March 4, 1921 (41 Stat. 1438, ch. 166; 20 U. S. C. 60).

(5) Of "net" in line 1 of section 88 of the act of June 3, 1916 (39 Stat. 205; 32 U. S. C. 45).

(6) Of "; and August 30, 1935, section 7 (49 Stat. 1049)" in section 6 of the act of August 18, 1941 (55 Stat. 650; 33 U. S. C. 701c-2).

(7) Of "to sell, lease, or exchange surplus equipment, supplies, products, or waste materials belonging to the bureau or any of its plants or institutions; and" and the last sentence in section 29 of the act of June 7, 1924 (43 Stat. 615; 38 U. S. C. 455).

(8) Of "to any purchases when the aggregate amount involved does not exceed $500, nor" in section 2 (a) of the act of October 10, 1940 (54 Stat. 1110; 41 U. S. C. 6a (a)).

(9) Of "to any purchase or service when the aggregate amount does not exceed $100, or with respect to articles, materials, or supplies for use outside the United States when the aggregate amount involved does not exceed $300; or" in section 2 (h) of the act of October 10, 1940 (54 Stat. 1110; 41 U. S. C. 6a (h)).

(10) All after the semicolon in section 12 of the act of January 12, 1895, as amended (28 Stat. 602; 44 U. S. C. 14).

(11) The seventh paragraph on page 320 of volume 39 of the Statutes at Large, in the act of July 1, 1916 (44 U. S. C. 246).

(12) Of ", and any provision of law relating to the disposal of surplus Government property" in section 2 of the act of February 6, 1941 (55 Stat. 6; 46 U. S. C. 1119b).

(13) Of "dispose by lease or sale of wells, lands, or interests therein, not valuable for helium production; to dispose of oil, gas, and byproducts of helium operations not needed for Government use; and to" in section 1 (d) of the act of March 3, 1925, as amended (43 Stat. 1110; 50 U. S. C. 161 (d)).

(14) Of "and shall submit through the Secretary of the Interior, estimates thereof" in the first proviso in the last full paragraph on page 147 of volume 19 of the Statutes at Large, in the act of August 15, 1876, and of "and shall submit through the Secretary of the Interior annually estimates thereof" in the twelfth full paragraph on page 298 of volume 19 of the Statutes at Large, in the act of March 3, 1877 (40 U. S. C. 136).

(15) Of "Extension, and the same shall be paid for by the Secretary of the Interior out of the appropriations for such extension, and from no other appropriation" in section 1816 of the Revised Statutes (40 U. S. C. 166).

(16) The ninth full paragraph on page 612 of volume 31 of the Statutes at Large, in the act of June 6, 1900 (40 U. S. C. 168a).

(17) Of "with the approval of the Secretary of the Interior" in section 11 of the act of June 26, 1912, as amended (37 Stat. 184; 40 U. S. C. 171).

(18) The fifth paragraph on page 458 of volume 38 of the Statutes at Large, in the act of July 16, 1914 (40 U. S. C. 172).

(19) Section 1832 of the Revised Statutes (40 U. S. C. 218).

(20) Section 1833 of the Revised Statutes (40 U. S. C. 219).

(21) Section 220 of the Revised Statutes (40 U. S. C. 220).

SEC. 4. The following acts and parts of acts are amended, as shown below:

(1) Section 93 (i) of section 1 of the act of August 4, 1949 (63 Stat. 504; 14 U. S. C., Supp., 93 (i)) is revised to read: "acquire, accept as gift, maintain, repair, and discontinue aids to navigation, appliances, equipment, and supplies;".

(2) By deleting all after "authorized" in line 1 through "authority" in line 11 of section 3 and by adding "but subject to section 207 of the Federal Property and Administrative Services Act of 1949" after "appropriate" in line 12 of said section, in the act of April 5, 1944 (58 Stat. 191; 30 U. S. C. 323).

(3) By inserting "or as provided in section 204 of the Federal Property and Administrative Services Act of 1949, or in other law," between "authorized by law," and "shall be deposited" in section 3618 of the Revised Statutes (31 U. S. C. 487).

(4) By deleting all after "serviceable" in line 3 of section 5 of the act of June 13, 1902 (32 Stat. 373; 33 U. S. C. 558) and by substituting therefor "and is transferred or sold, the proceeds thereof may be credited to the appropriation for the work for which it was acquired."

(5) By deleting "It" in line 1 of section 5 of the act of March 3, 1883 (22 Stat. 599; 34 U. S. C. 492) and by substituting therefor "Except as otherwise provided under the Federal Property and Administrative Services Act of 1949, as amended, it."

(6) By deleting "section 34 (a) of the Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. 1611)" in section 1 of the act of August 7, 1946 (60 Stat. 897; 34 U. S. C. 546f), and by substituting therefor "section 602 (c) of the Federal Property and Administrative Services Act of 1949, as amended."

(7) By deleting "or" in line 11 under the heading "Supplies for Postal Service" in the Act of June 26, 1906 (34 Stat. 476; 39 U. S. C. 355), and by substituting therefor "and, subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended, may similarly contract for such envelopes."

(8) The fourth full paragraph on page 1112 of volume 32 of the Statutes at Large, in the Act of March 3, 1903 (40 U. S. C. 304), is revised to read: "The General Services Administration is authorized to take custody, for disposal as excess property under the Federal Property and Administrative Services Act of 1949, as amended, of such lands as have been or may hereafter be acquired by the United States by devise."

(9) By adding "and shall be subject to applicable regulations under the Federal Property and Administrative Services Act of 1949, as amended" after "prescribe" in the last line of section 6 (a) of the act of September 1, 1937 (50 Stat. 890; 42 U. S. C. 1406 (a)).

(10) By amending the fourth full paragraph appearing on page 547 of volume 44 of the Statutes at Large, in the act of May 13, 1926 (41 U. S. C. 6a), to read as follows:

"Hereafter the purchase of supplies and equipment and the procurement of services for all branches under the Architect of the Capitol may be made in the open market without compliance with section 3709 of the Revised Statutes of the United States, as amended, in the manner common among businessmen, when the aggregate amount of the purchase or the service does not exceed $500 in any instance."

The amendments were agreed to.

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

BILL PASSED OVER

The bill (S. 2170) to amend the Defense Production Act of 1950, as amended, was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

ACTION BY AIR FORCE OFFICERS ON REPORTS AND VOUCHERS PERTAINING TO GOVERNMENT PROPERTY

The bill (H. R. 1203) to authorize officers designated by the Secretary of the Air Force to take action on reports of survey and vouchers pertaining to Government property was considered, ordered to a third reading, read the third time, and passed.

EXCHANGE OF CERTAIN GOVERNMENT OWNED LANDS FOR CERTAIN PRIVATELY OWNED LANDS

The Senate proceeded to consider the bill (S. 1450) to provide for the exchange of certain lands owned by the United States of America for certain privately owned lands which had been reported from the Committee on Public Works with an amendment on page 3, line 22, after the word "from", to strike out "and to", so as to make the bill read:

Be it enacted, etc., That, in order to adjust the boundary of the Rock Creek and Potomac Parkway in connection with plans for providing a park-like treatment at the entrance to Georgetown, and in connection with the future widening of Pennsylvania Avenue, the Secretary of the Interior is authorized to accept on behalf of and without cost to the United States of America, from the owner thereof, unencumbered fee-simple title to the following-described parcel of land situated in the District of Columbia and more particularly described as follows:

Part of lot 14, square 1194, as per plat recorded in the Office of the Surveyor of the District of Columbia in book 29, page 72, described as follows:

Beginning for the same at the intersection of the easterly line of Twenty-eighth Street and the south line of M Street, said point of beginning being also the northwest corner of said lot 14; thence along the south line of M Street east seventy and ninety-five one-hundredths feet to the northeast corner of said lot 14; thence in a southwesterly direction along the arc of the circle, the radius of which is two hundred and no tenths feet, deflecting to the right an arc distance of seventy-one and two one-hundredths feet to the northerly line of Pennsylvania Avenue; thence along said northerly line of Pennsylvania Avenue north sixty-five degrees twenty minutes west forty-four and fifty one-hundredths feet to the easterly line of Twenty-eighth Street and the southwest corner of said lot 14; thence along said easterly line of Twenty-eighth Street north no degrees three minutes west forty-five and seventeen one-hundredths feet to the point of beginning, containing three thousand three hundred twenty-two and forty-three one-hundredths square feet.

And upon acceptance of such title to such parcel of land, the Secretary of the Interior, acting for and on behalf of the United States of America, is authorized and directed to convey, without cost to the United States of America, to the grantor of the above-described tract of land, all right, title, and interest of the United States of America in and to the following-described tract of land owned by the United States of America and located in the District of Columbia, more particularly described as follows:

Parts of lots 9 and 10, square 1194, as per plat recorded in the Office of the Surveyor of the District of Columbia in Book G. T. 2, at page 23, described as follows:

Beginning for the same at a point on the south line of M Street, said point of beginning being the northwest corner of lot 9 and running thence along the south line of M Street east thirty-nine and fifty-five one-hundredths feet to the northeast corner of lot 10; thence along the east line of said lot 10 south twenty-four feet; thence south twenty-eight degrees sixteen minutes fifty seconds west eighty-three and forty-seven one-hundredths feet to a point in the northerly line of Pennsylvania Avenue, said point being the southwest corner of said lot 9; thence along the west line of said lot 9 north ninety-seven and fifty-one one-hundredths feet to the point of beginning, containing two thousand four hundred two and eighty-six one-hundredths square feet.

The deeds of conveyance from the United States of America shall contain such conditions, convenants, or restrictions as the Secretary of the Interior, after consultation with the National Capital Park and Planning Commission shall see fit to impose in connection with the future widening of Pennsylvania Avenue.

All land descriptions set forth in this act are in accordance with a plat of computation recorded in the Office of the Surveyor of the District of Columbia in survey book 161, page 309.

The amendment was agreed to.

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

REHABILITATION OF THE ECONOMY OF SOUTH KOREA

The joint resolution (S. J. Res 104) to assist in the rehabilitation of the economy of South Korea, and for other purposes, was announced as next in order.

The PRESIDING OFFICER (Mr. MONRONEY in the chair). Is there objection to the present consideration of the joint resolution?

Mr. SCHOEPPEL. Mr. President, I wish to say that I noticed by a press report under date of August 16 that South Korea was asking the Government of the United States to pay an amount of $100,000,000 for goods and services and supplies furnished to the United States fighting forces in Korea, and prompt payment was requested. The Senator from Kansas would like to inquire of the distinguished Senator in charge of the measure just what it provides, and if it is contemplated that any of the matters referred to in the article which I have just read, which appeared in the New York Times of Friday, August 17, 1951, shall be considered in connection with the measure.

Mr. MAGNUSON. Mr. President, I did not hear the first part of the suggestion of the Senator from Kansas, but I can tell him what the joint resolution does. It merely opens up the Ship Sales Act, which we permitted to expire about 4 months ago, to allow South Korea to purchase at the ships sales price, as any other purchaser may, up to 50,000 tons of certain ships to be used in intercoastal waters, intercoastal and coastal trade. The need for the ships in Korean waters is great. I have not yet received word to that effect, but I can tell the Senator from Kansas that the Department of Defense is very anxious about the joint resolution. They will be disposing of what we call the CI-M-AVI type of ships we built during World War II for possible use in the Baltic and in coastal areas where the bays and the gulfs are very shallow waters. These CI-M-AVI's, of which I think we have some 50 or 60, are in moth balls, and it is costing us money to keep them tied up.

We have not been able to sell the ships to any American operators. They can only be used in the type of waters that surround the Korean coast. The only possible use we would have for them would be in the Alaskan run. The Alaskan operators have already purchased all the CI-M-AVI's they can use. The bill is merely to allow Korea, which has no ships at all, to purchase these ships at the regular price all others pay. Where the money will come from I do not know, but South Korea would have to pay us for the vessels..

There is only one port in Korea, namely, Pusan, which ships of deep draft can enter. The road system of the peninsula is very bad. The transportation system is not what it should be, particularly across the peninsula. These small ships would enable the South Koreans to enhance their transportation system. Of course, so long as we are fighting in Korea, the ships would be immensely valuable for defense. There are in Korea a few seamen who are available. There are not many licensed personnel available.

There is another good reason for the proposed sale. I think the psychological effect of the flying of the flag of the Republic of South Korea on the inland waters of the Orient, particularly the Sea of Japan and the Korean coast, will be worth a great deal to the whole United Nations cause. That is why we are offering the measure.

Mr. SCHOEPPEL. I thank the Senator.

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

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time and passed, as follows:

Resolved, etc., That the Secretary of Commerce is authorized, at any time prior to 12 months from the date of enactment of this joint resolution, to transfer to the Government of the Republic of South Korea not more than fifty thousand tons deadweight of war-built vessels suitable for the coastwise (and intercoastal) trade of South Korea. Such transfers shall be made for cash at prices determined under section 3 of the Merchant Ships Sales Act of 1946: *Provided*, That, notwithstanding the last paragraph of section 3 (d) of such act, the Secretary may grant allowances for putting such vessels in class in accordance with the minimum requirements of the American Bureau of Shipping.

The preamble was agreed to.

REGULATIONS FOR PREVENTING COLLISIONS AT SEA

The bill (H. R. 5013) to authorize the President to proclaim regulations for preventing collisions at sea was considered, ordered to a third reading, read the third time, and passed.

BILLS AND CONCURRENT RESOLUTION PASSED OVER

The bill (S. 2180) to provide for slaughter quotas and allocations of livestock was announced as next in order.

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

Mr. HENDRICKSON. By request, I object.

The PRESIDING OFFICER. The bill will be passed over.

The concurrent resolution (S. Con. Res. 27) providing for a consolidated general appropriation bill for each fiscal year, was announced as next in order.

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

Mr. MAYBANK. I object.

The PRESIDING OFFICER. The concurrent resolution will be passed over.

COMPENSATION FOR OVERTIME AND HOLIDAY EMPLOYMENT—BILL PASSED OVER

The bill (S. 354) to amend Public Law 106, Seventy-ninth Congress, with regard to compensation for overtime and holiday employment was announced as next in order.

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

Mr. HENDRICKSON. Mr. President, this seems to me to be a far-reaching piece of legislation, and I request that it go over, to give the junior Senator from New Jersey an opportunity to study the whole measure. Does the Senator from South Carolina [Mr. JOHNSTON] think that this is the sort of legislation which should be passed on the mere call of the calendar?

Mr. JOHNSTON of South Carolina. The main thing the bill does is to raise the compensation of certain employees from $2,980, the minimum pay rate, to what we believe would be in line with the present value of the dollar.

Mr. CASE. Mr. President, this seems to be another one of the escalator bills, and if no other Senator objects, I shall.

Mr. HENDRICKSON. I wish the RECORD to show that I was anxious that the bill be passed over for the purpose of further study. I am not opposed to the principle of the legislation.

The PRESIDING OFFICER. Objection is heard on the part of the Senator from South Dakota. The bill will be passed over.

ENLARGEMENT OF EXISTING WATER-SUPPLY FACILITIES FOR THE SAN DIEGO, CALIF., AREA

The bill (H. R. 5102) to authorize the Secretary of the Navy to enlarge existing water-supply facilities for the San Diego, Calif., area in order to insure the existence of an adequate water supply for naval and Marine Corps installations and defense-production plants in such area was announced as next in order.

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

Mr. MAGNUSON. I am not going to object to consideration of the bill, but I wish to point out a matter to the Senate. For a long time we have had a bill before the Senate and upon the calendar for relief in the case of what is known as the Healy claim. It has been constantly objected to. It arose out of the claim of a contractor in San Diego on the very project to which the bill just called relates, who was not allowed to proceed with the project. Now a bill is offered, the purpose of which is to proceed with the project, anyway, before we even take care of the contractor who got caught in a sort of a bite there on the whole question of the water supply in San Diego.

I merely desired to point that matter out to the Senate, because the two cases are involved. I think in considering this bill we ought to consider the old accounts which are involved. I do not object to the bill.

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

There being no objection, the Senate proceeded to consider the bill (H. R. 5102) to authorize the Secretary of the Navy to enlarge existing water-supply facilities for the San Diego, Calif., area in order to insure the existence of an adequate water supply for naval and Marine Corps installations and defense-production plants in such area, which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That, subject to the provisions of section 3 of this act, the Secretary of the Navy, under the direction of the Secretary of Defense, is authorized and directed to provide for—

(1) Such enlargement of the existing aqueduct extending from the west end of the San Jacinto tunnel of the Metropolitan Water District of Southern California to the San Vicente Reservoir in San Diego County, Calif., as may be necessary to increase the rated capacity of such existing equeduct from 85 cubic feet per second to not less than 165 cubic feet per second, or

(2) The construction of a new aqueduct paralleling such existing aqueduct and having a rated capacity of not less than 80 cubic feet per second.

SEC. 2. The use of all water diverted through said works from the Colorado River shall be subject to and controlled by the Colorado River Compact, the Boulder Canyon Project Act, the California Self-Limitation Statute, and the Mexican Water Treaty and shall be included within and shall in no way increase the total quantity of water to the use of which the State of California is entitled and limited by said compact, statutes, and treaty.

SEC. 3. No construction shall be undertaken under the authority of section 1 of this act and no funds shall be expended for the preparation of plans or specifications for any such construction unless and until the Secretary of the Navy has entered into a contract with the San Diego County Water Authority amending the contract (NOy-13300) of October 17, 1945 (providing for the completion of such existing aqueduct), to provide—

(1) For the computation of the true cost of the work performed under the authority of section 1 of this act in the same manner as provided for determining true cost in such contract of October 17, 1945;

(2) For the repayment of the true cost of the work performed under the authority of section 1 of this act, together with interest on such amount computed at the rate certified by the Secretary of the Treasury to be the average rate paid by the United States on its long-term loans, within a period of 40 years after the completion and delivery to the San Diego County Water Authority of possession of the works constructed under the authority of this act: *Provided*, That repayment shall be made in annual installments of not less than one-fortieth of the true cost due when computed as herein prescribed plus annually accrued interest;

(3) that the use of all water diverted through said works from the Colorado River shall be subject to and controlled by the Colorado River Compact, the Boulder Canyon Project Act, the California Self-Limitation Statute, and the Mexican Water Treaty and shall be included within and shall in no way increase the total quantity of water to the use of which the State of California is entitled and limited by the said compact, treaty, and statutes;

(4) for the conveyance by the United States to the San Diego County Water Authority of title to the words constructed (including all rights-of-way and other interests in land used in connection with such works) under such contract of October 17, 1945, together with the works constructed under the authority of section 1 of this act, upon repayment of the true cost of such works, including interest, computed as hereinabove set forth; and

(5) that after the effective date of this contract the member agencies of the San Diego County Water Authority, their successors or assigns as the distributors of the water, shall furnish to the Government on a preferential basis and at a rate no higher than that charged other users of comparable quantities of water, a quantity of water sufficient to meet the requirements of Government activities located and to be located in the area served by such agencies.

SEC. 4. For the purpose of enabling him to carry out the provisions of the first section of this act, the Secretary of the Navy is authorized to acquire lands and rights pertaining thereto, or other interests therein, including the temporary use thereof, by donation, purchase, exchange of Government-owned lands, or otherwise.

SEC. 5. The United States and the San Diego County Water Authority and their respective permittees, licensees, and contractees and all users and appropriators of water of the Colorado River diverted or delivered through the existing aqueduct and the enlargement or addition thereto shall observe and be subject to the Colorado River Compact, the Boulder Canyon Project Act, the California Self-Limitation Statute, and the Mexican Water Treaty in the diversion, delivery, and use of water of the Colorado River, anything in this act to the contrary not withstanding, and such condition and covenant shall attach as a matter of law whether or not set out or referred to in the instrument evidencing such permit, license, or contract and shall be deemed to be for the benefit of and be available to the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming and the users of water therein or thereunder by way of suit, defense, or otherwise in any litigation respecting the waters of the Colorado River.

SEC. 6. The Secretary of the Navy is authorized to provide for the construction of the whole or any part of the work authorized by the first section of this act (1) by contract, (2) by the use of facilities and personnel of the Navy Department, or (3) by the use of the facilities and personnel of any other department or agency of the United States with which an agreement may be entered into to perform or to have performed the whole or any part of such work.

SEC. 7. The appropriation of such sums as may be necessary to carry out the provisions of this act is hereby authorized.

SEC. 8. This act and all works constructed hereunder shall be subject to and controlled by the Colorado River compact dated November 24, 1922, and proclaimed effective by the President June 25, 1929; the Boulder Canyon Project Act approved December 21, 1928; the California Limitation Act approved by the Governor of California March 4, 1929; and no right or claim of right to the use of the waters of the Colorado River shall be aided or prejudiced hereby.

Mr. LANGER. Mr. President, I send to the desk an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 11, line 3, it is proposed to insert the following:

The Secretary of the Interior, out of funds now in the Treasury of the United States or that may, hereafter, be deposited therein to the credit of the Indians of California, is hereby authorized and directed to pay delegates representing Indians of California, from and after January 1, 1946, while in Washington, D. C., and en route from California and return, including not to exceed 90 days of travel each year in California, by such delegates, to receive instructions from and make reports to said Indians, $8 per diem (in lieu of subsistence), and compensation at the rate of $10 per day, together with transportation equal to the cost of railroad and pullman fares, and other expenses which are usual for official business; provided that vouchers for payment of expenses (other than transportation) shall be supported by verified receipts; but compensation and per diem shall not be paid to delegates traveling by automobile in excess of the time required to perform the travel by railroad. Delegates within the meaning of this act shall be any person selected and authorized by enrolled Indians of California and who shall have represented said Indians before committees of Congress, departments of the Government, and agents thereof within the District of Columbia. The claims for per diem, compensation, and expenses shall be notarized and shall be submitted to the Secretary of the Interior, and within 30 days after submission he shall determine, and make payments to, the eligible delegates.

Mr. LANGER. Mr. President, I ask unanimous consent that I may have 10 minutes, instead of the usual 5, to explain the amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota? The Chair hears none.

Mr. LANGER. Mr. President, the Indians of California have in the Treasury about $6,000,000, resulting from a judgment by the Court of Claims. The act of May 18, 1928—Forty-fifth Statutes, page 602—authorizes the use of these funds for their benefit.

The delegates representing Indians of California were authorized to appear and have appeared before departments and agencies of the Federal Government, as well as committees of Congress, to secure remedial legislation from Congress, and to employ attorneys to present the claims of the Indians of California before the Indian Claims Commission and other tribunals.

The delegates in the course of their duties spent several months in Washington in the years 1946, 1947, 1948, 1949, 1950, and again this year. I may say that I conferred with them time and time again. These Indians, by the way, are in desperate need of this money. I conferred with them again this year. Their expenses have been advanced by contributions and loans by friends, and by personal funds of the delegates. The advancement of money constitutes a moral and legal obligation which should be paid from funds in the Treasury to the credit of the Indians of California. It is their own money that they are trying to get.

The activities of the delegates have been for the benefit of all the Indians of California and have resulted, among other things, in, first, the selection and employment of attorneys to represent those Indians before the Indian Claims Commission, under contracts approved by the Secretary of the Interior; second, congressional authority to revise the official roll of the Indians of California by adding the names of the descendants of the enrollees born during the past 20 years, and for other purposes; and, third, the enactment of the measure providing for a payment of $150 to each enrollee.

Mr. President, I have a letter from Hon. USHER L. BURDICK, a distinguished Representative in Congress from the State of North Dakota. He was born among the Indians and lived among them all his life until he came to Congress. I think he is known to practically every Member of this body. He wrote me on the 23d of August last. He said:

In the California Indians claim bill where a recovery of $5,000,000 was obtained, it was due in a large measure to the fact that these Indians sent to Washington, from time to time, delegates and representatives who appeared before departments, bureaus, and committtees in the interest of these claims.

Since 1946 none of these delegates has received pay from the proceeds of the recovery.

Think of it. They obtained their recovery in 1946. Those Indians have been starving ever since. They are not allowed to employ attorneys to prosecute their claims further. Six million dollars is available, and they cannot get their money; 1946, 1947, 1948, 1949, and 1950 have gone by, and now we are in 1951.

Of course, if these Indians had a great many votes it would be another matter. But there are only roughly 400,000 Indians scattered all over the United States so, of course, they represent only a very small minority, no matter where they may happen to live. They seem to be unable to get any attention at the hands of Congress.

Reading further from Mr. BURDICK's letter:

They have borrowed here and there, anywhere they could borrow, and carried this fight on to success.

It would seem to me that the expenses of these delegates should be paid out of the Indian funds secured. It costs money to travel around Indian reservations and to Washington to perfect the testimony necessary in claims of this size. The least the Government could do would be to ask of Congress authority to pay these expenses out of the amount recovered, and thus have all Indians participating in the recovery pay their full share of the expenses of the common effort.

Mr. Collett, representing the Indians of California, or some of them, thinks a rider to a pending Indian bill in the Senate could accomplish this purpose.

So, Mr. President, because this bill involves California interests, and deals with a project in California which will benefit the white people in San Diego, I therefore offer this amendment, and I hope it may be accepted.

Mr. KNOWLAND. Mr. President, I am fully alert to the situation which the able Senator from North Dakota has called to our attention. He has always, and quite properly, taken an interest not only in the Indians of California and his own State of North Dakota, but the Indians of the entire country. I think he is to be commended for the alertness he has shown in these matters.

However, I respectfully suggest to the Senator from North Dakota and other Members of the Senate that this bill is hardly the place for this particular amendment. The bill itself is a bill which has been proposed by the Department of National Defense. It is believed that it vitally affects the national defense establishments in the San Diego area.

The bill provides for the building of a second aqueduct, in the amount of $18,000,000, which will be entirely repaid by the San Diego Water District, principal plus interest, the principal to be repaid in 40 years.

So the subject matter of the bill itself is entirely different from the subject matter of the amendment. For that reason, with the greatest respect for my friend from North Dakota, I ask that the amendment not be pressed in connection with this bill, since it is not germane to the subject matter. I hope we may have a vote on the bill itself, under the unanimous-consent agreement for consideration of bills on the calendar.

There will be other bills before the Senate, dealing with the general subject matter of the amendment. In the meantime, the Senator from North Dakota having brought this subject to the attention of the Senate and the country through his own efforts and those of the able Representative from North Dakota, the proper committees of the Congress will give this subject very early attention.

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

Mr. KNOWLAND. I yield.

Mr. LANGER. The distinguished Senator knows that many Indians are starving. The Monterey Indians, near Palm Springs, are starving. In Palm Springs land is selling for more than $1,500 an acre. The poor Indians there, 300 in number, cannot even get title to their property. I was there among them only a short time ago. They are starving. The present Secretary of the Interior has done a good job. He has done more for them than ever has been done for them in all the previous history of the Department of the Interior. Nevertheless, he is handicapped by a lack of funds. I ask the distinguished Senator to join me, in case I withdraw this amendment, in a bill to take care of the Indians of California.

Mr. KNOWLAND. I will say to the Senator from North Dakota that I fully agree with him that our past Indian policy has not been a sound one. I think it is nothing short of a crime that in this year of 1951 there should be Indians who are not integrated into the general life of America.

I think the Senator is to be commended for constantly calling attention to the situation. I certainly shall be prepared to join the Senator from North Dakota in any constructive legislation on the subject. I have not had an opportunity to examine the details of this particular proposal. I shall be glad to join in any effort to meet the problem in an equitable manner.

Mr. LANGER. The Senator from California voted for the $90,000,000 appropriation for the Navajo and Hopi Indians in New Mexico and Arizona. I should like to sponsor a similar bill for the Indians of California—and, I may say, I want to include the Indians of North Dakota. There are a great many poor Indians in North Dakota. I should like to know whether or not the Senator from California will join me in a bill making provision for the Indians of North Dakota and California along similar lines to the relief granted the Navajo and Hopi Indians.

Mr. KNOWLAND. I will say to the Senator from North Dakota that I will certainly join with him in any effort to relieve the distress of the Indians, who, I think, in many instances, have been unfairly treated. I do not wish to say to the Senator on the floor of the Senate, without an opportunity to examine in detail the amendment which he has offered, just what form that relief should take. However, I am as sympathetic to the needs of the Indians as is the Senator from North Dakota.

Mr. LANGER. I take it the distinguished Senator, if he finds that the bill is properly drawn and is patterned after the Navajo-Hopi Indian bill, will be glad to join in it.

Mr. KNOWLAND. I shall certainly give it favorable consideration.

Mr. LANGER. Mr. President, I withdraw the amendment.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The Senator from North Dakota withdraws his amendment.

The question is on agreeing to the committee amendment.

Mr. KNOWLAND. Mr. President, in the committee the Senator from Nevada [Mr. MALONE] had certain questions in his mind. I had telephoned for him so that he could be present in the Chamber at the time the bill was under consideration. I see the Senator present in the Chamber. I believe he has a statement to make.

Mr. O'MAHONEY. Mr. President, will the Senator from Nevada yield to me for just a moment?

The PRESIDING OFFICER. The Senator from Nevada has not yet asked for recognition.

Mr. O'MAHONEY. Mr. President, as has already been stated, this bill was considered in the first place by the Armed Services Committees of both the House and the Senate. House bill 5102 was the bill before the Armed Services Committee of the House, and the Senate bill 234, a companion bill, was before the Armed Services Committee of the Senate. In each instance the principle of the bill was approved.

When the bill was favorably reported by the Committee on Armed Services of the Senate and was placed on the calendar, as chairman of the Committee on Interior and Insular Affairs I asked unanimous consent that the bill be sent to the Committee on Interior and Insular Affairs, inasmuch as that committee has jurisdiction of the Colorado River. The members of that committee are extremely anxious that the waters of that river shall be properly used for the development of all the Colorado River Basin States, the upper basin States and the so-called lower basin States, among which are the States of Arizona, New Mexico, Nevada, and so forth.

When the committee considered the bill the Senator from Nevada spoke very feelingly about the situation which exists in his State. He wanted to be certain that this bill was not providing additional water which could be used in California, to the detriment and disadvantage of other lower basin States, notably the State of Nevada. It should be pointed out that under the Colorado River compact the States of the upper basin and the States of the lower basin were authorized to make compacts among themselves. The States of the upper basin have fortunately at length succeeded in entering into a compact for the distribution of the waters which are allocated to the upper basin States by the Colorado River compact itself.

Unfortunately the States of the lower basin have not reached any such compact.

The Committee on Interior and Insular Affairs, making a favorable report upon this bill, wrote into its report the following language, which I should like to read into the RECORD:

The committee does not intend in authorizing appropriations for the construction of additional works to establish any new right of any kind for the use of Colorado River water in the State of California for the use of United States installations or otherwise. The bill specifically provides that all diversions through the authorized works from the Colorado River shal. be subject to and controlled by the Colorado River compact, the Boulder Canyon Project Act, the California self-limitation statute, and the Mexican water treaty. It does not "increase the total

quantity of water to the use of which the State of California is entitled and limited"—

That language comes from the bill itself—

by the foregoing compact, Federal and State laws, and the treaty with Mexico. There is no basis in this act, therefore, for any claim to the establishment of an additional water right of any kind for military purposes. Water to be used for the Navy by virtue of this authorization is strictly within the amount to which the State of California "is entitled and limited" under the foregoing documents.

In other words, Mr. President, we are recommending a bill which would only authorize the construction of certain works, and does not affect any water rights whatever in the system. I desired to make that additional statement.

DIVISION OF COLORADO RIVER WATER—THE LOWER BASIN—FIVE STATES

Mr. MALONE. Mr. President, the proposed legislation has opened up the entire subject of the division of the water of the lower basin of the Colorado River.

The Colorado River compact was written at Santa Fe in 1922 and signed by the representatives of the seven States of the basin. It was signed by W. S. Norviel, for the State of Arizona; by W. F. McClure, for the State of California; by Delph E. Carpenter, for the State of Colorado; by J. G. Scrugham, for the State of Nevada, who later served as a Senator from the State of Nevada; by Stephen B. Davis, Jr., for the State of New Mexico; by R. E. Caldwell, for the State of Utah; and by Frank C. Emerson, for the State of Wyoming.

Later, six of the States ratified the compact. Only Arizona held out. It was necessary in the Boulder Dam legislation, which was introduced in successive Congresses from 1922 to 1927, to insert an amendment to provide that if any six States, including California, ratified the compact it would become effective.

It left the State of Arizona out of the picture. Arizona did later ratify it, after the dam had been completed.

The division was made between the upper and lower divisions, that is the point I would like to make.

The PRESIDING OFFICER (Mr. Sparkman in the Chair). Let the Chair state to the Senator from Nevada that his time has expired.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the Senator from Nevada may be given five additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Nevada is recognized for five additional minutes.

Mr. MALONE. Mr. President, the importance of this matter cannot be overemphasized insofar as the lower basin States of Arizona, California, Nevada, New Mexico, and Utah are concerned, inasmuch as a certain amount of water was allocated to the lower basin through the Colorado River compact. That amount cannot now be increased or decreased by any act of Congress since the compact was approved in the regular manner.

The seven-State Colorado River compact in article III (d) provides that the States of the upper division "will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre-feet for any period of 10 consecutive years reckoned in continuing progressive series beginning with the first day of October next succeeding the ratification of this compact."

Article III (e) provides further that—

The States of the upper division shall not withhold water, and the States of the lower division shall not require the delivery of water, which cannot reasonably be applied to domestic and agricultural uses.

Article III (a) provides that—

There is hereby apportioned from the Colorado River system in perpetuity to the upper basin and to the lower basin, respectively, the exclusive beneficial consumptive use of 7,500,000 acre-feet of water per annum, which shall include all water necessary for the supply of any rights which now exist.

Article III (b) provides:

In addition to the apportionment in paragraph (a), the lower basin is hereby given the right to increase its beneficial consumptive use of such waters by 1,000,000 acre-feet per annum.

Article III (c) provides:

If, as a matter of international comity, the United States of America shall hereafter recognize in the United States of Mexico any right to the use of any waters of the Colorado River system, such waters shall be supplied from the waters which are surplus over and above the aggregate of the quantities specified in paragraphs (a) and (b); and if such surplus shall prove insufficient for this purpose, then, the burden of such deficiency shall be equally borne by the upper basin and the lower basin, and whenever necessary the States of the upper division shall deliver at Lee Ferry water to supply one-half of the deficiency so recognized in addition to that provided in paragraph (d).

It will be seen that the water has been divided between the upper and lower divisions of the river as described in the Colorado River compact, approved by the legislatures of the seven basin States and by the Senate of the United States. The latter approved the compact as an interstate agreement in accordance with the Constitution of the United States. No change can be made in this apportionment by any act of Congress not subscribed to by the States of the basin in the prescribed manner.

Both, the upper basin States, including Colorado, Wyoming, New Mexico, and Utah, and the lower basin States, including Arizona, California, Nevada, New Mexico, and Utah—it will be noted that the States of New Mexico and Utah are in both the upper and lower basins under the terms as used in the Colorado River compact—have entered into an agreement, and the agreement was approved by the United States Senate.

The lower basin States have been unable to arrive at an agreement dividing the water to which the respective States may be entitled.

Mr. President, in 1945 the Senate of the United States approved a treaty with Mexico giving them 1,500,000 acre-feet of water when as a matter of common knowledge Mexico had never used more than 750,000 acre-feet of water in any one year. During all the years of negotiation between the States of the Colorado River basin, represented by State engineers and other men thoroughly aware of the amount of water which had been utilized by Mexico, no one ever contemplated that more than 750,000 acre-feet of water would be allocated to that country under a treaty.

Estimates of the amount of water available for irrigation within the States of the basin were made on that basis.

The Administration and the Senate of the United States, by treaty, gave Mexico an outright gift of 750,000 extra acre-feet of water from the Colorado River. As a result, the basin is short by ¾ million acre-feet in the final amount that the States may utilize.

It becomes increasingly urgent that the Senate not indicate by any action that it takes the position that additional water should be allocated to any State under any pretext, whether military or otherwise, in the absence of interstate agreement between the lower basin States:

Under sections 4 and 5 of the contract of April 24, 1930, as amended September 28, 1931, between the United States and the Metropolitan Water District of California, it is provided in article 6, sections 4 and 5:

A fourth priority to the Metropolitan Water District of Southern California and/or the city of Los Angeles, for beneficial consumptive use, by themselves and/or others, on the coastal plain of southern California, 550,000 acre-feet of water per annum.

SEC. 5. A fifth priority (a) to the Metropolitan Water District of Southern California and/or the city of Los Angeles for beneficial consumptive use, by themselves and/or others, on the coastal plain of southern California, 550,000 acre-feet of water per annum, and (b) to the city of San Diego and/or County of San Diego, for beneficial consumptive use 112,000 acre-feet of water per annum. The rights designated (a) and (b) in this section are equal in priority.

It will be noted that the present bill, H. R. 5102, in providing for the construction of a second aqueduct, would allow more water to be used than is allocated to the city of San Diego. The city of San Diego is limited to 112,000 acre-feet of water per annum and the capacity of two aqueducts will be considerably beyond that amount.

The PRESIDING OFFICER. The time of the Senator from Nevada has again expired.

Mr. LANGER. Mr. President, I ask unanimous consent that the distinguished Senator from Nevada may continue with this very, very interesting and important subject for the rest of the afternoon or for any part of the afternoon which he may need.

Very frankly, Mr. President, this bill has bothered me a great deal, and I want to get all the light I can regarding it. I do not wish to object to it, because it is of very grave importance, and I am not going to object. I think the Senate should have the light which the Senator from Nevada can give us in regard to this very important matter, because, very frankly, I know very little about the matter of delivering water to Mexico and I know very little about water "(a)" and water "(b)" and the dispute which the various States have over this water.

So, I should like to have more light on this subject. Therefore, I ask unanimous consent that the Senator from Nevada may have sufficient time to explain this matter clearly to the Members of the Senate, so that we may know what we are voting on.

Mr. KNOWLAND. Mr. President, perhaps if I could make a brief statement, that might be helpful.

First, I wish to thank the Senator from Nevada for giving some of the background of the Mexican water treaty and the various obligations.

I merely wish to point out that this legislation was introduced at the request of the National Defense Establishment. Normally, the San Diego Reservoir should have a 10-year supply of water on hand. However, the reservoir is down to a 1-year supply, and the Defense Establishment believes that is detrimental to defense establishments in the San Diego area, as well as being detrimental to that community.

The approximate amount of money which will be required for construction of the second barrel—because when the first barrel was installed, the tunnels were built large enough to take care of the second barrel—is $18,000,000. This entire amount will be repaid to the Federal Government in 40 annual instalments, plus interest, so that the Federal Government will get back every nickel plus interest.

Mr. LANGER. What will the rate of interest be?

Mr. KNOWLAND. It will be the average rate of interest which is paid by the Treasury. That is provided in the proposed legislation.

So the Federal Government will get back every cent of the principle, plus interest. We must consider that fact, plus the urgent need for the water and the fact that the community has been on a rationing system, and the fact that the community has cooperated in the past, and the further fact that in that area there are Federal installations valued at approximately $300,000,000, and they will be adversely affected. We must also bear in mind the statement made by the able Senator from Nevada and the statement made by other Senators. I wholly subscribe to the statement of the Senator from Wyoming that California does not claim a drop of water to which she is not already entitled under various limitation acts and under the Colorado River compact. The amount of water for San Diego will come out of the California allocation, and will not be a call upon the water allocated to any other State.

The PRESIDING OFFICER. The Chair asks the Senator from North Dakota whether he made his request as a unanimous-consent request.

Mr. LANGER. First, Mr. President, let me ask the Senator from Nevada whether 1 hour or one-half an hour would be sufficient.

Mr. CONNALLY. Mr. President, I shall have to object; I have a conference report to submit.

The PRESIDING OFFICER. Let the Senator from North Dakota state his request, first. He was in the process of stating a unanimous-consent request.

Mr. LANGER. Mr. President, perhaps 15 minutes would be sufficient for the Senator from Nevada. Let me ask how much time he would require.

Mr. MALONE. It may take considerable time to properly present this matter.

Mr. MAYBANK. Reserving the right to object——

The PRESIDING OFFICER. Let the Chair get the situation straight. As the Chair understands—and this is addressed to the Senator from North Dakota—the Senator from North Dakota has not yet completed his unanimous consent request in that he has not set a time.

Mr. LANGER. That is correct.

The PRESIDING OFFICER. The Chair asks the Senator whether he will set a time.

Mr. LANGER. Mr. President, I withdraw my unanimous consent request, because if the Senator from Nevada wants to explain it, he, himself, may object and he may take all the time he wants. I withdraw my request at this time.

The PRESIDING OFFICER. Let the Chair be clear regarding that. As the Chair understands the question is, upon agreeing to the committee amendment, which has already been reported to the Senate, and it is a question of a vote, not a matter of objecting, as the Chair understands.

Mr. MAYBANK. Mr. President——

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 5 minutes.

LIABILITY OF FEDERAL DEPOSIT INSURANCE CORPORATION IN CASE OF BANK FAILURE

Mr. MAYBANK. Mr. President, I do not intend to discuss the amendment, but I do intend to discuss an article which appears on the news ticker and in certain newspapers, which I feel certain will correct any misinformation. Speaking of the FDIC legislation, the news ticker says:

> Thus, for the past 3 weeks, if your bank had suddenly failed, the Corporation couldn't have helped out with as much as a penny. It has $1,250,000,000 (b) in cash to insure bank deposits up to $10,000.

Mr. President, that is the kind of information which is circulated and which frightens to death the people who have money in banks. I desire to state what the representatives of FDIC said to the Banking and Currency Committee, and certainly the distinguished Presiding Officer, as a member of that committee, knows well that there is no factual basis for that statement.

Mr. President, the news ticker dispatch indicating that FDIC cannot help a bank which fails until FDIC has a quorum on its Board of Directors is very misleading. Our committee was advised by FDIC's own lawyer last week that FDIC can liquidate a bank and protect all insured deposits up to $10,000 without action by the FDIC Board. What it cannot do without action by its Board is to buy the assets of a failing bank and sell them to another bank. In other words, it can not effect a "merger" of the assets of the failing bank with a sound bank, and it should not be able to do so. But it can protect all insured deposits up to $10,000. I do not want depositors in banks which are insured by FDIC to worry. Their deposits are protected up to $10,000 with or without a quorum on the FDIC Board of Directors.

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

Mr. MAYBANK. I yield to the Senator from North Carolina.

Mr. LANGER. I should like to ask the Senator from South Carolina this simple question: Assuming that Bank A of Charleston, S. C., were to consolidate with Bank B of Columbia, S. C., a stockholder in Bank A who did not want the consolidation might say, "That bank is broke, I want nothing to do with it." Under the law which is proposed, the stockholder could object to the consolidation.

Mr. MAYBANK. I beg the Senator's pardon. I am not talking about that bill. I am talking about the news report. The Senator from North Dakota is referring to Calendar 710, Senate bill 2128, is he not?

Mr. LANGER. That is correct.

Mr. MAYBANK. It is not before the Senate at this time, I may say to my distinguished friend from North Dakota.

Mr. LANGER. I understand that. The bill providing for the enlargement of the existing water-supply facilities for the San Diego, Calif., area is before the Senate.

Mr. MAYBANK. That is correct. I did not object. I wanted to reserve the right to object, so I might clear up this statement which appears on the news ticker. I am certain the distinguished Senator from North Dakota agrees with me that the bank depositors will be paid up to $10,000 in case any bank fails.

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

Mr. MAYBANK. I yield.

Mr. LANGER. I wanted the Senator to tell me why a stockholder in a bank in Texas should be obliged to accept a consolidation with a bank in South Carolina, when the stockholder does not want the consolidation, unless he can be paid for his stock?

Mr. MAYBANK. I may say to the distinguished Senator from North Dakota that that has nothing to do with what I am speaking about at the moment. It has to do with Calendar 710, Senate bill 2128, a bill which would make it possible for two or more national banking associations to merge, and which would also make possible the merger of the State banks with national banking associations, and to provide that in case any depositor does not want to take stock in the new bank he shall get payment in cash for his stock.

Mr. LANGER. We will take that up at another time.

Mr. MAYBANK. I am not arguing with the Senator from North Dakota about that bill. I was only attempting to make it clear to the Senate, and give assurance so that the news agencies might correct an erroneous report, and might inform the public that when any bank fails in the United States, the depositors are insured up to $10,000, which would certainly be paid without the necessity of a meeting by three directors of the FDIC.

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

ENLARGEMENT OF EXISTING WATER SUPPLY FACILITIES FOR THE SAN DIEGO, CALIF., AREA

Mr. CONNALLY. Mr. President, I ask unanimous consent for the present consideration of the conference report on the mutual aid and assistance bill, House bill 5113.

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

Mr. CONNALLY. I yield to the Senator from California.

Mr. KNOWLAND. Before the Senator does that, I have just talked with the Senator from Nevada. He says he does not need the hour or half hour suggested by the Senator from North Dakota, but that if he might have 10 minutes he could conclude his statement.

Mr. CONNALLY. I agreed to 5 minutes.

Mr. KNOWLAND. Ten minutes is all I ask for.

Mr. CONNALLY. I know, but someone else may ask for time.

Mr. KNOWLAND. No. The Senator from Nevada wants to complete his statement. I think the Senator from Wyoming has completed his statement. I have completed mine, and I would appreciate it very much.

Mr. CONNALLY. I am anxious to have the Senate consider the conference report on the mutual aid and assistance bill. With the understanding that the Senator from Nevada will not take more than 10 minutes, I am willing to yield; but if he takes more than that, I shall have to object.

Mr. KNOWLAND. I ask unanimous consent that the Senator from Nevada may be recognized for 10 minutes.

The PRESIDING OFFICER. Is there objection to the request?

Mr. SCHOEPPEL. Reserving the right to object, we are trying to operate under some semblance of a 5-minute rule. I know the matter is important, but two measures have been placed at the foot of the calendar. I fully understand that the distinguished Senator from Texas, the chairman of the Foreign Relations Committee, has a conference report, which is privileged, but before we undertake to consider other matters, I suggest that perhaps we ought to go back to the regular order on the calendar, and complete the calendar call with respect to the two measures which have been placed for consideration at the foot of the calendar. If we can work out an agreement along that line, I do not want to object, but I do not want to have the remainder of the calendar probably never reached until this evening, after another 2 or 3 hours.

The PRESIDING OFFICER. Is there objection?

Mr. CONNALLY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The question is on a unanimous-consent request by the Senator from California that the Senator from Nevada be recognized for 10 additional minutes on the pending amendment.

Mr. CONNALLY. Ten minutes, and no more.

The PRESIDING OFFICER. Of course the Senator from Texas is privileged at the expiration of that time, or at any time, in fact, to call up the conference report, it being a privileged matter. Is there objection? The Chair hears none. The Senator from Nevada is recognized for 10 minutes.

Mr. MALONE. Mr. President, I would say at the outset that some of the trouble we are facing now is the result of the fact that when this treaty with Mexico was before the Senate, the distinguished senior Senator from Texas insisted that it had to be approved or else there would be no more confidence in the United States of America, inasmuch as the President had signed this treaty. Bear in mind that this treaty gave Mexico twice as much water as she had ever used before out of the Colorado River basin. However, we were told that it had been approved by the Secretary of State, and therefore it must be approved immediately by Congress, or the United States would be discredited before the nations of the world.

The junior Senator from Nevada gets a little impatient with that kind of an argument. I shall not withdraw my objection to the bill until I have finished discussing it.

Mr. CONNALLY. Mr. President, then the Senator is breaking faith.

Mr. MALONE. I am not breaking faith and resent the implication.

I hope the Senator from Texas will listen to me. When the statement was made that we had to approve a treaty giving an extra three-quarters of a million acre-feet of water to Mexico in order to keep faith with foreign nations, the Senate traded three-fourths of a million acre-feet of Colorado water for something nebulous.

Of course that meant nothing to the distinguished senior Senator from Texas, to give away the lower basin States' water from the Colorado River, but it meant something to Nevada, and it still does.

Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator from Nevada has the floor.

Mr. MALONE. I did not agree to withhold my objection at the end of 10 minutes. I simply agreed to debate the issue these 10 more minutes.

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

Mr. MALONE. I am very happy to yield to the Senator from California.

Mr. KNOWLAND. The request for 10 minutes additional was made by the Senator from California because of the vital need to my State and the to the national defense establishment. I am a member of the Armed Services Committee. The Senator from Texas extended a great courtesy, and I feel we are proceeding more or less out of order. I went to him and made a personal appeal, because I know how important the foreign-aid bill is. I had understood that if the Senator from Nevada had a chance to complete his arrangement he would not feel that it is necessary to object; but that is entirely within the power of the Senator, and if he decides to object, there is nothing I can do to prevent him from doing so. But I am hopeful that with the arguments which have been made he will not find it necessary to object.

Mr. MALONE. I should like very much to see this important bill come before the Senate to be voted upon.

As for the foreign-aid bill, it will mean another tax bill, and in the end the European nations will be worse off than they are now. That is the history of such foreign aid—without proper conditions attached.

Mr. President, the Congress of the United States cannot bind a future Congress in the allocation of water in the Colorado River basin, except through a compact by the States and the approval of such compact by this body. In other words, it cannot change the division of water between the States.

If we finance the additional aqueduct to take water into an area to which it is not entitled, the argument may be made later that it was for military purposes and therefore not chargeable to California. We know that California has already asserted that it is not bound to the 4,400,000 acre-feet limitation. I am not arguing that question now.

The compact itself divides the water between the upper and lower divisions. The Senate of the United States has approved the compact. The Upper Basin States then divided the water between themselves, and the Senate has approved such division. There has not yet been any compact to divide the waters of the Lower Basin States.

NEVADA'S WATER NEEDS

Mr. President, I have five bills pending in the Interior and Insular Affairs Committee which would provide for the irrigation of 189,500 acres in southern Nevada from the Colorado River. At the moment Arizona uses or has under contract 2,800,000 acre-feet of water. Nevada has a contract for 300,000 and uses about 40 acre-feet a year, in addition to a small amount from a stream called the Muddy River.

I was State engineer when the Colorado River compact was entered into. Prior to that time we had never been given any consideration.

So far no hearings have been held on my five bills. They have been in committee for several months. The chairman of the committee is very liberal in the disposal of Lower Basin water. There are five States in the lower basin, namely, Arizona, California, New Mexico, Nevada, and Utah. Until those States sign a compact dividing the water, and it is approved by this body, there can be no real division.

Until that action is taken, any Congress may modify any act relative to the matter.

Do not tell me that the Senate would not do that. A Senate that will give to Mexico an extra three-quarters of a million acre-feet of water annually may do anything. Do not tell me the Supreme Court would not approve. Mention something that the Supreme Court might not approve, after you have looked over its decisions.

It is not a good precedent to finance a project in any State that requires more water than that which is allocated to it. That is what would be done under this bill. The State of Arizona wants a million acre-feet of water diverted above Hoover Dam, while the State of Nevada bordering the Colorado River is still as dry as the Sahara Desert.

With reference to the five bills which I have introduced, the maximum lift provided is 850 feet with a minimum of 25 feet. No dam would be required. It would involve only pumping plants, with only a fraction of the cost of the Arizona project.

Mr. President, the Arizona project is a billion-dollar project without interest. The only way in which it could be made feasible, if, in fact, it ever could be, would be to include the revenue from the major share of the power developed there.

Mr. President, I am not objecting to that at this time. All I want is a fair division of the water so that Nevada may have the 900,000 acre-feet of water that the engineering committee which examined the records in 1935 said we could use.

The State engineer of California served on that committee, and the State engineer of Colorado served on it.

We are told that the water table in Arizona is receding. There is plenty of evidence that additional cotton and other acreage is a major reason for that condition.

In the city of Las Vegas, the water table is receding faster than it is in central Arizona. It will not care for the people who are there now, to say nothing of the increasing population.

Mr. President, I repeat, all that is wanted by the junior Senator from Nevada is a fair division of the water.

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

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 5102) was read the third time and passed.

The title was amended so as to read: "A bill to authorize the Secretary of the Navy to enlarge existing water-supply facilities for the San Diego, Calif., area in order to insure the existence of an adequate water supply for naval installations and defense production plants in such area."

MUTUAL SECURITY ACT OF 1951—CONFERENCE REPORT

Mr. CONNALLY. Mr. President, I am glad to call up the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5113) to maintain the security and promote the foreign policy and provide for the general welfare of the United States by furnishing assistance to friendly nations in the interest of international peace and security.

(For conference report, see pp. 12247 to 12252, CONGRESSIONAL RECORD of September 27, 1951.)

Mr. CONNALLY. Mr. President, I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. Is there objection?

Mr. DWORSHAK. Reserving the right to object to consideration of this privileged conference report, Mr. President, and I shall not object, I merely wish to give notice that I shall make a point of order at the proper time to the consideration of the conference report as to its compliance with the Senate rules.

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

There being no objection, the Senate proceeded to consider the report.

Mr. DWORSHAK. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DWORSHAK. When will it be in order to make the point of order?

The PRESIDING OFFICER. The Chair will advise the Senator that the point of order can be raised at any time before the final adoption of the conference report.

The question is on agreeing to the report.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Bennett	Hendrickson	Monroney
Benton	Hickenlooper	Mundt
Brewster	Hill	Murray
Bricker	Holland	Neely
Butler, Nebr.	Humphrey	O'Conor
Cain	Hunt	O'Mahoney
Carlson	Ives	Robertson
Case	Jenner	Russell
Clements	Johnson, Colo.	Saltonstall
Connally	Johnson, Tex.	Schoeppel
Cordon	Johnston, S. C.	Smathers
Dirksen	Kefauver	Smith, N. J.
Douglas	Kilgore	Smith, N. C.
Duff	Knowland	Sparkman
Dworshak	Langer	Stennis
Eastland	Magnuson	Taft
Ecton	Malone	Thye
Ellender	Martin	Underwood
Ferguson	Maybank	Watkins
Frear	McCarran	Welker
Fulbright	McClellan	Wiley
George	McFarland	Williams
Gillette	McKellar	Young
Green	McMahon	
Hayden	Millikin	

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent by leave of the Senate.

The Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Missouri [Mr. HENNINGS], the Senator from North Carolina [Mr. HOEY], the Senator from Oklahoma [Mr. KERR], the Senator from Louisiana [Mr. LONG], the Senator from Michigan [Mr. MOODY], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

The Senator from New York [Mr. LEHMAN] is necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN] and the Senator from Maine [Mrs. SMITH] are absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], and the Senator from Missouri [Mr. KEM] are absent on official business.

The Senator from Maryland [Mr. BUTLER] and the Senator from New Hampshire [Mr. TOBEY] are absent because of illness.

The Senator from Indiana [Mr. CAPEHART], the Senator from Masachusetts [Mr. LODGE], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Oregon [Mr. MORSE], the Senator from California [Mr. NIXON], and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

Mr. MCCARRAN. Mr. President——

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. SCHOEPPEL. Mr. President, will the Senator from Texas yield for a unanimous-consent request?

Mr. CONNALLY. Yes.

Mr. SCHOEPPEL. I ask unanimous consent that the two remaining bills on the calendar, namely, Calendars 703 and 710, be called up at the conclusion of the consideration of the conference report which the distinguished Senator from Texas is now presenting.

Mr. MCFARLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MCFARLAND. Has the call of the calendar been completed?

The PRESIDING OFFICER. The call of the calendar has been completed with the exception of the two bills which went to the foot of the calendar.

Mr. MCFARLAND. If the call of the calendar has not been completed, any bills remaining on the calendar would automatically come up, would they not?

The PRESIDING OFFICER. The Senator from Arizona is correct.

Mr. SALTONSTALL. Mr. President, I rise to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. SALTONSTALL. Carrying forward the parliamentary inquiry of the Senator from Arizona [Mr. MCFARLAND], if the calendar call has not been completed, and the Senate recesses today before the calendar is taken up again, does the call of the calendar become the first order of business tomorrow, or does the unfinished business become the first order of business tomorrow?

The VICE PRESIDENT. The unfinished business would automatically be the order of business.

Mr. SALTONSTALL. I rise to make a parliamentary inquiry.

The VICE PRESIDENT. The bills passed to the foot of the calendar could be brought up tomorrow only by unanimous consent.

Mr. MCFARLAND. Mr. President, I hope that the Senator from Texas will permit the calendar call to be completed.

Mr. CONNALLY. The Senator from Texas has been waiting for the Senate to

complete the call of the calendar. This is an important matter which I am presenting to the Senate. The call of the calendar is relatively unimportant compared with the conference report.

The VICE PRESIDENT. The Chair would state that the conference report is a privileged matter, and it can be brought up at any time.

Mr. McFARLAND. Mr. President, I did not object to the unanimous-consent request of the Senator from Kansas [Mr. SCHOEPPEL]. He made a unanimous-consent request, and there is no objection to it, so far as I am concerned.

Mr. SALTONSTALL. Mr. President, I rise to make a further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. SALTONSTALL. I should like to have the status of the unanimous-consent request of the Senator from Kansas cleared up. I am informed by the Senator from Arizona that the request was granted. I did not hear it granted. I do not believe it was granted. The request was to have the two bills come up as the first order of business after consideration of the conference report has been concluded.

The VICE PRESIDENT. The present occupant of the chair was not in the chair at the time the request was made. The present occupant of the chair is advised that the request was not granted.

Mr. McFARLAND. I did not object to it.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kansas [Mr. SCHOEPPEL]? The Chair hears none, and the request is granted.

Mr. CONNALLY. Mr. President, the matter I present is the conference report between the two Houses on H. R. 5113, the Mutual Security Act of 1951.

All Senators know that the House passed a bill on mutual security; that it came to the Senate; and that the Senate considered it. In the course of its deliberations the Senate struck out all of the House bill and substituted an entirely new bill, with amendments and modifications.

This report is the result of nearly 2 weeks of daily meetings during which time the conferees satisfactorily ironed out the differences between the House version of the bill and the Senate amendment.

The Mutual Security Act, which I hope the Senate will approve in its final form, is an act which I am convinced will be of tremendous help to the free world in its efforts to maintain the peace. It will help because it will assist in strengthening the nations which now stand weak and virtually defenseless before a calculating Kremlin. It will help build strength and morale that the Russian leaders can understand. It will help build strength so that the United States will not need to continue forever the impossible task of carrying the free world on its shoulders.

The conferees on the part of the Senate were chosen from the Armed Services Committee and from the Committee on Foreign Relations. The Senate conferees were the Senator from Rhode Island [Mr. GREEN], the Senator from Connecticut [Mr. McMAHON], the Senator from Georgia [Mr. RUSSELL], the Senator from Virginia [Mr. BYRD], the Senator from Wisconsin [Mr. WILEY], the Senator from New Jersey [Mr. SMITH], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Massachusetts [Mr. SALTONSTALL] and myself. I wish to express my deep appreciation for the fine work they have done.

There are a few matters that I want to call to the attention of my colleagues before they act on this report.

AMOUNTS AUTHORIZED

First, with respect to the amounts authorized by this bill, I invite attention to the following over-all figures:

Total amount requested by the administration	$8,500,000,000
Total amount authorized in the Senate bill	7,286,250,000

The total amount authorized in conference is $7,483,400,000. It will be seen that the final report of the conference committee is over a billion dollars under the original request of the administration.

The conference committee has added $197,150,000 to the amount authorized in the Senate bill. The figures in the Senate bill were below both the President's request and the figures in the House bill.

The Senate did most of the cutting in order to bring about a satisfactory bill.

The final figure is $15,350,000 less than the amount authorized in the House bill. This new amount is a compromise upward for the Senate and slightly downward for the House. In no case do the separate sums authorized exceed the highest figure appearing in either the House passed bill or the Senate version.

ADMINISTRATION

While the Senate conferees went a considerable distance toward the House with respect to the foreign aid sums authorized by this bill, the House conferees accepted a number of the important administrative features that were contained in the Senate version of the bill.

The House accepted the important principle that the aid programs should be coordinated in the Executive Office of the President, and not at any lower level in the governmental hierarchy. The House also accepted the Senate language with respect to the powers that the Department of Defense must exercise in administering the military side of the proposed program. The House conferees likewise agreed to the principle that the Economic Cooperation Administration should end now, and not at some later date.

The administrative set-up that now is part of this bill calls for the termination of the Economic Cooperation Administration within 60 days after the enactment of this law. Until June 30, 1952, however, the powers of the ECA can continue to be exercised by the Mutual Security Agency, the new agency in the Executive Office of the President. As of June 30, 1952, however, section 503 of this act provides that the ECA powers as exercised by the new agency are to end except insofar as the President finds that some of those powers may be necessary to help the military effort and the mutual defense programs in certain other nations. Provision is made so that the appropriate committees of Congress may be informed not later than April 1 next year of the powers that the President thinks are necessary to be continued. If we think that the President is seeking to perpetuate unnecessary powers, the Congress will be able to act to terminate those powers.

MUTUAL SECURITY AGENCY

The new Mutual Security Agency in the Executive Office of the President will be headed by a Director who will be subject to Senate confirmation. This Director will have primary responsibility for the continuous supervision and general direction of foreign assistance programs, to be sure that they are effectively integrated both at home and abroad. He is to have no other responsibilities except those conferred on him by this act or otherwise conferred on him by law. This means that the President cannot appoint a man to fill this job and at the same time expect him to take on a lot of other responsibilities.

The Director, in addition to his responsibility for supervision of the aid programs, will be responsible for the administration of such economic assistance as is necessary between now and June 30, 1952. After January 1, 1952, however, his staff must have 10 percent fewer people than ECA had on August 31—section 504 (d). This is a start in the direction of cutting personnel to fit the size of the reduced economic program.

TRANSFERABILITY (SEC. 513)

Mr. President, Members of the Senate may recall that during debate on House bill 5113 we adopted by voice vote an amendment proposed by the junior Senator from Iowa [Mr. GILLETTE]. That amendment struck out a provision that would have permitted the President to transfer up to 10 percent of the sums authorized in any one title to any other title. The conference considered this matter most carefully, and concluded that in view of the uncertainties in the world of today, the Executive should have this discretion; and the Senate conferees therefore receded.

LOANS (SEC. 522)

The House version of this act required that not less than 20 percent of the economic funds should be extended in the form of loans, but that the administration should seek to extend as much economic assistance as possible on credit terms. The conference realized that the phrase "as much as possible" might be subject to various interpretations. For example, one person might say that anything is possible, and therefore that all economic aid should be in the form of loans, even though there might be no expectation that such loans would be repaid. Others might construe the word "possible" to mean "feasible" or "practicable." It was not the intent of the conferees to require the administration to make loans which cannot be repaid. The conference did not want the admin-

istration to forget that United States wealth is not limitless. Economic assistance should not be extended to any nation as a gift if in fact the nation could receive the help in the form of a sound, repayable loan.

CONCLUSION

In conclusion, Mr. President, I want to urge the Senate to accept this conference report. It was signed by all members of the conference who were in regular attendance at the conference meetings. Two of the Senate conferees, one Democrat and one Republican, were not able to participate in the conference and were not available to sign the report.

This bill is not what I would call an administration bill. There are few similarities between the bill we are acting upon and the one which the administration asked us to consider. The Congress has wrestled with, and understood, and acted upon the great problems involved in developing a program to give military and economic help to certain foreign nations, to the end that the strength and security of the United States will be increased.

I have said before that I would not support any program of giving military or economic help to any foreign nation unless I was convinced that such help was in the interests of the United States.

I believe it is in our interest to keep war away from our shores. This bill will help do that.

I believe it is in our interest to prevent free nations from falling before the Communists, whether from internal or external attack. This bill will help prevent that. I hope we will approve it quickly.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. DWORSHAK. Mr. President, when the conference report was submitted by the distinguished chairman of the Committee on Foreign Relations I made the reservation that I would make a point of order. I shall proceed to do so at this time.

First, Mr. President, let me state that I am in complete agreement with the Senator from Texas that this is important legislation. I voted for the bill, which was almost unanimously approved by the Senate on August 31, as I recall the date.

However, I do not believe that any legislative proposal is so vital or so important or of such an emergency nature that it will justify a violation of the rules of the Senate.

Therefore, I make the point of order against section 101 (b) of the conference report on the basis that it violates rule 29 on page 289 of the Senate Manual, which provides that—

> Conferees may not include in their report matters not committed to them by either House.

In support of my contention, Mr. President, I refer to House bill 5113, as passed by the House of Representatives, and I call attention to the fact that section 101 (b) of the bill as passed by the House is identical with section 101 (b) of the Senate version of the bill. Therefore, I submit that there was no justification for any revision or change whatsoever.

I call the attention of the Senate to the fact that in the conference report the conferees made a change in the figure "5" to the figure "10," so that the conference report provides, in section 101 (b), as follows:

> (b) Not to exceed 10 percent of the total of the appropriations granted pursuant to this section may be transferred, when determined by the President to be necessary for the purpose of this act, between appropriations granted pursuant to either paragraph of subsection (a).

In other words, the bill as passed by the Senate and the bill as passed by the House includes section 101 (b) which authorizes the President to transfer not in excess of 5 percent of the funds from the military aid provisions to economic aid or from economic aid to the military aid. I presume the conferees may contend that in another section of the bill under general provisions the conference report contains section 513, with the heading "Transferability between titles." That section reads:

> Whenever the President determines it to be necessary for the purpose of this act, not to exceed 10 percent of the funds made available under any title of this act may be transferred to and consolidated with funds made available under any other title of this act in order to furnish, to a different area, assistance of the kind for which such funds were available before transfer.

I desire to point out the history of this particular section, Mr. President, calling attention to the fact that section 602 of the House bill contained that provision, or a comparable provision, and that when this bill was before the Senate, the Senate committee had recommended adoption of section 508, to accomplish the same objective. However, the junior Senator from Iowa [Mr. GILLETTE], offered an amendment to delete section 508, and it was deleted, so that in the conference report it is obvious that section 513 represents an acceptance of the House version. But I call attention to the fact that when the Senate adopted the Gillette amendment it rejected the proposal to authorize transferability of 10 percent of the funds, and in that particular general provision the transferability was to be the transfer of economic aid from one area to economic aid in another area, or the transfer of military aid from one area to military aid in another area.

Therefore, I contend, Mr. President, that if the conferees sought to justify the substitution of the figure 10 for the figure 5, in section 101 (b), they were not justified, on the basis that section 101 (b) deals with transferability from one fund to another, and does not deal with transferability from one area to another. Therefore the conferees were not justified in using section 602 in the House bill and the comparable section 508 in the Senate bill, which was rejected. The conference report on section 513 has the figure 10 in the transferability authorization; but it deals with transfers from one area to another.

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

Mr. DWORSHAK. I yield.

Mr. FERGUSON. I understand it to be the contention of the Senator from Idaho that the Senate bill contained language identical with that of the House bill, but that the conferees have changed that language to provide that the amount which can be transferable from economic aid to military aid and from military aid to economic aid shall not be 5 percent, as it was in both bills, but 10 percent.

Mr. DWORSHAK. That is correct, and I submit it is a violation of the Senate rules.

Mr. FERGUSON. That is the point of order, is it?

Mr. DWORSHAK. That is the point of order.

Mr. FERGUSON. Will the Senator again explain section 513 of the conference report? As I understand it, that section allows economic aid to be transferred from one region to another, and also allows military aid to be transferred from one area or region to another.

Mr. DWORSHAK. That is correct.

Mr. FERGUSON. But it does not allow the interchange of military aid and economic aid, or economic aid and military aid, from one area to another?

Mr. DWORSHAK. That is correct; and with the substitution of the figure "10" for the figure "5," it is possible for the President to recommend a transfer of 10 percent of the military authorization, or the subsequent appropriation under section 101 (b), to economic aid under title 1, and then subsequently, under the conference report, the President might justify the transfer of $500,000,000 of economic aid from one region to another in complete defiance of the mandate of the Senate.

Mr. FERGUSON. Do I understand correctly that the 10 percent, changed as it is in section 101 (b) from 5 percent to 10 percent, makes available of $1,524,800,000 for economic aid, whereas the Senate bill allowed an availability of only $1,130,807,500?

Mr. DWORSHAK. The bills as they passed the Senate and House allow the transfer of only 5 percent of the total amount.

Mr. FERGUSON. Five percent of the amount appropriated for either military or economic aid could be transferred to the other?

Mr. DWORSHAK. Yes.

Mr. FERGUSON. And under that section the availability for economic aid now would be $1,524,800,000, would it, which is almost what the President had originally requested even though the Senate had specifically authorized only $880,500,000?

Mr. DWORSHAK. It would be the authorized amount plus a transfer of 10 percent, instead of 5 percent of the total amount authorized to be appropriated for military aid under title I, dealing with aid for Europe.

Mr. FERGUSON. Is the Senator familiar with Hinds' Precedents of the House of Representatives, on the subject of the authority of conference committees to change language which has been approved by both Houses and concerning which there is no disagreement?

Mr. DWORSHAK. No; I did not check the Precedents. I should be glad to have the Senator state what the precedent is.

Mr. FERGUSON. Chapter 135 of Hinds' Precedents, volume V, page 718, contains a section numbered 6407, from which I read the following matter as it appears in black type:

The managers of a conference may not in their report include subjects not within the disagreements submitted to them by the two Houses.

Turning to section 6417, on page 724, the matter printed in black type reads:

The managers of a conference must confine themselves to the differences committed to them.

Managers of a conference may not change the text to which both Houses have agreed.

From section 6420, appearing on page 729, the matter in black type reads:

The managers of a conference may not in their report change the text to which both Houses have agreed.

That is followed by a brief memorandum, which I read:

On March 2, 1907, Mr. James W. Wadsworth, of New York, presented the conference report on the agricultural appropriation bill, whereupon Mr. John J. Fitzgerald, of New York, rising to a point of order, said:

"Mr. Speaker, I wish to make the point of order against the conference report on the ground that the conferees have inserted on page 40 language in an item which was not in dispute between the two Houses. On page 40, line 24, the conferees have changed the text in the language agreed to by both Houses by inserting after the word 'forest,' the words 'in the District of Columbia or elsewhere'."

The Speaker held:

"The gentleman from New York, Mr. Fitzgerald, makes the point of order that the conferees have exceeded their authority by changing the text to which both Houses have agreed by inserting, after the word 'forest,' the words 'in the District of Columbia or elsewhere.' And the report states that such is the case. * * * The Chair sustains the point of order."

On page 747, section 6433, the matter in black type reads:

The text to which both Houses have agreed may not be changed except by the consent of both Houses.

A provision changing the text to which both Houses have agreed has been appended to a conference report and agreed to by unanimous consent after action on the report.

In other words, unless both Houses unanimously agree to the change, no change can be made by the conferees in a text to which both Houses had previously agreed. Is that the understanding of the Senator from Idaho?

Mr. DWORSHAK. That is entirely correct, and that is the basis of my point of order, that the conferees exceeded their authority and violated the rules of the Senate when they changed the figure "5" to the figure "10" in section 101 (b) of the bill, because those two sections were identical in both House and Senate bills, and obviously the conferees were not empowered or authorized under the rules of the Senate or under the rules governing conference committees to make that change.

Mr. President, that is the basis upon which I submit my point of order.

Mr. RUSSELL. Mr. President, I have always strongly supported and completely believed in the provisions of the Senate rules which prohibited the insertion of new matter in a conference report. I respectfully submit that that question is not involved in the pending conference report even though the distinguished Senator from Idaho has sought to apply subsection 2 of rule XXVII to the report. We have before us a conference report which falls squarely within the provisions of subsection 3 of rule XXVII, which Senators will recall was adopted in 1946 and became effective on January 2, 1947.

I wish to read that provision of the rule:

In any case in which a disagreement to an amendment in the nature of a substitute has been referred to conferees, it shall be in order for the conferees to report a substitute on the same subject matter; but they may not include in the report matter not committed to them by either House. They may, however, include in their report in any such case matter which is a germane modification of subjects in disagreement.

This conference report, Mr. President, falls under subsection 3 (a) of that rule. It involves a case in which the Senate struck out all after the enacting clause and wrote an entirely new bill. We completely changed the administration of the act. The conference report does not follow the administrative provisions which were contained in the House bill, nor was the Senate version of the administrative features of the program adopted. The language is a compromise between the Senate and the House. Please bear that in mind, Mr. President. I think that is very significant in considering these relatively small changes in the language of the two bills.

Not only that, but there was in conference between the House and Senate matter that was no less important in the consideration of this section, namely, the amounts involved. The House version of the bill had different figures on military aid from those provided in the Senate version. The Senate version had a different figure for economic aid from that provided in the House version of the bill, and the figures brought back for those two purposes are not identical with either the House or the Senate figures.

So, Mr. President, I submit that having changed the figures in the bill from those which were adopted by either the House or the Senate, and having changed the administrative figures in the bill completely from those approved by either the House or the Senate, the conferees were wholly within their power in making this change or alteration in the measure going to the total meaning of the administrative features of the bill which were the vital and important matters submitted to the conferees to determine. It comes squarely under the rule, because it was stricken out and an entirely new bill was written.

No one can contend that this was not a germane modification of the points in disagreement. It relates to the amounts in disagreement upon which compromise figures were finally arrived at, and it relates to the administrative features of the bill which were altered completely from those contained in either bill.

Mr. President, would anyone say that the Senate conferees and the House conferees, when the bill was under consideration, would not have been empowered to omit this section from the bill. I think it would have been clearly within their power, because they were completely rewriting the bill from the standpoint of administration. Certainly, Mr. President, the if conferees had the power to omit this section from the bill—and I do not believe anyone would seriously challenge the power of the conferees to have omitted it when they rewrote the administrative features—any time they changed amounts the jurisdiction of the conferees, so far as the point of order is concerned, extended to the transferability clause and the amount that could be transferred. I submit that in all seriousness, Mr. President.

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

Mr. RUSSELL. I yield.

Mr. SALTONSTALL. What the Senator from Georgia is saying is that the word "matter" as used in the rule in this instance applies to two things, namely, to the total amounts involved, the percentage of transfer between agencies, and the administrative features. I invite the Senator's attention to the fact that there was discussed in conference the amount allowed for military purposes, and the amount of the Senate allowance was less than that of the House. The amount for economic assistance was less than the House amount and more than the Senate amount, and there was a very considerable discussion as to whether the military objective could not be accomplished more quickly by economic aid, from production in Europe, rather than by military appropriations.

Therefore I submit to the Senator that what he is bringing forward is that the word "matter", when we apply it to this subject, becomes very important so far as the percentage of interchange is concerned, because of the differences in amount and the differences of opinion between the House and the Senate.

Mr. RUSSELL. The Senator is, of course, correct. Certainly the amounts in disagreement could have a very vital bearing upon the amounts which might be embraced within the transferability clause.

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

Mr. RUSSELL. I yield.

Mr. FERGUSON. Does the Senator from Georgia contend that if the Senate strikes out all after the enacting clause and rewrites the bill with the change of one section, the entire subject matter and every word and every sentence in the bill are in conference?

Mr. RUSSELL. I think it is all in conference. I think the conference could proceed to eliminate sections in both bills if there were a bill in the nature of a substitute adopted.

Mr. FERGUSON. Does the Senator contend that if one paragraph or one amount is varied, every other section of the bill, even though they may be identical, is in conference?

Mr. RUSSELL. I have made no such statement as that. If the Senator wants

to draw any analogy or get any comfort from that idea, he is certainly entitled to it. I am contending that this item is a part of the administrative features which were incidental to the amounts of the appropriations, and that when the amounts of the appropriations which were in disagreement affected the amount that might have been transferred, it was a germane modification of a subject in disagreement.

Of course, I do not think that conferees, when they rewrite a bill completely, are absolutely bound down to the last bit of verbiage which may arrive at the purpose of the conferees. The verbiage can always be polished up in conference, and it is done in almost all cases.

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

Mr. RUSSELL. I yield.

Mr. FERGUSON. Is it true that section 101 (b) is identical in both the House and the Senate bills?

Mr. RUSSELL. I have not read them against each other. I cannot say that they are identical.

Mr. FERGUSON. The Senator from Michigan has been informed by the Senator from Idaho, in answer to his questions, that the sections are identical as they passed the respective Houses.

Mr. DWORSHAK. Mr. President, will the Senator yield at that point for a question?

Mr. RUSSELL. Yes.

Mr. DWORSHAK. I was going to ask the distinguished Senator from Georgia whether he contends that notwithstanding the fact that section 101 (b) of the House bill was identical with section 101 (b) of the Senate bill, there was any disagreement as is required by this rule? The figure 5 was contained in both versions. Does the Senator from Georgia contend that that reflected disagreement on that specific point?

Mr. RUSSELL. Under the modification of the rule adopted in 1947, when all after the enacting clause is stricken out the entire bill is in conference, and it does not hold the conferees down to the last word. It says:

> It shall be in order for the conferees to report a substitute on the same subject matter, but they may not include in the report matter not committed to them by either House. They may, however, include in their report in any such case matter which is a germane modification of subject in disagreement.

I submit, Mr. President, that this modification comes squarely within that rule.

Mr. FERGUSON. Mr. President, will the Senator yield for another question?

Mr. RUSSELL. Yes.

Mr. FERGUSON. Is it not true that the last tax bill which was recently passed by the Senate was really a substitute bill?

Mr. RUSSELL. I do not recall.

Mr. FERGUSON. If it were, according to the Senator's reasoning, would that not put every item of the tax bill in conference, even though certain sections were numbered the same, many of the amounts were the same, and much of the language was the same?

Mr. RUSSELL. I do not know whether they are all numbered the same. I did not study the tax bill that closely.

Mr. FERGUSON. Section 101 (b) of the mutual security bill is numbered the same, as it passed both House and Senate.

Mr. RUSSELL. I have not checked against that, and I do not think the question as to whether it is numbered the same is at all pertinent.

Mr. DWORSHAK. Mr. President, will the Senator yield at that point for a question?

Mr. RUSSELL. Yes.

Mr. DWORSHAK. Then to justify that logic, the Senator from Georgia would contend that the conferees are authorized under the rules of the Senate to change figures and amounts and language over which there has been no disagreement between the two Houses?

Mr. RUSSELL. An amount of dollars, I think, occupies an entirely different status in a matter of this kind. I called that to the attention of the conferees; that where it came to the amount of the authorization, the final amount should be kept within the range of the sums that were voted by the House and by the Senate. But in an incidental matter of this kind, in my judgment, it comes squarely within the rule which was adopted in 1947, that conferees can make a germane modification of subjects in disagreement.

The VICE PRESIDENT. The Chair is ready to rule.

Mr. FERGUSON. Mr. President, I think this matter is of vital interest to the Senate of the United States. If what has just been contended is true, it appears that from now on, when a substitute for the House language is inserted by the Senate, even though it carries identical provisions and even is in identical language, the whole bill is in conference, and the whole matter can be rewritten by the conference of both Houses. It appears to the Senator from Michigan that that is a new way to legislate.

Rule XXVII I think is clear, at least as I view it, that—

> In any case in which a disagreement to an amendment in the nature of a substitute has been referred to conferees, it shall be in order for the conferees to report a substitute on the same subject matter; but they may not include in the report matter not committed to them by either House.

To me this indicates clearly that if, notwithstanding the fact it is technically substitute language, there is identical language in both bills it cannot be changed for in that event there is no disagreement. The rule states:

> But they may not include in the report matter not committed to them by either House.

That language automatically excludes a substitute in the sense of being entirely new matter not set out in either bill. Ordinarily that is what we mean by a substitute, rather than an amendment. But it is an amendment in the nature of a substitute with which we are concerned and therefore the last sentence—

> They may, however, include in their report in any such case matter which is a germane modification of subjects in disagreement.

Meaning that in the substituted bill a germane modification of subjects in disagreement. But there must be disagreement. That is the important thing. When percentage figures are the same, and the total amount is altered, then to contend that the percentage figures can be changed, appears to mean that you can modify anything that goes into a substitute bill and it can be entirely rewritten. I do not understand that that has been the policy at all. From the sections I read from Hinds it would appear that that has not been the policy in relation to this important matter. It would place in the hands of a conference for change, matters that have been agreed to by both Houses and would otherwise become the law if approved by the President. I submit that such matters cannot be modified by a conference committee.

Here is what it would mean. After 96 Senators have agreed that the matter presented to them from the House is what they desire the law to be, the conferees of 4, 5, or 10 may go into conference and rewrite the entire bill. They could do so after 96 Senators have declared that that is not their intention at all to alter the matter approved by the House. I think it would be a dangerous precedent if we were to have a rule laid down that when a substitute is put into a bill passed by the House everything in the substitute can be rewritten by the conference. Such a precedent should not be set in view of the language in section 3 of rule XXVII, on page 42—

> But they may not include in the report matter not committed to them by either House.

We find in this particular case that sections 101 (b) of both House and Senate bills are identical. Even the percentage is identical—5 percent in both bills. There was never the slightest disagreement between the two Houses over that percentage, although there was disagreement on the dollar amounts to which the percentage should apply. Now come the conferees, without any instruction whatsoever from either House, and change that agreed upon percentage.

The VICE PRESIDENT. The Chair appreciates the importance of this point of order and the ruling which he is required to make upon it. The Chair is familiar with the volumes that were prepared by the Honorable Asher C. Hinds, long Parliamentarian of the House, and later a Member of the House, with whom he served for a number of years. They have not been as binding upon the Senate, as a rule, as they have been on the House.

In volume 5 of Hinds' Precedents will be found a precedent in which it is held practically that wherever either House strikes out the language of a bill of the other House and offers a complete substitute for it, the sky is almost the limit with reference to the jurisdiction of the conferees. And a former Vice President occupying this same chair once held that where there is a complete substitute on the part of the Senate to a House bill—to use his language, I think, the sky was the limit. The present occupant of the chair has never adhered strictly

to that rule. The Chair does not believe that was quite an accurate statement.

Jefferson's Manual, referred to by the Senator from Idaho, was the result of a resolution back in 1880 authorizing the compilation of Jefferson's Manual on parliamentary law. The rules of Jefferson's Manual never have, strictly speaking, become a part of the rules of the Senate. Certainly if there were any conflict between Jefferson's Manual and the specific rules of the Senate, the rules of the Senate would prevail.

The rule adopted in 1947 as a part of the Reorganization Act, and made a part of the rules of the Senate, was in a sense intended to modify that part of Hinds' Precedents to which the Chair has referred, in which it was held that the conferees could practically write a new bill when the language of one House stricken out and the other House wrote an entirely new bill. There has always been wider liberality in both Houses relative to the conferees when a complete substitute for a bill was written, than is the case when either House amends a bill of the other House section by section. Therefore, the Presiding Officers in this body and those in the other body, in their interpretation of the rules and in passing upon points of order, have applied a more liberal doctrine in a case in which one House has stricken out the entire language of the bill and has written a substitute bill.

In the present case the House wrote its bill. It sent it to the Senate, and the Senate wrote a complete substitute in the form of a Senate amendment, which meant that the Senate disagreed to the entire House bill. It wrote a substitute which went back to the House, and the House disagreed to the substitute, which in a parliamentary sense means that the House disagreed to the entire bill written by the Senate as a substitute. Therefore, both bills were in conference as a whole.

Admitting the identity of section 101 (b), to which reference has been made, in both bills, nevertheless, that section was a part of a complete bill of each House, which complete bills were in disagreement. Whether the conferees could have inserted any percentage if neither House had put it in its bill, the Chair is not required to pass upon at this time, but he has doubt about it. Both Houses did use a figure of 5 percent, based upon the amount of money carried in the appropriation. So the net result of a 5-percent limitation of authority in one bill would be different from the net result of a 5-percent authority to transfer funds in the other bill, or in the substitute.

Therefore, the Chair thinks that the conferees did not inject new matter. The matter was in conference, and the number of dollars capable of transfer would be determined by the percentage. In both bills it was different. Obviously the conference report on that subject is germane. It is not new matter. It is matter which is in both bills.

In view of the provision of subsection 3 of rule XXVII, the Chair thinks that the conferees acted within their authority, and, therefore, overrules the point of order.

Mr. FERGUSON. Mr. President, I appeal from the decision of the Chair.

The VICE PRESIDENT. The Senator from Michigan appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. CASE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CASE. Would it have been possible for the conferees to include in the bill an amount in dollars larger than either House had proposed?

The VICE PRESIDENT. That is not the precise question now before the Chair.

Mr. CASE. I recognize that it is not the precise question——

The VICE PRESIDENT. The Chair hesitates to pass upon a parliamentary question that is not before him.

Mr. CASE. It seems to me that the same principle is involved.

The VICE PRESIDENT. It might be used as a precedent in the future.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. SALTONSTALL. The point of order having been appealed from, is there any limit on debate on the question of appeal?

The VICE PRESIDENT. Debate is permitted. There is no rule which limits debate.

Mr. SALTONSTALL. I should like to ask the majority leader a question. I know that there are several Members on this side of the aisle who would like to study the bill overnight, at least. I believe, from statements made by other Members on this side of the aisle, that they wish to discuss the conference report at some length. Last week we sat through long sessions. Rather than start the discussion at this late hour, with the prospect that it would run well into the evening, requiring at least one more quorum call before the vote, and perhaps even one before discussing the question, I wonder if the majority leader would not consider putting this matter over for further discussion until tomorrow at 12 o'clock, when we shall all be fresher.

Mr. McFARLAND. Mr. President, I am anxious to dispose this evening of the nominations of members of the Renegotiation Board, pending before the Senate for confirmation. The Board is an important agency and its work should not be held up by delaying action on confirmation of its members. I understand, however, there may be considerable discussion of them, and under the circumstances we might let the conference report go over.

Would the Senator from Massachusetts be willing to enter into a unanimous consent agreement for a reasonable limitation of time on the debate on the adoption of the conference report tomorrow?

Mr. SALTONSTALL. Mr. President, I honestly think that the discussion of the conference report will come mostly on the question of appeal, and that there would be no great saving of time as between discussion on the appeal and discussion on the conference report itself.

Mr. McFARLAND. I am talking about a limitation on the appeal. I believe that an hour to a side would be ample to debate the question of the appeal.

Senators on both sides of the aisle are constantly asking me, "When are we going to get out of here?" Yet every time we attempt to dispose of pending matter expeditiously, some Senator wants to talk and talk.

All of us have seen many very important matters disposed of in an hour, and in much less than that. I think that everything that can be said on the appeal on the conference report could be said in an hour. I sincerely hope that the Senator will be willing to limit debate to at least 2 hours, 1 hour to a side.

Mr. SALTONSTALL. Mr. President, I hope the Senator will not press that request tonight. I know that there is some feeling against it at the present time. I hope the Senator will allow the Senate to take a recess. We have been here quite a while today. Perhaps we could discuss that question tomorrow.

Mr. McFARLAND. Very well. The Senator from Massachusetts is always very persuasive.

I hope Senators will remain in the Chamber so that we can dispose of the nominations to which I have just referred.

CONSTRUCTION OF PUBLIC AIRPORTS IN ALASKA

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1183) to amend the act entitled "An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska," as amended, which were, on page 2, line 3, strike out "leased" and insert "leased,"; and on page 2, line 4, strike out "airports" and insert "airports,".

Mr. JOHNSON of Colorado. Mr. President, the only changes which the House made in this bill consist of the addition of two commas, to clarify the purposes of the bill.

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

Mr. JOHNSON of Colorado. I yield.

Mr. SALTONSTALL. Was there any objection by any of the conferees, or was there a unanimous report?

Mr. JOHNSON of Colorado. This is not a conference report. These are amendments of the House to a Senate bill. So far as I know, there is no objection on the part of anyone. The House added only two commas, which did not change the language of the bill in any way. Perhaps it clarified it a little.

Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

SUBMERGED LANDS—STATE LEASES—NATIONAL LEASING ACT—SCRIP

Mr. MALONE. Mr. President, there have been pending in the Committee on Interior and Insular Affairs several bills

purporting to return to the States the submerged lands off the coasts of California, Louisiana, and Texas.

A brief by the Attorney General states that such submerged lands, even if included within the boundaries of such States, would not necessarily belong to the States, but under Supreme Court decision would be additional public lands within the boundaries of such States. Under this interpretation, to give the lands to the States now would be about the same as the State of Nevada leasing Federal Government lands under the impression that the State owned them, and then asking a transfer of such lands to the State, through Congressional act, to validate such leases. The Supreme Court decision did not change the status of such lands. It merely decided the status. The Supreme Court's decision was that the Federal Government had paramount rights in such lands, which in other cases have been construed to be public lands.

Prior to any Congressional act changing the status of such lands, certain rights may have been acquired, first, under the National Oil and Gas Leasing Act, and, second, under certain scrip provisions authorized by Congressional acts.

Mr. President, the Secretary of the Interior and the Attorney General did on September 24 of this year enter into a stipulation which in effect approves and validates the existing leases on the submerged lands off the coast of California for a period of approximately one year.

Mr. President, I ask unanimous consent to have inserted in the RECORD at this point in my remarks the stipulation just described.

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

IN THE SUPREME COURT OF THE UNITED STATES, OCTOBER TERM, 1951

STIPULATION

United States of America, plaintiff v. *State of California* (No. 6, original)

Whereas on July 26, 1947, the parties to this cause, through their respective counsel, entered into a stipulation which provided for the continuation of all operations within or upon tide and submerged lands lying along the coast of California, and in which the State of California agreed to segregate and hold in a special fund all rentals, royalties, and other payments received from such operations subsequent to June 23, 1947, for ultimate distribution pursuant to agreement of the parties or final judicial order or decree; and

Whereas by virtue of stipulations entered into by the parties thereto on July 28, 1948, and August 2, 1949, the stipulation of July 26, 1947, was extended and continued in effect until the expiration of 60 days subsequent to July 31, 1950; and

Whereas on August 21, 1950, the parties thereto again entered into a stipulation whereby the stipulation of July 26, 1947, as extended by the stipulations of July 28, 1948, and August 2, 1949, was revised in certain respects and, as so revised, was extended and continued in effect until October 1, 1951; and

Whereas in paragraph No. 7 of the stipulation of August 21, 1950, it is provided that the parties shall meet within 30 days after July 31, 1951, to consider the stipulation of July 26, 1947, as therein extended and revised, and the effect thereon of any further proceedings or determinations in this cause, and to determine whether the said stipulation as extended and revised, or a revision thereof, should be continued for a further period; and

Whereas the parties, through their respective counsel, have met for the purposes contemplated by said paragraph No. 7, and, as a result of such meeting, it is the opinion of the parties that the mutual interest of the parties and of the general public would best be served by a continuation of the stipulation of July 26, 1947, as extended and revised, for a further period, provided that it be revised as herein set forth: Now, therefore, it is stipulated and agreed by the parties, through their respective counsel, that—

1. The stipulation entered into by the parties to this cause on July 26, 1947, as extended by the stipulations of July 28, 1948, and August 2, 1949, and as revised and extended by the stipulation of August 21, 1950, and as hereinafter revised, providing for a continuation of operations within or upon tide and submerged lands lying along the coast of California, be and the same is hereby extended and continued in effect until October 1, 1952. The provisions of this paragraph are not intended to preclude other arrangements adopted prior to the expiration date of this stipulation by reason of an order of the Supreme Court or an act of Congress.

2. Paragraph No. 6 of the stipulation of July 26, 1947, is hereby amended, effective July 26, 1947, by adding the words "and overriding royalties paid pursuant to obligations created prior to June 23, 1947," immediately following the word "hereof" at the end of the third sentence in said paragraph.

3. Paragraph No. 4 of the stipulation of August 21, 1950, is hereby amended, effective October 1, 1951, by substituting the figure "$14,000" for the figure "$12,000" in the fourth sentence of said paragraph, this figure being the amount which the State Lands Commission of California is, by said sentence, authorized to expend per month from revenues in the special fund derived prior to October 1, 1950, from leases of tide and submerged lands to defray its expenses in administering the law respecting operations under such leases.

4. The parties hereto shall meet within 30 days after July 31, 1952, to consider the stipulation of July 26, 1947, as herein extended and revised, and the effect thereon of any further proceedings or determinations in this cause, and to determine whether the said stipulation as extended and revised, or a revision thereof, should be extended for a further period.

J. HOWARD MCGRATH,
Attorney General of the United States.
EDMUND G. BROWN,
Attorney General of California.

Recommended:

OSCAR L. CHAPMAN,
Secretary of the Interior of the United States.

Dated this 24th day of September 1951.

Mr. MALONE. For this Congress to legalize such leases on what the Supreme Court says in effect are Government lands would be of far-reaching effect, probably more far-reaching than the committee or Members of the Congress at this time realize.

Therefore, I offer a resolution calling for a study of this phase of the matter, and ask that the resolution be referred to the proper committee. I ask unanimous consent to have the resolution printed as part of my remarks in the RECORD.

There being no objection, the resolution (S. Res. 217), submitted by Mr. MALONE, was received and referred to the Committee on Interior and Insular Affairs, as follows:

Whereas the Supreme Court has rendered a decision June 23, 1947, that the United States has paramount rights in the submerged lands off the California, Louisiana, and Texas coast lines; and

Whereas certain applications have been made to the Secretary of the Interior for leases upon these lands under the National Oil and Gas Leasing Act, and also certain lands have been filed upon through certain scrip authorized under prior successive congressional acts; and

Whereas the Secretary of the Interior did on September 24, 1951, join with the Attorney General in extending the stipulation for 1 year thus validating leases made by the States and certain organizations over that length of time including an amendment to a prior stipulation including the payment of over-riding royalties paid pursuant to obligations created prior to June 23, 1947, the date of the Supreme Court decision on the submerged lands: Now, therefore, be it

Resolved, That the Senate of the United States through its proper committee investigate such applications under the National Oil and Gas Leasing Act and filings made under the scrip authorized by prior successive congressional acts and the effect of the stipulation by the Secretary of the Interior and the Attorney General approving existing leases affecting such lands, and in addition the possible effect of the proposed validation of the existing leases between the States and such organizations by congressional act.

EXECUTIVE SESSION

Mr. MCFARLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The Vice President laid before the Senate a message from the President of the United States submitting sundry nominations, and withdrawing the nomination of Frank A. Waring, of California, to be a member of the Board of Directors of the Tennessee Valley Authority, which nominating message was referred to the Committee on Armed Services.

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

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. CONNALLY, from the Committee on Foreign Relations:

Howard K. Travers, of New York, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Haiti;

Chester Bowles, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary to India, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary to Nepal;

Fletcher Warren, of Texas, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Venezuela, vice Norman Armour, resigned;

Christian M. Ravndal, of Iowa, a Foreign Service officer of the class of career minister, now Ambassador Extraordinary and Plenipotentiary to Uruguay, to be Envoy Extraordinary and Minister Plenipotentiary to Hungary, vice Nathaniel P. Davis, resigned; and

Willard F. Barber and sundry other persons for appointment in the Foreign and Diplomatic Service.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

RENEGOTIATION BOARD

The legislative clerk read the nomination of Lawrence S. Hartwig to be a member of the Renegotiation Board.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John Hubbard Joss to be a member of the Renegotiation Board.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John Theodore Koehler to be a member of the Renegotiation Board.

Mr. CASE. Mr. President, the satisfactory administration of the Price Adjustment Board under the Renegotiation Act should be the desire of the President of the Senate and of everyone who is concerned with the contracts of this huge defense effort, as well as of good government.

The principles and aims of the Renegotiation Act are two, it may be stated. One is to save money. The other is to insure that there shall be the utmost of integrity in the allowance or disallowance of extraordinary expenses in connection with defense contracts.

To accomplish those objectives the Price Adjustment Board under the Renegotiation Act should be independent. The Senate so stated, and Congress so said in enacting the law. That principle should also be adhered to in the choice of the personnel which comprises the Board. They should be people who are free from bias. They should be people who are objective. They should be people who have no personal association, either in business or in government, with the contractors, and who have no stakes in preserving prices in contracts as they may have been negotiated. The very purpose of the Renegotiation Act is to make it possible for the Government to get prices based upon properly audited costs.

Three of the men who have been nominated for appointment to the Renegotiation Board, Mr. Lawrence E. Hartwig, Mr. John Hubbard Joss, and Mr. Frank L. Roberts, are gentlemen who, by reason of their experience, commend themselves to the average person as fit and proper persons to be members of the Board.

Mr. Joss has been executive assistant to Mr. Jess Larson, Administrator of the General Services Administration, and not wholly identified with procurement for the military or defense activities.

Mr. Roberts has been connected with renegotiation boards in the past, and is highly regarded by those who have had opportunity or occasion to watch the efforts of the boards on which he served. He had long business experience prior to that, and I have never heard any criticism of his work.

Mr. Hartwig was chairman of the Contract Settlement Board, and as such has had experience in the field of weighing costs to the Government and adjustments to be made.

With respect to Mr. Koehler, I have nothing to say this evening regarding his personal character. I understand that as Assistant Secretary of the Navy he has been a very forceful sort of executive. Perhaps he is not quite so diplomatic as one might desire a member of the Renegotiation Board to be. However, the question I raise goes primarily to the fact that as Assistant Secretary of the Navy Mr. Koehler has been in the position of approving and negotiating many of the contracts which as a member of the Renegotiation Board he would now be called upon to renegotiate, or to pass upon the principles or data involved in renegotiation.

I understand that the members of the committee considering this question were somewhat concerned about the point involved. They have had their hearings, and in view of the fact that they have had some investigation made, I am not disposed to put the matter to a final test in the Senate this evening. I defer to the consideration that has been given.

However, Mr. President, I do call attention to the fact that the President has sent to the Senate for confirmation as a member of the Renegotiation Board a man who has been identified with procurement for one of the principal defense agencies, to wit, the Navy Department. He served as Assistant Secretary of the Navy.

It seems to me that the President was ill-advised in venturing to name as a person to sit in judgment in recapitulating and renegotiating contracts one who had a part in negotiating those contracts.

I am led to make my remarks partly because it has been suggested that Mr. Koehler might become the Chairman of the Board. It would be unfortunate, it seems to me, if the progress of this Board should be long deferred. The Renegotiation Act was one of the first acts to be passed by this Congress. It was given considerable study by the Senate when it was before us earlier this year.

This distinguished Senator from Georgia [Mr. GEORGE] fought a valiant fight to make the Board independent, and we tried to preserve the independence of the Board. We tried to give the members of the Board both responsibility, and the authority that should go with responsibility, so that they could do a good job. A long time has elapsed since the act was passed by Congress and since it was approved by the President.

Already many firms find themselves in default on filing their reports, partly because of the fact that the Board has not been named. So I believe the Board should be permitted to organize, and I am persuaded partly because of that fact not to prolong consideration of the nominations this evening.

However, the Chairman has not been named. There are to be five members of the Board. The Chairman might be one of the other three men nominated, or it might be another person. In making my remarks this evening I have two things in mind. One is to suggest that Mr. Koehler would be well advised to be particularly circumspect, so that in passing upon contracts which he himself helped to negotiate he could not be charged with having favored contracts which he helped to write.

In the second place, I wish to express the hope that when the President comes to nominate or designate one of the members of the Renegotiation Board as its chairman, he will not embarrass himself or embarrass the Board or possibly embarrass the country by naming Mr. Koehler as chairman. It seems to me that would be a violation of all the principles of independence which we sought to write into the act.

So, Mr. President, because I feel that the Board should have been functioning and should have been appointed a long time ago, I am not going to press the test here tonight.

I did wish to make these remarks, and I think I have made them in the interest of good administration and good government.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of John Theodore Koehler, of Maryland, to be a member of the Renegotiation Board?

Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Frank L. Roberts, of Michigan, to be a member of the Renegotiation Board.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Without objection, the President will be notified forthwith of these confirmations.

HERBERT ASKINS, ASSISTANT SECRETARY OF THE NAVY

Mr. McFARLAND. Mr. President, I do not wish to detain the Senate; but I wish to state that Mr. Herbert Askins, whose nomination has already been confirmed by the Senate, to take the place which will be made vacant by the resignation of Mr. Koehler, who was Assistant Secretary of the Navy in charge of procurement, comes from the State of Arizona. I wish to state that Mr. Askins is a successful Arizona businessman and is highly regarded by all who know him. I am sure he will fill this position with credit to himself and to his country. It made me happy to know that his ability was recognized, because he has performed many fine services for our State.

LEGISLATIVE SESSION

The Senate resumed the consideration of legislative business.

THE TIDELANDS CONTROVERSY—LETTER FROM SOLICITOR GENERAL PERLMAN

Mr. O'MAHONEY. Mr. President, on July 24 there was inserted in the CONGRESSIONAL RECORD a brief prepared by the Organization of State Attorneys General on the submerged-lands controversy. Since that time there has been addressed to me a letter by the Solicitor General of the United States, Mr. Perlman, in which he discusses the various arguments raised in that document. Inasmuch as the original article or brief was printed in the CONGRESSIONAL RECORD, I now ask unanimous consent that

the response of the Solicitor General be printed in the body of the RECORD.

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

OFFICE OF THE SOLICITOR GENERAL,
Washington, D. C., September 7, 1951.

The Honorable JOSEPH C. O'MAHONEY,
Chairman, Senate Committee on Interior and Insular Affairs, Senate Office Building, Washington, D. C.

DEAR SENATOR O'MAHONEY: In connection with the consideration being given to the joint resolution (S. J. Res. 20) introduced by you for the purpose of providing for the administration, by the Secretary of the Interior, of the mineral resources of the sea adjacent to the United States, and the bill (H. R. 4484) recently passed by the House, and now also pending in your Committee on Interior and Insular Affairs, it would seem advisable for you and all the Members of the Senate to have an additional statement from those responsible for the conduct of the litigation brought by the Government to solve certain aspects of the problem.

It seems advisable for this to be done because the National Association of Attorneys General, composed of State officials, has printed and distributed a pamphlet entitled "Every State Has Submerged Lands," containing a number of inaccurate and misleading statements, and arguments having no valid basis either in fact or law. This pamphlet was also printed in the CONGRESSIONAL RECORD, July 24, beginning at page 8719, and was inserted during a discussion on the floor of the Senate concerning the ownership of rights in the marginal sea.

Your measure (S. J. Res. 20) is designed to give impetus to plans for immediate increased development of off-shore petroleum and gas deposits, the need for which is emphasized by the situation in Korea, as well as in other parts of the world. H. R. 4484 is designed to convey away from the United States forever, all of its established rights to mineral and all other resources in the submerged lands of the marginal sea. The definition of "marginal sea" in H. R. 4484 contemplates areas, in some instances, far exceeding the areas claimed by the United States or recognized by other sovereign nations as being subject to the exercise of territorial sovereignty. H. R. 4484 would attempt to substitute State "ownership" for the area within the actual or claimed State seaward "boundary."

ENRICHMENT OF THREE STATES

The bill (H. R. 4484) undertakes to give the adjacent States 37½ percent of the revenue received by the United States from oil and gas deposits in all submerged lands seaward of State "boundaries" as defined in the bill, to the edge of the Continental Shelf and beyond wherever the subsoil appertains to the United States. In brief, the effect of H. R. 4484 is to enrich the States of California, Louisiana, and Texas with the oil and gas resources in the marginal sea, at the expense of the other 45 States of the Union, and, in addition, to give those same three States 37½ per cent of all revenues received by the United States from such minerals in submerged lands of the Continental Shelf, where the exclusive jurisdiction of the United States could never be seriously questioned by any State.

EVERY STATE HAS SUBMERGED LANDS

This, as has been stated, is the caption of the pamphlet placed in the hands of the Members of both branches of the Congress, printed in the CONGRESSIONAL RECORD and otherwise circulated. Under that banner, the attorneys general's pamphlet purports to prove that the decisions by the Supreme Court as to the status of the submerged lands of the marginal sea involve the title to the submerged lands of the rivers, harbors, bays, lakes and other inland waters of the States.

This is not true, and never has been true. Those in charge of the quitclaim legislation know it. Part of the effort to legitimatize the trespass on Federal areas by 3 States at the expense of the other 45 States is directed to concealing the true status of submerged lands of inland waters, and to block legislation proposed by the Government to dispose permanently of baseless and frivolous contentions in which the entire pamphlet is framed.

The attorneys general's pamphlet contains a statement of 11 reasons for the support of the Walter bill (H. R. 4484). These reasons and the answers to them are:

ATTORNEYS GENERAL'S CONTENTION NO. 1

"Each of the States owns and possesses valuable submerged lands within its boundaries, the revenues from which are devoted to education and other important functions of State government."

This statement, standing alone, is undoubtedly true. What is false about it—and the publication with it of lists of the acreages of lands under inland waters, the Great Lakes and the marginal sea; and of the known resources of the waters and the submerged lands of such waters—is the treatment of the facts as if such waters and their submerged lands and resources have been held to be subject to the paramount power and full dominion of the United States. No more complete misrepresentation has ever been made to the Members of Congress of the United States. In this way, and only in this way, could the proponents of the Walter bill dare print a list of every one of the 48 States with the acreages and resources of submerged lands of inland waters, in an attempt to persuade the elected representatives of all the States, that, unless the Walter bill is enacted, they may be deprived of valuable resources belonging to their people.

The truth is that not a pint of inland waters or an inch of the lands under such waters is involved or ever has been involved in the controversy over rights in the marginal sea. The Walter bill, if enacted, would vastly enrich 3 States, at the expense of the other 45 States, through the continued development and exploitation by California, Louisiana, and Texas of vast oil and gas resources in the sea belonging to all the people of the Nation.

ATTORNEYS GENERAL'S CONTENTION NO. 2

"The title of each of the 48 States to its submerged lands, whether inland or coastal, has been held under a century-old rule of law that this property is owned by the individual States rather than by the Federal Government."

This is another misrepresentation, just as boldly inaccurate as the first reason. The pamphlet says that State ownership of this type of property, whether beneath rivers, lakes, bays, marginal seas, or Great Lakes, has been recognized in at least 53 previous Supreme Court decisions as a right of State sovereignty. So far as marginal seas are concerned, this is simply not true. There are no such decisions by the Supreme Court. There never have been.

The pamphlet says that the rule on which the States rely was stated in the case of *Pollard* v. *Hagan* (3 How. 212) in the year 1844, where the Supreme Court (p. 230) said: "The shores of navigable waters, and the soils under them, were not granted by the Constitution to the United States, but were reserved to the States respectively." The Pollard case involved inland waters, and not the soils under the sea. It involved title to a lot between Church Street and North Boundary Street, in the city of Mobile, Ala. It was proved that years before the property had been covered by waters of the Mobile River at high tide.

The case involved a true tideland, to which the United States would have no claim, even if it were on the sea; and it involved what had been submerged lands of an inland water, where the national external sovereignty of the United States does not apply. The Pollard case had nothing to do with Federal rights in the submerged lands of the marginal sea. Neither did any of the other 52 Supreme Court cases in which the Pollard case was subsequently cited with approval.

POLLARD CASE NOT IN POINT

To the contrary, the Supreme Court expressly rejected, in the case of *United States* v. *California* (332 U. S. 19 (June 23, 1947)), the very statement now asserted as a fact by the pamphlet issued by the Attorneys General. The Supreme Court declared that the rule stated in the Pollard case related to inland waters (p. 36), and it found no basis upon which that rule could or should be extended to the soil beneath the ocean. It examined the cases cited by the States and found that none of them had decided the issue. The Supreme Court discussed the circumstances which "pointedly raised this State-Federal conflict for the first time."

Even Mr. Justice Reed, who was the only one of the eight members of the Court participating in the California case who believed that the State was the owner of the lands involved, observed in his dissenting opinion that "no square ruling of this Court has determined the ownership of those marginal lands * * *" (332 U. S. 43). And that was in the October term, 1946, of the Supreme Court. There is no basis in fact or law for any claim that there was any century-old rule under which the States had rights in the soil of the ocean.

The first tangible claim of rights in the marginal sea was made by Secretary of State Thomas Jefferson, on behalf of the United States, in the year 1793. The Supreme Court found that "not only has acquisition, as it were, of the 3-mile belt (in the sea) been accomplished by the National Government, but protection and control of it has been and is a function of national external sovereignty (p. 34)." Therefore, the rule giving the United States authority over and rights in the soil under the coastal waters had its genesis in acts of the Federal Government beginning at least 158 years ago.

APPROVAL BY SENATE

The answer to the unsound contention that there is or was any century-old rule giving ownership of the submerged lands in the marginal sea to the States does not rest upon court determinations alone. As recently as August 19, 1937, only 14 years ago, the Senate of the United States passed a resolution (S. J. Res. 208, 75th Cong., 1st sess.) the preamble of which declared, in part: "Whereas large petroleum deposits underlie various submerged lands along the coast of the United States and below low-water mark and within a distance of 3 miles under the ocean below said low-water mark; and, whereas all such submerged lands below said low-water mark and within such 3-mile limit lying along the coast of the United States are asserted to be the property of the United States; and whereas various persons have heretofore entered, or in the immediate future propose to enter upon such submerged lands and remove the petroleum deposits underlying the same without the consent or permission of the United States, and to the irreparable damage and injury of the United States; and whereas immediate action on the part of the United States is necessary to preserve such petroleum deposits for the future use of the United States."

The resolution then went on to provide that "* * * the Attorney General of the United States be, and he is hereby, authorized and directed, by and through speedy and

appropriate proceedings, to assert, maintain, and establish the title and possession of the United States to the submerged lands aforesaid, and all petroleum deposits underlying the same, and to cause and effectuate by proper proceedings the removal and ejectment of all persons now or hereafter trespassing upon or otherwise occupying the said submerged lands or removing the petroleum deposits therefrom, without the consent and permission of the United States, and through such proper proceedings to be by the said Attorney General instituted, to stop and prevent the taking or removing of petroleum products by others than the United States from the said submerged lands as aforesaid."

This resolution was reported out of the Senate Committee on the Judiciary unanimously. It was subsequently passed by the Senate unanimously. It then went to the House, where it was amended by the House Committee on the Judiciary so as to relate only to the submerged lands off the State of California. In that form it was reported favorably by the committee but never came to a vote on the floor of the House.

COURT AFFIRMED SENATE

So that when all of the criticisms, claims, and misrepresentations appearing in the attorneys general's pamphlet are examined and analyzed it is clear that all the Supreme Court has done is to affirm and give vitality to rights declared by the Senate of the United States as recently as 1937 to be vested exclusively in the United States.

When Senate Joint resolution 208 was passed by the Senate in 1937 California was in the early stages of its seizure of Federal oil and gas resources in the marginal sea. And that was sometime before the extent of the oil and gas resources off the shores of Louisiana and Texas in the Gulf of Mexico had become generally known. The resultant pressures on Congress to give the Nation's vital resources away had not then developed. The alleged "long-recognized," "century old" rule of State ownership, which never really existed, had not been discovered as recently as 1937 by any Member of the Senate of the United States.

ATTORNEYS GENERAL'S CONTENTION NO. 3

"This long-recognized rule of law, applicable to the waters and submerged lands of every State, has been destroyed and State titles clouded by the Supreme Court's 'tidelands' decision. The way has been opened for foreign nations to claim resources within our territorial waters."

It is difficult to deal patiently with this series of misstatements. In the first place it should be noted that the word "tidelands" is a misnomer; the United States does not claim any rights, by reason of national sovereignty, in the soil of lands covered by the tides, and its rights begin at the low-water mark outside of tidelands, and seaward of inland waters, such as rivers, bays, etc., which empty into or are arms of the ocean.

There is nothing, absolutely nothing, in the decisions by the Supreme Court in the *California* case or in the *Louisiana* (339 U. S. 669) and *Texas* (339 U. S. 707) cases which destroys or impairs or affects in any degree any long-recognized rule of law, applicable to the inland waters and submerged lands under inland waters of any State. The Supreme Court in the California case, may fairly be said to have confirmed State rights in "lands under inland navigable waters such as rivers, harbors, and even tidelands down to the low-water mark" (p. 30). The State titles which are actually clouded relate solely to a few isolated areas off shore (the United States submitted but three such areas off California where oil and gas are being extracted, and the master appointed by the Supreme Court in that case added but four more involving other and less important considerations) where it is necessary to arrive at more exact determinations of the locations of State and Federal rights.

STATE TITLES ALWAYS CLOUDED

The coast line of Louisiana, because of its sinuosity, presents some difficulties, but the coast line of Texas appears to be free from such difficulties. In any event, those problems were always there and the decisions by the Supreme Court did not in themselves create the "clouds." Moreover, the "clouds" along the borders of the California areas could have been removed long ago if the representatives of that State had shown any real desire to expedite the necessary determinations, instead of dragging out the proceedings over a period of years.

The attorneys general's pamphlet also says that by departing from the long-established rule that lands under territorial waters within the boundaries of the States are American soil and controlled by State laws of property ownership, the Supreme Court has for the first time in our history opened the door for foreign nations to assert claims within our boundaries. This, of course, is sheer nonsense. The Supreme Court did not depart from any long-established rule. Inland waters are not involved, and never were involved, despite the misleading statements in the pamphlet. The United States has never claimed territorial sovereignty over an area greater than three nautical miles offshore from the low-water mark, or seaward from inland waters.

In support of its contention that the Supreme Court has opened the door for foreign claims, the attorneys general's pamphlet quotes from a joint statement signed by Judge Manley O. Hudson, Dean Roscoe Pound, Dr. Charles Cheney Hyde and other experts in the field of international law. That statement concerned the use by the Supreme Court, in its opinion in the *Texas* case (339 U. S. at 719), of the phrase once low-water mark is passed the international domain is reached. The writers quoted by the pamphlet erroneously assume that the Court meant by the words "international domain" that once low-water mark is reached the international community, and not the United States, has paramount rights in the area—as if the rights of the United States in that area were not greater than those in the high seas.

NO CLAIMS BY FOREIGN NATIONS

But it is obvious from the Court's opinion that it meant no such thing, and that all it was saying was what had been said in the California case, that once low-water mark is reached the Federal Government's paramount rights are derived historically from international law and the agreement of the nations. The door was shut, not opened, to claims by other nations to areas within the marginal sea. No other construction can fairly be put on the opinions in the submerged lands cases.

Moreover, it should be pointed out, the experts quoted in the pamphlets were retained and personally paid by Texas during the presentation of its case to the Supreme Court. Their views were considered and rejected by that Court.

In this same connection, it should be noted that President Truman, on September 28, 1945, issued a proclamation claiming, on behalf of the United States, the control over the mineral resources of the submerged lands of the seas off the shores of the United States to the edge of the Continental Shelf. This assertion of the rights of the United States would seem to dispose of the "fears" of foreign claims expressed in the attorneys general's pamphlet. The controversy before the Senate arises from the seizure by the three States of resources belonging to the Nation.

The attorneys general's contention concerning boundaries points up the problem. Louisiana, for example, by act of its legislature and without permission from the Congress or any other Federal authority, purported to extend its boundaries 27 miles out to sea. Texas, not to be outdone, and in the light of increasing information as to oil deposits in the sea, by act of its legislature, purported to extend its boundaries all the way to the edge of the Continental Shelf, in some instances about 150 miles to sea.

STATE BOUNDARIES NOT IN ISSUE

But the question of a State boundary has no real bearing on the problem. A State has no more right to seize Federal property within its boundaries, land or sea, than it has to seize the property of private individuals within its boundaries. The United States has not questioned the validity of these unilateral attempted extensions of State boundaries because it is possible that the exercise of State police power in such areas may be advisable so long as there is no conflict with Federal authority or rights. But the effort now being made to translate "boundary" into "ownership" is a concept based on no known principle of law.

Perhaps something else should be said about the relevancy of international law to determine the status of the marginal sea. It is a fact that the Nation's rights in the submerged lands of the marginal sea were acquired through the acquiescence or approval of other sovereign nations. And it is a fact, no matter how much the pamphlet may endeavor to distort it, that after the low-water mark is passed the international domain—in the sense that rights and powers are acquired under international law—is reached.

The theory under which the limited authority originally claimed on behalf of the United States by Secretary of State Jefferson in a marginal sea of 3 miles was expanded into paramount power and full dominium is the same as that under which the United States has given recognition to similar rights and powers in their marginal seas vested in other sovereignties composing the family of nations.

PROBLEM ARISING ELSEWHERE

It so happens that unauthorized encroachments on the international domain are beginning to create problems in different parts of the world. Litigation involving the same principles of international law as are believed to be controlling in the California, Louisiana, and Texas cases is pending between European nations in the International Court of Justice at The Hague. The United States has an ever-increasing interest in the outcome of such litigation. The United States may be put into inconsistent positions, and may have its rights impaired, by the efforts of three of our States to gain enormous financial benefits for themselves to the detriment of the rest of the Nation.

ATTORNEYS GENERAL'S CONTENTION NO. 4

Legislation is necessary for each of the 48 States in order to restore and confirm their ownership of navigable waters and submerged lands within their respective boundaries."

This statement, as has been pointed out, is untrue. State ownership of submerged lands under inland waters has not been affected by the rejection of State claims to the resources of the submerged lands of the marginal sea, and, as has been shown, beyond even the marginal sea. But in order to take away from quitclaim proponents the opportunity to continue to present such a baseless contention, the appropriate Federal agencies prepared and submitted to Congress a bill releasing and relinquishing to the States, and to all others lawfully entitled, all right, title, and interest of the United States, if any it has, in and to all lands beneath navigable inland waters within the boundaries of the respective States.

Moreover, the same bill confirms and ratifies any right to construct and use any dock,

pier, wharf, jetty, or other structure in the open ocean, or any such right to the surface of filled-in or reclaimed lands in such areas. That bill, introduced during this session by you, Senator O'MAHONEY, is pending in the Senate as S. 1540. It was introduced in the Senate of the Eighty-first Congress as S. 2153.

It has been introduced from time to time in both the House and Senate during the past few years but it has never moved out of any committee to which it has been referred.

The States and Federal Government agree that the Federal Government has no claim to the submerged lands of inland navigable waters, but the attorneys general continue to argue that the States' rights are in danger all the while that legislation to eliminate the argument stays in committee.

NO AMENDMENTS OFFERED

Nor have the proponents of quitclaim legislation ever suggested any amendments to S. 1540, or its predecessors, to cure the alleged defects they profess to see in it. The only possible inference which can be drawn from this situation is that the supporters of donating the submerged marginal land to the States have succeeded in blocking the legislation which would put an end to a plain, clear misrepresentation.

The attorneys general's pamphlet discusses under three subheads the alleged need of such legislation as is embodied in the Walter bill, as follows: "Marginal Sea of Coastal States," "Great Lakes," and "Inland Waters." As to the "Marginal Sea of Coastal States," the pamphlet says that only California, Texas and Louisiana have been sued, but that the Attorney General and the Solicitor General of the United States claim that the decisions apply equally against all of the other 18 coastal States.

Of course, they do. Any other result would be unthinkable under the Constitution, where all States are on an equal footing. But the pamphlet also says that it is certain that "this area, together with all artificially filled lands along the beaches, and all bays wider than 10 miles (such as Boston and Chesapeake Bay) are now being claimed by the Federal Government." This statement is plainly inaccurate.

One of the recognized exceptions to the 10-mile rule followed by the United States and other sovereign nations as a method of differentiating inland water from open sea is the "historical bay." Boston and Chesapeake Bays are historical bays, and the United States accepts them as inland waters, not subject to its national external sovereignty. As early as our brief in the California case (filed in January 1947), we called attention to the existence of historical bays larger than 10 miles, and expressly cited Chesapeake Bay as the prime example.

LONG ISLAND SOUND INLAND

So, for another example, are other large bodies of water such as Long Island Sound, which has been adjudicated to be an inland water. And whatever may be the technical legal status of artificially filled lands along beaches, or other structures which may have been erected along the shores of and into the sea, the United States is ready and willing, and always has been, to release and relinquish any rights it may have to such fills or structures. It is so provided in S. 1540, already mentioned, drafted by the attorneys of the Defense, Interior and Justice Departments, the passage of which has been blocked by the very people, or their representatives or associates, who advance the objection.

As to the "Great Lakes," the pamphlet claims that the Walter bill is "necessary to remove the cloud of the recent 'tidelands' cases from their (States') titles." Permit me to repeat, again, the California, Louisiana, and Texas cases had nothing to do with any inland waters, but solely with the submerged lands of the open sea. As long ago as November 27, 1945, the then Attorney General of the United States, Tom C. Clark, now a Justice of the Supreme Court, addressing the annual conference of the National Association of Attorneys General, the same organization responsible for the pamphlet, said: "My understanding is that the Great Lakes are considered inland waters, and no contention has been made by anyone that a marginal sea exists there. The present suit (California) therefore raises no question as to the title of the lands beneath the Great Lakes."

GOVERNMENT'S POSITION IGNORED

Five months later, the then Solicitor General, J. Howard McGrath, now Attorney General, wrote a letter in which he stated that Attorney General Clark's views expressed the position of the Federal Government. So that now, 6 years after Attorney General Clark took a public position on this subject, the Attorneys General's pamphlet continues to ignore the Government's true position. The pamphlet doesn't even mention the fact that at least two Attorneys General and two Solicitors General have said that the submerged lands of the Great Lakes are not involved.

Instead, the pamphlet says that "these 8 (Great Lake) States stand to lose more property and revenues than the 21 coastal States." The truth is that the 8 Great Lake States stand to lose exactly nothing. The truth is that their people and those of all the 45 States not immediately concerned stand to gain much if the Walter bill is defeated and proper legislation authorizing the officials of the United States to manage its own resources is enacted.

As to "inland waters," the attorneys general's pamphlet makes the amazing contention that S. 1540—the bill to dispose of, forever, the phony claim that inland waters are involved—was prepared by the Attorney General "in an attempt to split the ranks of the States." The pamphlet says that "State officials oppose this (1) as an effort to divide their forces, (2) as unfair to the coastal and Great Lakes States, and (3) because S. 1540 would recognize State titles only to the beds of the streams with no mention of waters and minerals but with specific reservation of all rights relating to the national defense."

INLAND RESOURCES NOT INVOLVED

This collection of objections would do more credit to the fertile imaginations of Gilbert and Sullivan than to any serious treatment of the subject, either factually or legally. Of course, S. 1540 is an effort to divide the forces of the three States (California, Louisiana, and Texas) from those of the other States. For years those three States have been conducting a campaign based upon the totally erroneous premise that inland waters are affected by the marginal-sea decisions. They have obtained the backing of inland and other coastal States to which they are not entitled, and which they are certain to lose when the facts are known and studied.

S. 1540 gives an irrefutable answer to their baseless claim that the resources of inland submerged lands are involved, although no such evidence is really needed. It is high time that all the other coastal States, and all inland States, realize that their best interests are with the United States, and not with the three States engaged in seizing vital national resources for their own profit. Of course, the forces of California, Louisiana, and Texas should be divided.

This controversy should be decided by the Congress on its merits. And it is only by turning matters inside out, by introducing baseless claims and ignoring realities, that the attorneys general's pamphlet can advance the idea that S. 1540, which confirms State title to all inland submerged lands, is unfair to the coastal States by giving all the States the assurance as to inland waters the pamphlet says they desire and need.

The attorneys general's pamphlet undertakes to give an illustration of an alleged attempt by the Federal Government to take inland waters from the States and even from private owners. It cites a suit recently brought by the Attorney General to determine the ownership of rights to the waters of Santa Margarita River in California. The pamphlet says the Attorney General "is suing private appropriators and users of water on the same theory as was applied in the tidelands cases."

MARINES NEED FOR WATER

This is a complete misrepresentation, and if the facts were known to the pamphlet's authors there is no excuse for it. Whatever rights the Federal Government has in the Santa Margarita River in California were acquired by purchase, and came with the purchase of Santa Margarita Ranch, about 135,000 acres of land through which the river flows, and which is now occupied by the United States Marine Corps as Camp Pendleton. The Marine Corps needs and is entitled to water purchased with taxpayers' funds for its use.

There is a controversy as to just what rights were acquired by the United States through the purchase, and the courts have been asked, at the instance of the Navy Department, to determine the question. The Government paid for land including about 21 miles of riparian rights in the river.

The rights which it is asserting are the normal rights of a riparian owner, not the rights appurtenant to national external sovereignty which were established and vindicated in the California, Louisiana, and Texas cases. All this was explained in detail during the testimony of Assistant Attorney General Vanech before Subcommittee No. 1 of the House Committee on the Judiciary on June 25, 1951, and printed in the Appendix of the CONGRESSIONAL RECORD, pages A4186–4187).

WATER RIGHTS NOT ADJUDICATED

For more evidence of Federal Government claims on inland waters, the pamphlet submits the case of *Nebraska* v. *Wyoming* (295 U. S. 40 (1935)), in which the United States intervened to claim all unappropriated water in the North Platte River. *Nebraska* v. *Wyoming* (325 U. S. 589 (1945)). The truth about this is that the United States has been engaged in the construction of irrigation and other projects in accordance with the provisions of the reclamation and other acts of the Congress. It claimed water rights in Wyoming by cessions from France, Spain, and Mexico and by agreements with Texas. The Court, however, did not pass upon these claims because it found that the United States had obtained the water rights on which the North Platte project and the Kendrick project rested, in compliance with State law (p. 612).

In acquiring these rights the United States observed the provisions enacted by the State of Wyoming for distribution of rights to water, and it became entitled to such rights as were involved in the litigation by submitting itself to State authority on the same basis as any other owner or claimant. Even its unadjudicated claims rested upon agreements. There is no relationship whatever between the principles involved in these cases and the principles of law determining rights in the submerged lands of the marginal sea. If anything, these cases are illustrations of the absence of any claim to the waters or submerged lands of inland waters by the United States based on national sovereignty.

The next objection under this heading is just as baseless. Section 104 of S. 1540 is described as a joker because S. 1540, the pamphlet says, does not mention "waters" or

"minerals." But section I of S. 1540 expressly relinquishes all right, title, and interest of the United States, if any it has, in and to all lands beneath navigable inland waters, and the term "inland waters" is defined in section 2 to include the waters of bays, rivers, ports, and harbors which are landward of the open sea.

ALL MINERALS RIGHTS QUITCLAIMED

Any Federal claim to minerals or anything else in the submerged lands of inland waters is an interest expressly released and relinquished forever. No one can deny that the bill does give up any claim that the United States may have—and it has none—to the oil, or other resources, of the submerged lands beneath inland waters. If the proponents of quitclaim legislation have any real doubts on that score, let them propose language which, in their view, will more effectively carry that purpose into law.

The remaining objection to S. 1540 is the reservation of rights relating to national defense. The whole of section 104 reads:

"Nothing contained in this act shall be construed to repeal, limit, or affect in any way any provision of law relating to the national defense, fisheries, the control of navigation, or the improvement, protection, and preservation of the navigable waters of the United States; or to repeal, limit, or affect any provision of law heretofore or hereafter enacted pursuant to the constitutional authority of Congress to regulate commerce with foreign nations and among the several States."

This is a form of saving clause familiar to all who work in legislative matters. It is incorporated as a measure of caution in order to make certain that the bill does not reach matters not intended to be affected. The express and stated purpose of S. 1540 is to confirm State title to the things enumerated in the bill. It is not intended to repeal, amend, or otherwise change provisions of existing law relating to the exercise of powers and the discharge of duties imposed by existing laws on the subjects enumerated in the saving clause.

STATES' RIGHTS PROTECTED

Obviously, this general saving clause could not possibly contravene the express confirmation of State rights in the land beneath inland waters which it is the specific aim of the bill to assure. The fact that such an objection is made in the attorneys general's pamphlet should put Congress further on guard against the advisability of any such general and all-inclusive grants of national rights as are contained in H. R. 4484.

ATTORNEYS GENERAL'S CONTENTION NO. 5

H. R. 4484 by WALTER, of Pennsylvania, restoring the law of State ownership of this property, applies not only to the 28 coastal and Great Lake States but to each of the 48 States.

If there are any "jokers" in any of the bills relating to rights in the marginal sea, the provisions of the Walter bill cited in the attorneys general's pamphlet under this heading can fairly be so designated. The heading treats H. R. 4484 as restoring the law of State ownership of this property. The fact is, as the Supreme Court has pointed out four times (the California, Louisiana, and Texas cases, and the case of *Toomer* v. *Witsell* (334 U. S. S. 385, 402)), there never has been State ownership of the submerged lands of the marginal sea.

However, the pamphlet points out that the Walter bill, in section 2, provides that the submerged lands which are to become State property are those covered by the tides up to the line of mean high tide and "seaward to a line three geographical miles distant from the coast line of each such State and to the boundary line of each such State where in any case such boundary as it existed at the time such State became a member of the Union, or as heretofore or hereafter approved by Congress, extends seaward (or into the Great Lakes or Gulf of Mexico) beyond three geographical miles * * *." This is the big "joker," through which not only is "boundary" translated into "ownership" for the purposes of State claims in the marginal sea but the area of the marginal sea is unequal as between the States, and the way is opened for continued and additional inroads upon national powers and rights.

UNEQUAL FOOTING

It so happens that California is not interested in the submerged area beyond 3 miles. The Continental Shelf along the Pacific is extremely narrow, but in the Gulf of Mexico the situation is different. Texas, when it came into the Union, claimed a boundary of three leagues, or 10½ land miles. The Walter bill, substituting "ownership" for "boundary," would give Texas a submerged area three times farther out to sea than its neighboring State of Louisiana. Congress would immediately be besieged with demands by the forces of Louisiana to remedy this inequality.

Moreover, Louisiana now claims a boundary and ownership of an area 27 miles offshore and Texas an area to the edge of the Continental Shelf, in some places from 100 to 150 miles from shore. Unless the States' forces are divided on these claims as with the others, the people of the Nation may lose all of their rights to the vital minerals in the submerged lands of the adjacent seas. Any act of Congress which inadvertently or by design approves a boundary claim far out to sea would probably, under the Walter bill, entail a grant of the vast resources of the submerged lands of the sea.

OWNERSHIP AND BOUNDARIES

Section 3 of the Walter bill makes State title to and ownership of all natural resources dependent upon State boundary. No such rule of law has ever before existed with respect to the submerged lands of the marginal sea. Boundaries for the exercise of police and taxing powers do not include rights of ownership in land or sea. The United States made the first claim of full rights in the sea. That claim embraced a 3-mile zone. It is recognized by international law.

The power of the United States to grant fee simple titles in the 3-mile zone recognized as the marginal sea is open to question, and the authority to make such grants in areas beyond those heretofore claimed as against other nations is still more doubtful.

ATTORNEYS GENERAL'S CONTENTION NO. 6

"A quitclaim to the States is no gift. Equity and justice demand restoration of the property which the States have held and developed in good faith reliance upon 53 previous decisions of the Supreme Court of the United States."

The reverse is true. A quitclaim of national resources in the submerged lands of the marginal sea—and beyond, as the Walter bill contemplates—is a gift to 3 States at the expense of the other 45 States. Ever since this country was settled, disputes over title have been settled by the courts, first when colonial governments functioned, and then after the States were created. Jurisdiction over controversies between States, and between the Federal Government and States, was given to the Supreme Court by the Constitution.

The Supreme Court, when the controversy over rights in the marginal sea came before it for the first time, decided that the States had no title. "* * * the Federal Government rather than the State has paramount rights in and power over that (3 mile) belt, an incident to which is full dominium over the resources of the soil under that water area, including oil." (*U. S.* v. *California*, 332 U. S. at p. 38, 39.)

As has been stated, there were no 53 previous decisions on the point. There weren't any. The Supreme Court found that the oil in the submerged lands of the marginal sea belonged, and always had belonged, to the United States. Three States ask Congress to give it, together with all other mineral resources of the submerged lands of the marginal sea, to them, at the same time arguing that such action is no gift, and that the law of the land, as determined by the duly constituted tribunal, should be ignored or changed for the benefit of three States and to the detriment of the rest of the Nation.

NO REVIEW OF DECISIONS

It is clear that, under the Constitution, the Congress cannot properly review or revise the Supreme Court's judicial determinations in the California, Louisiana, and Texas cases. Existing rights and powers have been decided by the Court, and legislation should start from the premise that the States have never had and do not now have title to the submerged lands and that the United States has full dominium and paramount rights, including the exclusive right to control the use and disposition of the resources of the ocean bed.

The true legislative issue then resolves itself into the query whether the Congress should give or donate the rights of the United States to the oil and gas, and the other valuable minerals, of the submerged coastal lands, to three States at the expense of the people of all the other States. Aside from legal arguments as to the rights of the coastal States—arguments which have now been authoritatively rejected by the judiciary—no reason has been advanced why such an outright gift or donation should be made.

Certainly there are sound reasons for the belief that the Federal Government is more capable of husbanding and guarding these resources, and of overseeing and supervising their development. It is in a far better position to gage and protect the national defense interest in these resources. And it is elementary justice that the benefits flowing from this Federal property should accrue, at least in part, to all the people of the country and not merely to the inhabitants of the States which happen to be adjacent.

LEGAL ISSUES RESOLVED

If the proponents of quitclaim legislation would accept the Supreme Court's decisions as resolving the legal issues, as I think they should, they would be hard put to it to advance one substantial reason of policy why this enormous donation by the United States to the three coastal States should be made.

The attorneys general's pamphlet says that "equity and justice" demand restoration of the property. The truth is that equity and justice demand that the baseless claims, upon which the 3 States already have been unjustly enriched, be dropped.

When facilities for taking oil and gas from the submerged bed of the ocean were developed, California, and then Louisiana and Texas, went out into the sea, through their lessees, and appropriated for their own use and benefit the mineral resources belonging to the United States. They did not ask or obtain permission from Congress or any other Federal agency. They simply took them. In 1937, the Senate of the United States passed S. J. Res. 208 authorizing the Attorney General to assert and maintain the title of the United States to the oil in submerged lands of the marginal sea.

The resolution failed of passage in the House, but those States were on notice of the Federal Government's claims. However, they did not stop. When suit was finally brought, the States opposed the determination with all the facilities at their com-

mand. Notwithstanding this, the Attorney General made no effort to obtain reimbursement or damages for the prior seizure and sale of the Federal Government's oil.

JOINT OPERATIONS IN CALIFORNIA

The decision in the California case was handed down on June 23, 1947, and since that time operations off the coast of California have continued by California's lessees under agreements made by the Attorney General and the Secretary of the Interior with the State. The proceeds are being accumulated in special funds to await further court proceedings, and action by Congress. Although the attorneys general of Louisiana and Texas took part in the California case, and were, of course, fully advised of the effect of that decision on operations in the Gulf of Mexico, both of those States through their lessees continued to take the Federal Government's oil and gas, and made no effort to come to any agreement.

To the contrary, Texas, after the California decision, undertook to make leases in the Gulf of Mexico on a large scale, obtained the sum of approximately $8,300,000 in bonuses, and began the collection of rentals for the leased areas. Louisiana, also ignoring the decision by the Supreme Court in the California case, entered into a comprehensive program of leasing of areas, in and beyond the marginal sea. Revenues from such areas in bonuses, royalties, and rentals accruing after the date of the California decision, total sums in the tens of millions.

The decisions by the Supreme Court in the Louisiana and Texas cases were handed down on June 5, 1950. It had been assumed that the Supreme Court would allow the United States to recover compensation for the loss of its natural resources, at least from the date of the California decision, when everybody concerned was on notice as to the Federal Government's paramount rights. But the Supreme Court declined to order these two States to account to the Federal Government for the oil and gas taken prior to the date of the decisions so that these two States profited by the long delays occurring, on account of motions, pleas, and objections, after suits were filed.

NO ACCOUNTING BY STATES

The situation is, therefore, that nothing is to be recovered from California for oil and gas taken from the Federal Government's areas prior to June 23, 1947, and nothing is to be recovered from Louisiana or Texas from the oil and gas operations in the Gulf of Mexico authorized by them in the marginal sea, and beyond, prior to June 5, 1950. So the Federal Government has lost, no matter what Congress may now decide to do, material resources of the submerged lands of the marginal sea worth hundreds of millions of dollars.

But that is not all. The practice by these three States has been to lease areas at a royalty on a fixed-percentage basis, usually 12½ percent. Further compensation is provided by awarding the leases to those offering the highest bonus payments. If existing leases are ratified and confirmed, as is now contemplated under the provisions of Senate Joint Resolution 20, which the Justice and Interior Departments have approved, then it is clear that the loss of all bonuses prior to June 5, 1950, means that the Federal Government will receive, from existing leases, much smaller royalty payments for oil and gas than if no bonus payments had been exacted.

In other words, the States have received and will keep the payments intended to be part of the compensation for natural resources to be taken in the future from areas covered by existing leases. No private person or corporation, faced with the loss of his property through unauthorized and deliberate appropriation by his neighbors, would ever be as generous as the Federal Government and the Supreme Court have been with the States of California, Louisiana, and Texas. They are being allowed to keep the many millions in revenues they obtained from natural resources belonging to the Federal Government.

DOUBLE PAYMENTS BY LESSEES

But that is still not all. Texas and Louisiana, even after the decisions of June 5, 1950, continued to collect royalties and rentals and other revenues from their lessees. They are collecting today. Most of the lessees began to pay the Federal Government after June 5, 1950, but, fearing some action by Congress, such as passage of the Walter bill, in favor of the States, the oil companies continue to pay the States.

Louisiana and Texas have made no agreements such as California made to have the revenues held for eventual distribution. They just continue to collect funds to which they are not entitled. Perhaps it should be stated that some areas off Louisiana require a court adjudication as to the exact location where Federal rights begin, but this is not the situation as to many valuable leased areas. There is, under these circumstances, no valid justification for further delay in the enactment of legislation for the management by the United States of its own property.

Ignoring all the relevant facts, the attorneys general's pamphlet says that equity and justice demand restoration of the property to the States. The truth is that restoration of the Federal Government's property, already depleted in value by hundreds of millions of dollars, to its rightful owner is much too long delayed through the dilatory tactics engaged in by the representatives of the three States which have profited so greatly through the wrongs perpetrated by them on the Federal Government.

THE WYOMING CASE

The pamphlet submits the action of Congress in passing legislation giving the State of Wyoming an oil-producing section of a township as a precedent for the proposed gift by the United States to the States of California, Louisiana, and Texas, at the expense of all the other States, of all of the Nation's oil and gas and other mineral deposits in the submerged lands of the Pacific Ocean and the Gulf of Mexico. The two matters are not comparable, but even if they were, the action by Congress in making a relatively small gift to the State of Wyoming is hardly any reason why the Federal Government should give away all of its mineral resources in the submerged lands of the oceans which touch its shores.

In the Wyoming case there was no question as to prior ownership by the Federal Government. Consistent with its long-continued policy, the Federal Government granted Wyoming, upon its admission to the Union, sections 16 and 36 of a proposed township, the property to be used for the support of public schools. The grant was subject to conditions, one of them being that the sections had to be officially surveyed, and another was that the sections granted should not be mineral in character.

It was also provided that if either of the sections did not pass to the local government, then the Territory should select other sections. The enabling act for Wyoming became law in 1890, but the official survey was not made and approved until 1916. An oil company, under a lease from the State, entered section 36 of township 58, Park County, in 1917, and drilled five oil wells. In 1915 these lands had been placed by Presidential order in a petroleum reserve.

From 1917 until 1944, a period of 27 years, the royalties amounted to but $17,306. The Supreme Court held (*United States* v. *Wyoming*, 331 U. S. 440, 1947) that Wyoming did not obtain title from the United States to section 36. Thereafter, Congress made a grant of but one-eighth of the section to the State, and retained the other seven-eighths.

ACTION NOT A PRECEDENT

If it is now contended that Congress should not have done this for Wyoming, its action can hardly bind Congress to continue to grant unnecessary or unwise benefits to other States; nor can such a minor incident be fairly used to bolster a plea by three States that they should be given all the known and unknown mineral resources of the submerged lands of the marginal sea and beyond.

ATTORNEYS GENERAL'S CONTENTION NO. 7

"Nationalization of this property would result in less development of resources. The States and their local units of government are most closely concerned and better equipped to manage and develop the property, and State ownership has not interfered and would not interfere with the Federal powers of national defense, navigation, etc."

This is a contention born of desperation. "Nationalization" sounds like "socialization," and the inference is that the Federal Government has or will have plans to enter into the petroleum industry, and compete with or eliminate private enterprise in this field. The attorneys general's pamphlet, in order to drive this idea home, mentions "national ownership of coal in England, oil in Mexico, and general nationalization of minerals in Russia."

Of course, this is a most persuasive argument for giving all the Nation's mineral resources in the submerged lands of the sea to three States at the expense of the other 45 States. It applies with equal force to all of the mineral properties owned by the Federal Government on land—the properties, for instance, administered under the provisions of the Mineral Leasing Act.

Nobody has recommended, except in this pamphlet, that the Federal Government turn them over, without compensation, to the States. Nobody really has any idea that Congress should or would distribute and give away all the natural resources which happen to be owned by the Federal Government. Yet if the Nation's rights in the sea are to be surrendered, why not those on dry land? The same reasoning applies. One is just as much nationalized as the other.

However, the pamphlet does not hesitate to attempt to employ the term "nationalization" and a not too gentle hint of "socialization" in an effort to alarm the Members of Congress. The fact is, of course, that the United States, through the Interior, Defense, and Justice Departments, has been pleading with Congress year after year to authorize the Secretary of the Interior to make leases of the submerged lands of the adjacent seas to private developers, in exactly the same way that the States lease their mineral lands to private enterprise.

NO NATIONALIZATION

The suggestion that these oil companies produce less under Federal than under State ownership does no more credit to its authors than the other baseless contentions contained in the pamphlet. Boiled down, the argument really is that ownership or leasing of oil-producing properties by the Federal Government is nationalization, socialization, or whatever may sound sufficiently objectionable; but ownership and leasing by a State government is something else again, a horse of a different color, or an enterprise private instead of public in character, apparently given other names and characterizations solely for the purpose of attempting to justify the appropriation of Federal property without compensation.

This section of the pamphlet winds up with a rather self-righteous and hypocritical assurance that the Walter bill protects national defense powers by providing, in section 6, that "in time of war when necessary for the national defense, and the Congress

or the President shall so prescribe, the United States shall have the first right of purchase at the prevailing market price, all or any portion of the said natural resources, or to acquire and use any portion of said lands by proceeding in accordance with due process of law and paying just compensation therefor."

This is the biggest joker of all, and the Walter bill is full of them. The United States is to be permitted in time of war to buy back its own oil at the prevailing market price, and to use its own lands after paying full compensation. This is truly a great concession.

It gives the United States, under the guise of protection, exactly nothing, as the United States is able to acquire State or even private property in time of war on such terms without the Walter bill. However, this provision, if enacted, would assure California, Louisiana, and Texas that they would collect royalties and other revenues on oil produced from the submerged lands of the adjacent seas, even in time of war when such oil is needed for the defense of those States as well as the entire Nation. This is the provision of which the pamphlet prepared by the State attorneys general boasts—the fair provision in the bill passed by the House. All that this fair provision would do is give California, Louisiana, and Texas profits from the Federal Government's oil, even during the period when American soldiers, sailors, and marines are giving their lives to protect them from foreign enemies.

ATTORNEYS GENERAL'S CONTENTION NO. 8

"H. R. 4484. by Walter confirms State ownership of only those lands lying within original State boundaries. Nine-tenths of the Continental Shelf lies outside of eight original State boundaries and is vested in the Federal Government."

This is another joker. It is another attempt to ignore the law of the land and the Supreme Court of the United States, which has said four times that there is no State ownership of submerged lands in the marginal sea. This bill would "confirm" State ownership anyhow. It would, as stated, translate boundary into ownership, thus mixing up two entirely different things. The pamphlet says that nine-tenths of the Continental Shelf lies outside of original State boundaries. But the pamphlet fails to state that there is virtually no continental shelf outside of the boundary of California, and that H. R. 4484 would in effect give California forever all of the natural resources of the submerged lands of the sea off its shores.

It would give Texas, as its original boundary, 10½ miles of the submerged lands of the Gulf of Mexico by the simple device of translating boundary into ownership, in the teeth of four decisions by the Supreme Court, and in clear violation of accepted rules from time immemorial for determining title. As pointed out, the boundary of a State does not give it ownership of all dry land within that boundary, and there is no known rule of law under which boundary gives a State ownership of the submerged lands of the sea.

CONFUSION AS TO BOUNDARIES

The Walter bill would extend the inland water rule to the bed of the ocean. And the use of the phrase, "original boundaries," already discussed in this letter, would result in inequalities among the States, since Texas asserts that it came into the Union with a 10½-mile seaward boundary. In addition, State boundaries contemplated by the water bill are the original boundaries "or as heretofore or hereafter approved by Congress," so that original boundaries may have become or may become something entirely different.

Louisiana now claims a boundary of 27 miles into the Gulf of Mexico, and Texas all the way to the edge of the continental shelf. There are even signs that Louisiana also now claims that it came into the Union in 1812 with a 10½-mile boundary, but that significant discovery seems first to have been made in the 1940's after oil was discovered outside of the 3-mile belt.

Notwithstanding this, the attorneys general's pamphlet says that nine-tenths of the Continental Shelf lies outside of original State boundaries, and is vested by the bill in the Federal Government. But this bill undertakes to make a gift to the adjacent State of 37½ percent of all the revenues from the mineral resources of the submerged lands of the Continental Shelf beyond the State boundaries.

In other words, the effect of the bill is to give California all the resources of the submerged lands of the sea, and to give Louisiana and Texas all the resources within their boundaries, whatever they may be, and 37½ percent of all the resources of the submerged lands of the sea, outside even of any boundaries claimed by them. Inasmuch as there is no vestige of any State right whatever in such areas, the proposal to give these States 37½ percent of the mineral resources of the United States beyond State boundaries, at the same time that the States demand all the revenues from the mineral resources of submerged lands of the marginal sea, seems rather a queer way of vesting resources in the Federal Government.

AUTHORITY BASED ON INTERNATIONAL RECOGNITION

The fact is that no legislation is required to vest natural resources of any of these areas in the Federal Government. The submerged lands of the marginal sea are already vested by international custom and usage and by Federal claims, confirmed by the Supreme Court of the United States, and the resources of the Continental Shelf have been claimed by the President of the United States in the Executive proclamation of September 28, 1945 (10 Federal Register, 12303).

The only purpose of the Walter bill in attempting to vest anything in the Federal Government is to take it away—all of the resources of the submerged lands of the marginal sea, and 37½ percent of the resources of the submerged lands of the Continental Shelf beyond State boundaries—and give it to California, Louisiana, and Texas, as the case may be. The pamphlet contains the information that the idea of a 37½ percent payment to the States came from the Mineral Leasing Act under which the States receive 37½ percent of revenues from the Federal Government's oil-producing lands within their borders. There probably were good reasons for this provision, none of which seems applicable to the submerged lands of the Continental Shelf, and only to a very limited extent to the marginal sea.

In the first place, if it were not for Federal Government ownership of land within the States, those States would collect taxes and perhaps other revenues not available under public ownership. Again, the State government may have responsibilities through the normal exercise of its police powers which all property owners, except public and other exempt owners, are required to support through taxation. The 37½ percent paid to the State under the Mineral Leasing Act may be regarded as in lieu of taxes and other consideration.

AMOUNT OF PAYMENTS

So, as to the submerged lands of the marginal sea, there may be some justification, on the ground of police responsibilities, for agreeing to a payment by the Federal Government of something, but there would not seem to be any circumstances sufficient to justify a comparison with the percentages of payments under the Mineral Leasing Act. And, as to the submerged lands of the Continental Shelf, where any State activities are purely voluntary, the suggestion that the Federal Government should pay Louisiana and Texas a substantial percentage of the revenues received from the development of natural resources claimed by the Federal Government seems, under present circumstances, rather far-fetched.

ATTORNEYS GENERAL'S CONTENTION NO. 9

"Congress which has final power to act in this controversy, has been ignored and circumvented by executive officials in the attempted seizure of this property from the States."

The truth is, of course, that the three States concerned—California, Louisiana, and Texas—have not only ignored, as much as they dared, and circumvented Congress, but also the Supreme Court of the United States and the executive branch of the Federal Government. If such a comparison is to be made, I think it is fair to say that the palm must clearly be awarded to these States. They have employed delays, baseless arguments, misstatements, and pressure to keep the Federal Government from proceeding to develop its mineral resources for the benefit of all the people of this Nation.

Congress does have the power to act, but the effort of the States has been concentrated on the attempt to induce Congress to act by giving away the Nation's mineral resources, worth billions of dollars. As far back as 1937, the Senate of the United States unanimously declared that these resources belong to the United States. World War II caused a delay in steps to have the Federal Government's claims adjudicated, and in the meantime the States profited by continuing to seize the Federal Government's minerals without the consent of Congress or any other branch of the Federal Government.

When suit was brought against California, the State contested the right of the Attorney General to file it. It did its best to prevent an adjudication. After the California case was decided, the Government went to Congress with a bill, prepared by the attorneys of the Justice, Interior, and Defense Departments, asking Congress to authorize the Secretary of the Interior to issue leases, so as to provide for the development and use of the Nation's vast mineral resources in the bed of the sea.

Year after year, session after session, such legislation has been urged upon Congress by various Attorneys General, Secretaries of the Interior, Secretaries of Defense and by other Government officials. The needed legislation by Congress granting permission to the Federal Government to use its own property is still withheld. The three States are responsible for the delay. They have blocked all the legislation submitted to Congress by the executive officials.

They even obtained the passage, before the California case was decided, of a bill quitclaiming the Federal resources to them, but the bill was vetoed by President Truman, and the situation saved for further and proper consideration. The States have even prevented the passage by Congress of the bill to eliminate their baseless contention that the Federal Government will claim proprietary rights, through national sovereignty, in the submerged beds of inland waters. And they still continue to advance contentions which have been indisputably refuted again and again.

SEIZURE BY THREE STATES

There never has been, as the pamphlet charges, any seizure of State property by Federal officials. The contrary is true, and it cannot honestly be denied, now that the Supreme Court has three times spoken. California, Louisiana, and Texas have, without the consent of Congress, seized Federal property. They have, through their lessees and assignees, taken property worth hun-

dreds of millions of dollars, for which the Federal Government will never be reimbursed. Revenues from the resources in the marginal sea off California are, under written stipulations, being accumulated in special funds, accounting from June 23, 1947, but there is no accounting for such funds prior to that date. Louisiana and Texas are under court orders to account for revenues received after June 5, 1950, but there is, as stated, to be no accounting prior to that date. In view of the history of the controversy, and of the intentional seizure of Federal Government resources, even after the date of the California decision, by Louisiana and Texas, contention No. 9 should not have the slightest appeal to the Members of Congress, and to all those who have any inkling of what has transpired.

ATTORNEYS GENERAL'S CONTENTION NO. 10

"The principles of the tidelands decisions, if not erased from the law of the land by act of Congress, could lead to nationalization of private lands as well as State lands without compensation."

This is but an elaboration of the nonsensical ideas expressed by contention No. 7, carried into further absurdities. Public ownership of land, whether dry or submerged, and its resources, is apparently unobjectionable if such ownership is in a State government, but such public ownership, if in the Federal Government, is nationalization or socialization, or something evil forbidden by the Constitution, or which should be forbidden by the Constitution or by Congress and by whatever agency can turn over the Nation's oil resources in the submerged land of the sea of California, Louisiana, and Texas.

And, since the attorneys general's pamphlet expresses no constitutional or other legal objection to public ownership by the Federal Government of oil-producing properties on dry land in various States, as has been the case since the formation of the Union, it follows that the sinister consequences depicted in the pamphlet result only where the Federal land is submerged by the sea. In some manner, unfortunately not elucidated in the pamphlet so we may never know how the phenomenon occurs, dangers, or the possibility of dangers, to our form of government arise from the bed of the sea, but never from dry land.

AMERICAN BAR ASSOCIATION

It is not only the Association of Attorneys General which is frightened by this situation. "It is," so the pamphlet says, "such organizations as the American Bar Association and the American Title Association" that are startled. I have been a member of the American Bar Association for many years and I am not frightened or startled by any circumstance of long-approved Federal ownership of anything, either by land or by sea. And there are many more like me. I know, of course, that the house of delegates of the American Bar Association adopted a resolution February 23, 1948, advocating the passage by Congress of legislation quitclaiming the submerged lands of the marginal sea. I suspect that at least some of the members of the committee responsible for drafting the resolution may have had either the special interests of their own States at heart, or may have been connected in some way with oil interests. One of the members of the committee came from Texas and another from California.

I regret that the American Bar Association should undertake to pass resolutions on such a subject matter. If anyone is frightened or startled, it should be over the use of such an organization as the American Bar Association to champion the cause of 3 States against the best interests of all the people of the other 45 States.

INTERNATIONAL LAW AND THE TIDELANDS DECISIONS

Perhaps, it also should be said that Congress may have more difficulty in erasing the principles of the tidelands decisions from the law of the land than the Association of Attorneys General knows about, or has ever considered. For those principles are not ours alone. They are the principles of law applying to all sovereign nations. They are the principles under which our ships traverse the seas in every part of the globe, carrying our peoples as well as articles of commerce over the waters adjacent to other countries and continents. We could no more recognize expansions into the seas by political subdivisions of other sovereignties than we could expect to obtain the acquiescence of other nations to invasions by Louisiana and Texas beyond the areas claimed by the United States as being subject to the exercise of full sovereign powers. The erasures so lightly and blithely advocated in the pamphlet would be highly detrimental to this Nation abroad, as well as at home.

ATTORNEYS GENERAL'S CONTENTION NO. 11

"The only oil lobby involved in this legislation is opposing State ownership in order to obtain cheap Federal leases. The idea of devoting revenues from these lands to Federal aid to education was originated by this lobby for use against State ownership legislation."

This contention has nothing whatever to do with the merits of the controversy. It conceals the real issue, which is simply whether the people of the Nation shall have the benefits of their resources in the submerged lands of the sea, or whether the oil and gas reserves there shall be turned over to California, Louisiana, and Texas forever. One thing is certain. The Federal Government has no "oil" or any other kind of lobby. It necessarily has been confined to statements and arguments made by officials, most of them in court or before committees of Congress.

FEDERAL GOVERNMENT HAS NO LOBBY

This may be a proper opportunity to emphasize the fact that interests of the United States in this important controversy have been handled, for the most part, by three or four attorneys in the Department of Justice, and by perhaps a like number in the Department of the Interior, working on these problems in connection with their other duties as Government employees. Those in the Department of Justice have been successful in the difficult and complicated litigation brought in the Supreme Court against California, Louisiana, and Texas, in the course of which they were confronted not only with the large array of leading lawyers of the various States, but also with the best talent in the field of international law that could be retained all over the world. The California case still goes on, and the questions submitted to the master are yet to be determined.

The Department of the Interior has participated in the drafting of legislation; handles the various matters incident to the stipulations with California, and takes the steps necessary to safeguard the interests of the United States in the areas involved until Congress decides to act. And these same few persons, time after time, have appeared before committees of the Senate and House to resist the efforts to strip the United States of its mineral resources in the submerged lands of the sea, and to advocate the passage of legislation providing for the proper development of the properties.

The results to date could not have been attained without the encouragement given at all times by President Truman and his understanding cooperation with those who have been carrying out his policies; nor could the work have been carried on without the active participation and support of Attorney General J. Howard McGrath and Secretary of the Interior Oscar Chapman, and their predecessors in office. Both of these officials have also interrupted their other duties to appear before committees of the Congress and to testify at length on the subject.

STATES' LOBBIES

On the other hand, the States, in addition to official appearances before the courts and committees of Congress, have operated effective lobbies. The Association of Attorneys General maintains offices in Washington from which Congress has been flooded with contentions and arguments of the same misleading character as those contained in the pamphlet under discussion. Those offices are now and have been for years in charge of a former attorney general for the State of Nebraska, who has spearheaded opposition to the efforts by Federal officials to obtain congressional permission for development by the United States of its own properties.

The imposing list of organizations, beginning with the Council of State Governments and ending with the National Institute of Municipal Law Officers, appearing in the attorneys general's pamphlet as sponsors of State ownership, is a tribute—although a regrettable one—to the effectiveness of the activities carried on by the States, those with real interests at stake as well as the greater number which have been beguiled into opposition to their own best interests.

MINERAL LEASING HIT APPLICANTS

The pamphlet says that the oil interests which are not neutral and are opposed to State ownership are those who are applicants for Federal leases, and who hope to benefit by Federal management of the submerged lands. These applicants filed under the Mineral Leasing Act, and their applications were denied. The Attorney General has ruled that the Mineral Leasing Act does not apply to the submerged lands of the sea. So has the Solicitor of the Interior Department.

The bills supported by the Federal officials are designed to confirm and ratify the leases issued by the States, and to vest no rights whatever in the applicants under the Mineral Leasing Act. That has been made clear in all of the hearings held by congressional committees. The Federal Government has been beset by rival claimants, the States on one hand, and the applicants for Federal leases under the Mineral Leasing Act on the other. It is our position that none of them has any valid claims. The property belongs to the United States.

The Federal officials have recommended to Congress that existing leases made by the States be confirmed and ratified in the hands of the Federal Government, and that the Federal Government be authorized to make leases of areas not yet under contract. These leases would go to the highest bidders. Federal officials are not responsible for the desires, hopes or activities of private applicants, any more than they are for the activities of the States. The applicants under the Mineral Leasing Act have brought suit to enforce their claims. The Federal officials have opposed, and will continue to oppose, those suits.

SECRETARY ICKES AND THE SUITS

The attorneys general's pamphlet alleges that it was the Federal lease applicants who first persuaded then Secretary of the Interior Harold L. Ickes to reverse his previously held opinion on State ownership. This allegation, even if it were true, is hardly relevant. But, if Mr. Ickes' actions or attitudes or beliefs are of such surpassing interest to the States, the fact is, as he has stated over and over again, that he is the one who denied the applications made under the Mineral Leasing Act—the very applications which seem to enrage the attorneys general so much.

It is true that the denial was based on the theory of State ownership, but when Mr. Ickes began to have doubts on that question, he urged the President and the Attorney General to have the matter determined by the courts. It took a long time. World War II had to be fought and won before the Federal Government was in a position to handle such an important domestic question. The 3 States involved in the seizure of Federal property profited by the delay. Once the decision was made to sue California, the Department of Justice took over. It has handled all the litigation against the 3 States in the Supreme Court.

Mr. Ickes' doubts have been resolved by the decisions, which embody the law of the land. In this matter he did his full duty, and the States have no basis whatever for their irrelevant complaints. The pat answer to the awful charge that Mr. Ickes changed his mind is, "So what?"

FEDERAL AID TO EDUCATION

This subject is given a special caption in the Attorneys General's pamphlet, so it is treated likewise here. It is stated that Mr. Ickes, at the request of former Senator Wheeler, attorney for Federal lease applicants, appeared before congressional committees and presented arguments in their behalf. The pamphlet says it is significant that they originated the argument that revenues from the mineral resources of the submerged lands of the sea should be used in the States for Federal aid to education.

I must confess inability to understand just what bearing this situation has, even if true, on the seizure of Federal assets by three States. But I seem to remember that the proposal to use Federal revenues from this source for Federal aid to education was first expressed by Mr. Ickes alone. He favored such a plan in many of his public statements, oral and written, and it was to be expected that he would express them before congressional committees when he had the opportunity. This is a matter for Congress to decide. It is hardly the business of those State officials who are attempting to convince Congress to make an absolute gift of the Federal mineral resources in the submerged lands of the marginal sea to three States at the expense and to the detriment of the other 45 States.

SENATOR HILL'S AMENDMENT

But the idea of using such revenues for Federal aid seems to have won many supporters. There is pending in your committee an amendment to your joint resolution, S. J. Res. 20, for the use of the revenues from the minerals in the submerged lands of the sea for Federal aid to education. The amendment was offered by Senator LISTER HILL, of Alabama, on behalf of himself and Senators DOUGLAS of Illinois, MORSE of Oregon, BENTON of Connecticut, TOBEY of New Hampshire, NEELY of West Virginia, SPARKMAN of Alabama, KEFAUVER of Tennessee, CHAVEZ of New Mexico, HUMPHREY of Minnesota, and HENNINGS of Missouri. These 11 Senators do not represent any lobby of oil interests or Federal lease applicants. They are Members of the Senate of the United States, and it is their duty to help determine the disposition of all Federal funds.

STATE REVENUES FROM SUBMERGED LANDS

The pamphlet makes the misleading statement that all submerged-lands revenues in Texas have been devoted to public education for more than 30 years. What the pamphlet does not say, and what it attempts to conceal, is that prior to the decision in the California case, there were no revenues obtained by Texas, or only a negligible amount, from the oil resources of the submerged lands of the marginal sea. Texas revenues from inland submerged lands are not affected, and cannot be affected. They will, it is assumed, continue to be used for public education.

After the California decision by the Supreme Court, a case in which Texas participated, Texas hurried to issue leases in the marginal sea, and received some $8,300,000 in bonus payments. It thereafter collected rentals from the lessees. But there is only one oil well in operation in the marginal sea off Texas, and that well drains a pool tapped by other wells on land, where the Federal Government has no claim.

The pamphlet says that Texas, Louisiana, and California have received $77,292,000 from oil and gas leases and royalties, but the pamphlet fails to state how much of this came from State-owned property on dry land, where the Federal Government has no claim, and how much of it represents revenues from mineral resources in Federal submerged lands of the sea seized by these three States in defiance of the rights of the United States.

SUPPORTERS OF FEDERAL CONTROL

The pamphlet goes on to suggest that the Federal Government should grant all of its real property in the country to the respective States, so that the States and not the Federal Government would receive all revenues from such lands. The pamphlet says that such a measure "would be opposed by Mr. Ickes and other advocates of Federal control (of the marginal sea?) because their primary interest is the centralization of property and power in the national sovereign rather than the support of public education."

The advocates of Federal control of its mineral resources in the submerged lands of the sea, which have never belonged to any State, include you and Senator ANDERSON of New Mexico—cosponsors of Senate Joint Resolution 20—the 11 Senators who offered the Federal aid to education amendment, and other Senators who have not yet voted on the Walter bill on the floor of the Senate. They include the 109 Members of the House who voted against the Walter bill, and others who were absent but paired against it. They include some of the great newspapers of the Nation, and other publications whose editors have studied the subject; and they include men and women in all walks of life all over the Nation, who oppose the seizure of Federal assets by three States at the expense and to the detriment of the citizens of the other 45 States, and whose opposition does not stem from any interest, primary or otherwise, in the centralization of property and power in the Federal Government.

THE NECESSITY FOR SENATE JOINT RESOLUTION 20

California, Louisiana, and Texas, by dilatory tactics, and by pressing for legislation to give them forever the mineral resources of the submerged lands of the sea belonging to the people of the Nation, have blocked and frustrated the efforts by executive officials to obtain authority from Congress for the use by the Federal Government of its property.

Further exploration and development of oil resources in the sea have been halted by the refusal of the States to acquiesce in the law of the land as pronounced by the Supreme Court of the United States at least four times.

World conditions have made immediate and additional development of oil resources vital. The successful defense of the Nation from foreign enemies may depend upon it. Three States have been carrying on their campaign to take these resources for years. Hundreds of millions of dollars of value of these resources have already been taken without Federal consent. Three States have profited at the expense of the other 45 States.

It must be evident to all who study the situation that the effort of the three States to gain possession of Federal mineral resources in the open sea has reached its climax and has begun to weaken. The recent vote in the House of Representatives shows this conclusively.

CONGRESSIONAL VIEWS CHANGING

When the House, on September 20, 1945, passed the first quitclaim bill (H. R. Res. 225, 79th Cong., subsequently vetoed) only 11 Members of the House voted (without roll call) against it. The second bill passed the House on April 30, 1948 (H. R. 5992, 80th Cong.; no vote by Senate), and the opponents of the States' legislation numbered 29. On July 30, 1951, the Walter bill was passed by the House, and the number of those in opposition increased to 109, with 17 more paired against the legislation. The truth about this situation is winning its way through the fog of misleading propaganda.

The views of the executive officials as to the proper permanent legislation which Congress should pass are contained in S. 923, introduced in the Eighty-first Congress. This bill was drafted by attorneys in the Justice, Interior, and Defense Departments.

Senate Joint Resolution 20, drafted by and introduced by you for yourself and Senator ANDERSON, contains interim legislation which the executive officials have approved, although it embodies various concessions in favor of the States not previously believed advisable.

Approval of your proposal, Senate Joint Resolution 20, was given by executive officials because of the imperative necessity for immediate action to meet a world crisis, and to prepare this Nation to meet any emergency. It seems the best solution under present circumstances.

Sincerely yours,

PHILIP B. PERLMAN,
Solicitor General.

RECESS

Mr. McFARLAND. Mr. President, if there is no further business to come before the Senate today, I now move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 33 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, October 2, 1951, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate October 1, 1951:

IN THE AIR FORCE

The following-named officers for promotion in the United States Air Force, under the provisions of sections 502 and 509 of the Officer Personnel Act of 1947. Those officers whose names are preceded by the symbol (×) are subject to physical examination required by law. All others have been examined and found physically qualified for promotion.

To be lieutenant colonels

MEDICAL

×Robinson, Robert Walker, 19134A.
×Knauf, George Milton, 19135A.
Booth, John Austin, 19139A.
×Lackay, R. Howard, 19636A.
×Bennett, Bruce Hardy, 19198A.
Downey, Vincent Michael, 19199A.
×Talbott, Charles Hudson, 19200A.
Arnoldi, Louis Bernhard, 19201A.
Humphreys, James William, Jr., 19928A.
Ficicchy, John, Jr., 19202A.
×Berry, Carl Ziegler, 19555A.
Henry, Joseph Raymond, 19203A.

DENTAL

×Eye, Kenneth David, 18882A.
×Messner, Jack Menefee, 18883A.
Oakley, Hal David, Jr., 18884A.
×Franklin, William Waldron, 18885A.

VETERINARY

×Gale, John, 18982A.

MEDICAL SERVICE

Martin, Jacob Bruce, 19392A.
×Belcher, Tolbert Henry, 19400A.
Parrish, Henry Nelson, 19404A.
×Phelps, Allen Wray, 19412A.
×Larnce, Paul Cable, 19413A.
Rigsby, Elliott Powell, 19414A.
×Rogowski, Edward Casimir, 19416A.

NOTE.—Dates of rank will be determined by the Secretary of the Air Force.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 1, 1951:

RENEGOTIATION BOARD

To be members of the Renegotiation Board

Lawrence E. Hartwig, of Michigan.
John Hubbard Joss, of Indiana.
John Theodore Koehler, of Maryland.
Frank L. Roberts, of Michigan.

WITHDRAWAL

Executive nomination withdrawn from the Senate October 1, 1951:

TENNESSEE VALLEY AUTHORITY

Frank A. Waring, of California, to be a member of the Board of Directors of the Tennessee Valley Authority.

HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 1, 1951

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, our Father, may we begin this new week with confidence and courage, ready to accept life's duties and demands without reservation or retreat.

Grant that in these days of high and holy remembrance in the lives of many of our fellow citizens, who are reverently linking themselves to the glorious traditions of their God-fearing fathers, there may be born within the hearts and minds of all the people of our beloved country a finer appreciation of religion as a great law and principle of our being. May we never interpret freedom of religion as freedom from religion.

God forbid that we should ever set up dogmas and rites and orders that limit and exclude and divide the members of the human family, but may we help them to cultivate a more magnanimous, tolerant, and sympathetic spirit and the will to fellowship and a sense of universal community.

May we be eager to join hearts and hands in doing whatever is necessary and whatever lies within our power to make the spirit of brotherhood prevail for we know that only a social order that is brotherly can meet the needs of these stupendous times.

Heal us for the sake of the Prince of Peace who came in the name of our blessed Lord. Amen.

The Journal of the proceedings of Thursday, September 27, 1951, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 333. Joint resolution to extend the time for use of construction reserve funds established under section 511 of the Merchant Marine Act, 1936, as amended.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4473. An act to provide revenue and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. CONNALLY, Mr. JOHNSON of Colorado, Mr. MILLIKIN, and Mr. TAFT to be the conferees on the part of the Senate.

RESIGNATION OF MEMBER

The SPEAKER laid before the House the following communication from a Member of the House which was read:

JUNE 27, 1951.

Hon. SAM RAYBURN,
Speaker, House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: Because of a continuing blood ailment and upon the advice of my personal physician, I am compelled to tender my resignation from the office of Congressman for the Third Ohio District.

I should like my retirement to become effective as of October 1, 1951.

Needless to say I regret the necessity for taking this action.

With best personal greetings, I am
Very sincerely,

EDWARD BREEN,
Member of Congress, Third Ohio District.

COMMITTEE ON WAYS AND MEANS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight to file a committee report on the bill H. R. 5505, the customs simplification bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

REVENUE ACT OF 1951

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4473) to provide revenue, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. DOUGHTON, COOPER, DINGELL, MILLS, REED of New York, JENKINS, and SIMPSON of Pennsylvania.

SPECIAL ORDERS GRANTED

Mr. BRYSON asked and was given permission to address the House for 30 minutes on Wednesday next, following the legislative program and any special orders heretofore entered.

Mr. WHEELER asked and was given permission to address the House for 30 minutes on Wednesday next, following the legislative program and any special orders heretofore entered.

Mr. BLATNIK asked and was given permission to address the House for 5 minutes today, following any special orders heretofore entered.

NATIONAL NEWSPAPER WEEK

Mr. TALLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. TALLE. Mr. Speaker, today marks the opening of National Newspaper Week; and every tyrant-hating, freedom-loving American should pause to salute the vigilant men and women of our free press who are truly the guardians of our liberties.

Three centuries ago, one of the great men of English letters, John Milton, penned his Areopagitica in immortal defense of freedom of the press. He closed his classic pamphlet with this impassioned plea:

> Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties.

In the following 200 years the concepts of free speech and a free press became so integral a part of government in the English-speaking world that John Stuart Mill, perhaps the foremost liberal of the nineteenth century, could write as follows in his political treatise On Liberty:

> The time, it is hoped, is gone by, when any defense would be necessary of the "liberty of the press" as one of the securities against corrupt or tyrannical government.

But here in the United States, 100 years later, events have recently come to pass proving that we dare not take for granted the priceless heritage of free speech and a free press simply because they are guaranteed in the Constitution. There are men in high places, powerful men, dangerous men, who even today seek to destroy these precious freedoms.

For example, Mr. Speaker, just last week the President of the United States issued his infamous Executive Order 10290, establishing censorship in all the agencies and departments of the Federal Government. It is significant that this lid of secrecy is being clamped down even as congressional committees are sifting charges of corruption in the Truman administration unearthed by alert, enterprising news reporters. This Presidential gag means that the public will be furnished only such information concerning governmental activities as the apologists and hatchetmen of the Truman administration believe will serve their own selfish political purposes. It is grim irony that this news black-out was imposed on the eve of National Newspaper Week.

Mr. Truman's cynical disregard for our constitutional freedoms is but further proof of his unfitness for the office

he holds. A few short weeks ago, on Constitution Day, in fact, he had the temerity to suggest in a public address here in the Nation's Capital that the publishers and editors of publications with second-class mail permits would do well to refrain from criticizing the policies of his administration. This was nothing but a bare-faced attempt at intimidation. On the very same day, in ceremonies at the Library of Congress resealing the Declaration of Independence and the Constitution, he had the effrontery to call on the American people to be "faithful to the spirit" of these hallowed documents.

Mr. Speaker, if more proof is needed as to the unholy efforts now directed toward strangling freedom of speech and freedom of the press, witness the castigation that is heaped on any individual who dares to protest against the extravagance, the corruption, or the stupidity of the Truman administration. Anyone who so speaks out is immediately accused of smear tactics, and the wheels are set in motion to silence him or to discredit him. Some of Mr. Truman's self-styled "liberal" followers have actually gone so far as to propose striking from the Constitution the section which guarantees that Members of the House and of the Senate shall not be questioned in any other place for their speeches in the Congress. Our founding fathers, in their great wisdom, expressly wrote this congressional immunity of speech into the Constitution to prevent any ruthless administration from silencing the voice of the minority.

These attacks on our free institutions are the acts of desperate men who will stop at nothing to win a political election. But they cannot succeed; they will not succeed so long as the American press—the eyes and ears of freedom—is kept unshackled.

Mr. Speaker, during the recess of the House last month it was my privilege to revisit the Parthenon in Athens and the Colosseum in Rome, crumbled monuments of earlier civilizations that flourished proudly for a day, then withered because their peoples did not bestir themselves to promote individual liberty and freedom. As I stood among those haunted ruins, my thoughts turned naturally to our own beloved Capitol here in Washington, symbol of the greatest civilization in the history of the world—greatest because we have attained under our sacred Constitution the highest degree of freedom ever known to man; and there came to my mind Daniel Webster's stirring warning in an earlier hour of national peril:

> It were but a trifle even if the walls of yonder Capitol were to crumble, if its lofty pillars should fall, and its gorgeous decorations be all covered by the dust of the valley. All these may be rebuilt.
>
> But who shall reconstruct the fabric of demolished government?
>
> Who shall rear again the well-proportioned columns of constitutional liberty?
>
> No, if these columns fall, they will be raised not again. Like the Colosseum and the Parthenon, they will be destined to a mournful and a melancholy immorality. Bitterer tears, however, will flow over them than were ever shed over the monuments of Roman or Grecian art; for they will be the monuments of a more glorious edifice than Greece or Rome ever saw, the edifice of constitutional American liberty.

WILMINGTON VETERANS' HOSPITAL, WILMINGTON, DEL.

Mr. HAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HAND. Mr. Speaker, it is so often that we have to criticize the various bureaus and agencies of the Government that on this occasion it is a great pleasure for me to include in the RECORD at this point a letter from a service officer of one of the counties of my district, speaking in the highest terms of the facilities, the efficiency, and the kindness of the Wilmington Veterans Hospital at Wilmington, Del.:

CAPE MAY COUNTY VETERANS' BUREAU,
Cape May Court House, N. J.,
September 28, 1951.

Hon. T. MILLET HAND,
Congressman, Second District, State of New Jersey, House of Representatives, Washington, D. C.

DEAR MR. HAND: Attached hereto is a copy of my communication to the Director of Medical Services of headquarters, Veterans' Administration, Washington, D. C.

* * * * *

I personally feel that a facility of the Veterans' Administration which renders such care and excellent treatment and consideration of veterans should be applauded publicly and officially. I also extend to you the opportunity of visiting the Wilmington Veterans' Hospital with the undersigned at any time you may so desire.

Kindest personal regards,
ANTHONY J. VOLPE,
County Service Officer.

SEPTEMBER 28, 1951.

Director of MEDICAL SERVICES,
Veterans' Administration,
Central Office, Washington, D. C.

DEAR SIR: The undersigned on behalf of the 20 veterans' organizations of Cape May County, N. J., and the veterans of all wars of Cape May County hereby make the following report for your information and record.

In the past several years, and especially in the past year since November 1950, the undersigned as an official representative of veterans' of Cape May County has processed hundreds of veterans of all wars and obtained admission for same to the Veterans' Administration hospital, Wilmington, Del. Of all these men hospitalized and treated and cared for by the Wilmington Veterans' Hospital not one man has, to this date, had anything to say but sincere praise for the services they have obtained at said veterans' hospital.

Through personal observation and official visitations the undersigned, with all sincerity, can state that the entire staff and personnel at the veterans' hospital, Wilmington, Del., are a very efficient group, very courteous, and of a caliber to be envied by any other hospital of its type. Besides the excellent medical and surgical care our veterans of Cape May County have received and continue to receive, they have fine recreational, religious, and social facilities. Another nice feature observed at the Wilmington Veterans' Hospital by the undersigned is the immaculate cleanliness of the wards, the rooms, the offices, and especially the mess hall and dining areas of this installation. The religious services offered there is an inspiration to men of all faiths. Not only does the chaplain and his staff take a personal interest in all the patients along with religious services; but religion and religious services are also offered to the hospitalized veterans by radio over the hospital's own radio station.

The general medical and general surgical facilities of the Wilmington Veterans' Hospital has excelled in these two services and beyond that their referral policy, such as social service or the transfer of patients requiring other than medical and surgical care of a specialized nature, is one that operates smoothly, speedily, and efficiently.

The undersigned, being a combat amputee with many other wounds, has been a patient in many Government and civilian hospitals and with sincerty I can definitely state that had I known that such excellent services were available at the Wilmington hospital 2 or 3 years ago, I would have been a contented patient there. In fact, I have made tentative arrangements presently to be a patient for service-connected revision of a left amputation at the Wilmington Veterans' Hospital this year.

The undersigned on behalf of the 7,500 veterans and their dependents of Cape May County, N. J., congratulates the Medical Department of the Veterans' Administration for keeping the Wilmington Veterans' Hospital available to the veterans of this area.

Very sincerely yours,
ANTHONY J. VOLPE,
County Service Officer.

SPECIAL ORDERS GRANTED

Mr. ARMSTRONG asked and was given permission to address the House on Thursday, October 4, for 15 minutes, following the legislative program and any special orders heretofore entered.

Mr. CURTIS of Missouri asked and was given permission to address the House for 15 minutes today, following any special orders heretofore entered.

RAILROAD RETIREMENT FUND

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, we are now going into the tenth month of this session. During all this time the cost of living has continued to advance and advance. During all this time bills have been before the committee and before the Congress to give to the railroad pensioners and annuitants an increase for which they have paid and for which over $2,000,000,000 is now available in the railroad retirement trust fund. If it is the intention of the administration to pass this legislation during this session of Congress I think it is time we took action, because these people have been kept waiting too long now, fenced off from the benefit of their own funds.

Mr. Speaker, time and again I have urged the necessity of the earliest possible passage of such legislation. It should have been passed months ago. I cannot understand why more interest has not been shown by the majority party in control of this Congress who have the responsibility of laying out the legislative program, encouraging its consideration by the proper committees, and bringing same before this body for consideration.

It is getting late in the session and unless acted upon quickly by the House and the Senate, the railroad men and their survivors will fail to get the relief to which they are entitled, and which many of them badly need, because of the present high cost of living.

WOMEN IN THE DEFENSE DECADE

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an address delivered by me.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, an inspiring conference of men and women was held in New York City on September 27 and 28 at Hotel Commodore. It was called by the American Council on Education, under the able leadership of Dr. Arthur S. Adams, president of the council, to consider women in the defense decade—their attitudes, philosophy, and activities in the next 10 years.

Miss Mary Donlon, a lawyer and chairman of the New York State Workmen's Compensation Board, was chairman of the conference. Associated with her was a rare group of women, as you will readily see:

Executive committee: Florence E. Allen, judge, United States Circuit Court of Appeals, Cleveland, Ohio; Margaret Culkin Banning, author, Duluth, Minn.; Dorothy M. Bell, president, Bradford Junior College; Margaret Bell, M. D., professor of hygiene and physical education, University of Michigan; Sarah Gibson Blanding, president, Vassar College; Mrs. Louis Broido, president, New York section, National Council of Jewish Women; Sister Catherine Dorothea, president, Trinity College, Washington, D. C.; Margaret Clapp, president, Wellesley College; Vera M. Dean, research director and editor, Foreign Policy Association, New York; Emily Taft Douglas, former Member of Congress from Illinois; Dorothy B. Ferebee, M. D., acting director, University Health Center, Howard University; Lillian M. Gilbreth, consulting engineer, Montclair, N. J.; Connie M. Guion, M. D., professor of clinical medicine, Cornell University Medical College; Jessie W. Harris, vice-dean, College of Home Economics, University of Tennessee; Anna L. Rose Hawkes, dean of students, Mills College; Elinore Morehouse Herrick, personnel director, New York Herald Tribune; Mildred McAfee Horton, director of the WAVES, World War II; former president, Wellesley College; Dorothy Kenyon, lawyer, former judge, Municipal Court, New York City; Esther McDonald Lloyd-Jones, professor of education, Teachers College, Columbia University; Katherine E. McBride, president, Bryn Mawr College; Millicent C. McIntosh, dean, Barnard College; R. Louise McManus, professor of nursing education and director, division of nursing education, Teachers College, Columbia University; Rosemary Park, president, Connecticut College; Agnes Rogers, associate editor, Reader's Digest, and author; Dorothy Shaver, president, Lord & Taylor, New York City; Elizabeth Harrison Walker, publisher and editor, Cues on the News; formerly secretary, Committee for Economic Development; Pearl A. Wanamaker, State superintendent of public instruction, Olympia, Wash.; Helen C. White, professor of English, University of Wisconsin; Mrs. Philip Willkie, civic leader, Rushville, Ind.

Staff: Lucile Allen, dean of women, Cornell University, program coordinator; Pauline E. Mandigo, public relations consultant, New York City, public relations; Raymond F. Howes, staff associate, American Council on Education, consultant; Helen C. Hurley, staff associate, American Council on Education, arrangements.

Miss Donlon's opening remarks so well pointed up the purpose of the gathering that I can do no better than to quote them here:

At this conference, women and men, some known the world over and others whose experience lies in small communities and modest homes, will help blueprint a program suited to our times and to the responsibilities and opportunities of modern women. Here is no propaganda for career versus home, or for military service versus the assembly line. Rather, the Conference on Women in the Defense Decade looks at the whole of our society and at women as people who can, if they will, work with men to mold that society somewhat nearer to our heart's desire than it now is. Discussing women's major social interests, such as the home, citizenship, creative leisure, health and welfare, to sample a few of the eight section topics, the program is arranged to make it possible for delegates to shape the conference findings.

What this defense decade will require of us, no one can foretell with certainty. But this we know, that the free way of life draws on womanpower for survival almost as heavily as it draws on manpower. What we seem not yet fully to have learned is that women's work and women's special talents, if used in attacking community problems during less critical times, might obviate the recurring crises that threaten to destroy the already weakened fabric of our society. Women ask full partnership both in opportunity and responsibility because it is also their homes and their children whose well-being insures the survival of civilization.

It was my privilege to speak at the final luncheon of the conference. I ask unanimous consent to revise and extend my remarks in the Appendix of the RECORD, and to include therein my address on that occasion.

The address follows:

ADDRESS BY HON. FRANCES P. BOLTON, MEMBER OF CONGRESS, BEFORE THE LUNCHEON MEETING OF THE CONFERENCE ON WOMEN IN THE DEFENSE DECADE, HOTEL COMMODORE, NEW YORK, FRIDAY, SEPTEMBER 28, 1951

Madam Chairman, distinguished guests, members of the Conference on Women in the Defense Decade, it is with a deep sense of privilege that I have come from Washington to take part in this significant conference made possible by the American Council on Education.

Again I thank you, Dr. Adam, for including me, and giving me the opportunity to discuss for a few minutes matters that, to me, are vital to the preservation of freedom here in these United States and so, across the world.

It has been suggested that this meeting, called to consider women in the defense decade is going to be a point of departure. Certainly it can be made so by an exceptional group such as yourselves. Not one of you that has not gone where few have gone and found what few have found.

What a wonderful challenge, friends. To build a foundation so strong, so firm, so enduring, that the structure of man's future may rest upon it with confidence and security.

Who among us today would not take particular and personal pride in the wonderful record of achievement which has been scored by American women in the arts, the sciences, the law, in medicine, in labor groups, in business administration, and the many other fields of endeavor in which they bear distinguished names. Certain it is that I salute each one.

Yet I submit that it is not to this great vanguard alone to which we must look to defend freedom and our American way of life. Rather is it also upon the lesser known, unsung, but equally proud women of the home front that we, as a nation, must defend. It is this group, representing more than half of all the women of America, who hold special keys to national security and ultimate peace.

The 1950 census gives us challenging figures: Of the total number of women over 14 years of age, well over half were classified as homemakers. You have done well to put first your discussions of the home as a source of the Nation's strength. For the center of a nation's life is the home. The importance of the homemaking woman cannot be overestimated.

These women on the home front look to such women as you for encouragement, for guidance. They expect much of you, and justifiably so. Your responsibility to them is very vital, very great. They need your leadership and your encouragement. Once all of us work together there can be created a force, a power for good such as the world has not yet seen.

We know further that the total civilian labor force today, including agricultural workers, totals 19,500,000 women, only a little less than the number achieved by women at the peak of wartime activities. By comparison with this high figure it shows that women in the professions make up but a small percentage of the whole.

And so I repeat, ladies, that although it is not my purpose to take from you any of the kudos you have so triumphantly earned, or to underestimate the courage and the endurance that has been yours during these pioneer years of woman's emancipation, still, it must be emphasized that the defense of freedom rests upon the shoulders of all women, and more than half of America's women are in America's homes.

These homemakers are not only the largest women's group, but they are the ones who, in a period of tension such as this, are all too apt to feel there is little they can contribute to the national welfare, to the securing of peace. This makes them more vulnerable than they realize to a restlessness they themselves do not perhaps recognize for what it is. I would have them know themselves for what they are: the center of America's strength, the heart of her life, her power, her influence among the nations.

Women in the Armed Forces, in industry, in the professions, have some means of measuring the importance of their achievements and their contributions to the national economy. To me it seems of vital importance that our homemakers become vividly aware of the enormous contribution that is theirs to make; that they be taken into a closer partnership, so to speak; that they recognize the fundamental factor they represent with ever-increasing importance in this frenzied world.

Since our earliest pioneer days women have been the primary factors in the actual providing of food, clothing, and education of the family and the community.

It was the women who transformed the wheat into bread and cereals, the cotton and wool into clothing, who taught their children how to read and write. It was the women who taught the children to understand the meaning of the new way of life which was developing for freemen on the new continent.

Modern methods have taken over. The spinning wheel in front of the fireplace has been replaced by the whirring machinery of the factory. But statistics show that it is largely women who work in the textile mills, become the designers, the merchandisers,

and ultimately the great army of discriminating buyers and shoppers which so characterizes modern life. The woman has certainly preempted this latter field, where her power is far greater than she knows.

There can be no better way of pointing up this great evolution in the role of women than to quote from a splendid article by our own Mary Donlon which appeared in the December 1950 issue of Independent Woman. Let me quote her for a moment:

"It was about 1850 that women began going to the shops.

"Then came the revolution. It became necessary to style and package goods to meet feminine favor. Women found out how to buy what best served the needs of their families; found out, too, that utility did not have to be ugly; learned to reward better utility and greater beauty.

"Without any special training, almost all women now are expert retail buyers. Together with being born shoppers, they form the greatest retail market there is."

Has it ever occurred to you how vital a matter it is that women now do the retail buying of the country?

On every side the dangers of inflation grow more apparent. We are told almost hourly by every modern method of communication that inflation is the most ominous problem before us as a Nation. Charles E. Wilson, Director of Defense Mobilization, has explained a complicated matter in simple terms. I quote: "Inflationary pressures have a simple origin—more money seeking goods than there are goods to buy. The excess of demand over supply is the inflationary gap."

It is estimated that the number of women shoppers in America is 50,000,000. Think of the power that rests in our hands.

Think of the part the 38,000,000 homemakers play, either consciously or unconsciously, in this dread battle against inflation. Intelligently approached and calmly dealt with, inflation could be checked.

Increasingly women not working outside the homes write me: "What can I—one lone woman—do to make America strong? I feel I must contribute something toward the defense of America, but what is there I can do?"

Some way must be found to make these women, whose job is in the home, aware of the very vital part they play in the actual defense program. With every turn of the spiral of inflation the procurement program loses ground. As costs go up, fewer tanks and guns and ships and planes can be had, fewer weapons stockpiled, and less research done. This puts the homemakers into a key position of responsibility, for they represent the major part of the 50,000,000 women who are the retail buyers of the Nation. Once they realize this, they can never again feel themselves isolated in the grim battle for survival in which we are engaged.

In saying this, I am not in any way belittling the part which women are now playing and must play to a larger extent in the years ahead—in the Armed Forces, the defense industries, and other occupations that everybody immediately thinks of as defense-related. The inescapable fact is that there is a need for more women in uniform, for more nurses, for more industrial workers. There are today about 50,000 women in uniform. The projected program calls for some 112,000.

The defense production program calls for some three and one-half million more civilian workers by the end of 1952. One and one-half million of these must be formed in groups not normally in the labor market. This means they will have to be drawn largely from the nonworkers and the homemakers.

Where else are we to find those we may need in increasing quantity in the foreseeable future for both areas of our visible defense—the military front and the civilian front? Perhaps the most dramatic need for women on both of these fronts is in the nursing field where the shortage is already critical. The only place from which the military can draw its additional requirement of nursing personnel is from the general pool of trained nurses—the only way to enlarge that general supply is through the training of additional nurses. Such training means more teachers and supervisors which in its turn means more hospital facilities in which to train them. I paint this picture because for so many years I have been active in both civilian and military nursing affairs.

Let me say again that when we look to the total picture of women's activities in the Nation as a whole these special occupations, as important as they are, will never need a high proportion of the total number of women available. Therefore, for most of us it is still a mistake and will continue to be a mistake to think that we can make a direct contribution to the defense program only if we do something quite apart from our every day life. For most of us it will not be necessary to go into new occupations. The greatest contribution we can make is to improve the effectiveness of our normal activities.

Whether we like it or not, we are women of and in a defense decade. One thing is certain: There is no time to waste in ineffective work. There will be little, if any, place for the woman who is unwilling to do her bit.

Now that "bit" may be volunteer work in a hospital, baby sitting in a home, work in a factory, or any one of the endless jobs that make home a good place to come back to, a happy place to be young in. And it is just possible that the strengthening of the home with its extension, the school, about which we as women must concern ourselves, will be the deciding factor somewhere along this road into the future.

Let us consider for a moment the greatest riches, the most priceless wealth, this wonderful country of ours possesses—our children.

I am so certain that as we come to closer and closer grips with the grim realities of this defense decade, we shall find ourselves recognizing a deeper responsibility to them as the only future there will be. Once we do this we will use the power that is ours to grasp, to insist upon decent housing and environment, adequate schooling facilities, well-equipped teachers, and curriculi built upon fundamentals.

We have long since ceased to speak of the proverbial "three R's" as constituting an adequate educational background for our children.

But we need to examine, too, that word "education." Certainly basic to adequate education in America must be a fundamental knowledge of the men and women who came to this country in search of freedom, of the ideals that bring about unity and understanding between men and among nations. We must remember, and we must make it a vivid truth to our children, that an American puts his trust in God.

Do you know what I would like to see in a prominent, suitable place in every classroom, in the auditorium of every school and college of the land? A plaque, a shield, a beautifully illuminated scroll, with the legend upon it which has been since our beginning, so truly the keystone of the arch of our national structure that it is inscribed upon the coin of the realm: In God we trust.

That would not be the teaching of religion in our schools, friends, against which there is so much outcry. It would be the simple statement of the principle upon which this Nation was founded, hung where every child, every student, would see it at some time during his active school day. Quietly, with no word spoken, pupils and teachers would be given the reminder that God is our strength; that we, through our trust in Him, are invincible, not for ourselves, but for humanity; that freedom under His law may ultimately prevail.

Our amazing system of public education, toward which Thomas Jefferson relentlessly pointed the way, is part of the basic structure of a free nation.

It was Montesquieu who said that whereas the principle of a monarchy was honor, and the principle of a tyranny was fear, the principle of a republic is education.

But we must know what we want to achieve through education. We must be clear about the fundamentals that must be taught to protect and to defend freedom. And it is we women who should make ourselves responsible for this, because schools should be but the extension of our homes. It is for us to see to it that our children have the opportunity to learn those things which would give them, in addition to a preparation to live practically in today's world, the understanding and the capacity to carry out in their living such injunctions as were written during World War II by a dying young Yugoslav to his unborn son:

"See always and strive always in good faith and high courage, in this world where men grow so tired, to
Keep your power to receive everything; only learn to select what your instinct tells you is right;
Keep your heart hungry for new knowledge;
Keep your hatred of a lie and your power of indignation;
Keep your intolerance, only saving it for what your heart tells you is bad;
Keep your delight in friendship; only learn to know your friends;
Keep your wonder at great and noble things like sunlight and thunder, the rain and the stars, the wind and the sea, the growth of trees and the return of the harvests, and the greatness of heroes;
Keep your love of life, but throw away your fear of death. Life must be loved or it is lost; but it should never be loved too well."

The ultimate strength of a nation rests upon the moral fiber of every man, woman, and child; upon the discipline they have learned to exert over themselves; upon the faith of the people in their own capacity; upon the reality of their belief in an Almighty God.

What is freedom? What is liberty? What is it that we women are being called upon to defend?

Can we who are gathered here today persuade other women and the men in America, by virtue of our own passionate belief, that obedience to divine law is liberty? (Newton D. Baker.)

Do we know with every breath we draw that liberty is of the Spirit and that where the Spirit of the Lord is, there is liberty? (II Corinthians iii: 17.)

Is your faith in this great Republic of ours, in her destiny, only passive, or has it become vividly alive, thrilling to the heartbeat of the world's need for freedom?

Is the strong center of your own life secure? Is your belief in fundamental freedom based upon liberty under law impregnable? These are the questions needing answers if women are to defend freedom. To find the answers, each of us must have the courage to go deep down into the very center of our being and know whatever there may be there of weakness and of strength, of doubt and of certainty, of discouragement and of unquenchable hope. Once known, the forces of construction within our own souls can and will take hold and build a strength we had not dreamed we could possess.

We cannot meet the grim realities of this defense decade with any certainty of survival unless we first know the realities with-

in ourselves. A new courage must be born, a deeper knowledge, a greater wisdom.

We who are the matrix of God's Life in Earth, who share in ways no man can ever comprehend the creativeness of the Infinite, must recognize in this dangerous and pregnant hour God's need of us. Humbly, quietly, joyously must we take hold of responsibility, knowing that only if the roots are strong can the tree withstand the tempests.

The building of tomorrow's world cannot rest solely in the hands of men. This is the moment when togetherness is born. "This is the weightiest moment of all time, and on the issues of the present hour, a nation's honor and a country's peace, a people's future, aye, a world's, depends."

And may the Infinite give us the courage, the wisdom, and the great "carelessness of self" that John Buchan (Lord Tweedsmuir) held to be the three elements necessary for leadership.

Yes, women are an essential part of the defense of freedom in this decade of uncertainty and confusion. All the world needs their quiet, radiant leadership.

Wanted—women of deep spiritual conviction, of unquenchable courage, of unfailing human understanding, of passionate loyalty to the ideals for which this great Republic was born.

Wanted—women to defend freedom!

REMOVING CROSSES FROM GRAVES OF VETERANS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include editorials and letters from persons in Hawaii.

The SPEAKER. Is there objection to the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I understand that under the guise of economy the crosses on the graves of veterans in Honolulu have been removed. I have here two pictures, this one showing how the cemetery looked before the crosses were removed and the one below that showing what it looks like today.

Mr. Speaker, the cross is a symbol of Christianity, and too often the crosses are not being shown. Christianity is not being talked about enough and we need it more than we have ever needed it before.

The DAV has written a letter and is starting a drive to have those crosses put back. It is a very heartless thing to remove the crosses from the graves of these veterans. They should be replaced, and I have a bill for that purpose. The War Department has stated that it is the trend of the times. It is a very unfortunate trend of the times to remove crosses.

The editorials and letters follow:

SIGNIFICANCE OF THE CROSS

The symbolism of the cross antedates Christianity, for the design was used as a religious symbol and as an ornament from the earliest times of which we have a record. Certain pagans utilized the cross as an expression of nature worship which was opposed to the principles of Christianity; but with the Crucifixion of Christ upon His Cross at Golgotha a new significance was conferred upon the simple scaffold of wood upon which He was put to death.

Two millenniums of world literature and world art have endowed the cross with symbolism that transcends sectarianism. The cross represents faith and all the hope of which mankind is capable. It is the promise of resurrection. It is a memorial as well, and throughout the world military cemeteries are patterned with ranks and files of crosses, for believers and unbelievers in any land can cling to the ideals inherent in the ancient symbol.

But the ranks of crosses have been removed from the National Cemetery in Puowaina Crater, to the grief of those who cherish memories of the war dead who lie there. Economy is the reason given, although Federal law does call for the use of headstone-type markers in national cemeteries established on American soil. The markers now are there. What reason is there that the cross should not be placed as well? The word economy, when applied to crosses, does not ring well in ears accustomed to reports of wild extravagance on the part of a national administration that has engaged in a dizzy spending whirl while piling debt on debt and imposing taxes so oppressive they border on confiscation. Economy should begin in Washington, that synonym for extravagance. Yet we talk of economy in crosses to mark the Nation's dead.

"THE CROSSES, ROW ON ROW"

(NOTE.—The editorial which appears below was written early Monday. It appears too late, now, because on Monday the Army's work forces moved into the National Memorial Cemetery and took down all the white crosses. Nevertheless, we print this editorial as a tribute to the men who lie there, and in respect to the feeling of their families and friends.)

"IN FLANDERS FIELDS

"(By John McCrae, lieutenant colonel in the Canadian Army in World War I)

"In Flanders fields the poppies blow
Between the crosses, row on row
That mark our place. And in the sky
The larks, still bravely singing, fly,
Scarce heard amid the guns below.

"We are the dead. Short days ago
We lived, felt dawn, saw sunset glow,
Loved and were loved, and now we lie
In Flanders fields.

"Take up our quarrel with the foe;
To you from failing hands we throw
The torch; be yours to hold it high
If ye break faith with us who die
We shall not sleep though poppies blow
In Flanders fields."

It is proposed to remove the white crosses that now stand at the head of more than 13,000 graves in the National Memorial Cemetery of the Pacific.

Partly as a measure of economy, these crosses, now of wood, are to come down before they fall down from decay.

General Aurand explains the situation as follows:

"In April of 1948, United States Army Pacific asked for an expression of opinion on the type headstone desired by Honolulu citizens for use in the cemetery at Punchbowl. The result of the survey showed a majority in favor of the flat marker for general use throughout the cemetery.

"Temporary wooden crosses were erected pending the selection, purchase, and shipment of the permanent markers.

"Installation of the preferred flat stone markers was started in the fall of 1949 and is now complete. Current burials are being provided with the new marker within a reasonable time after interment.

"The wooden crosses are beginning to deteriorate rapidly. Since the stone markers have been installed, funds for the upkeep of the cemetery are insufficient for replacement and maintenance of the wooden crosses."

We do not know the extent of the survey made for General Aurand in 1948, but we believe that the great majority of sentiment in Hawaii, including that of the families of those who lie at rest in Punchbowl, would be for continuance of the crosses.

For more than 30 years these small white "crosses, row on row," have marked our military cemeteries around the world.

They have lifted their simple, mute arms to alien skies or to the sun and clouds and rains in our own America.

They have become distinctive, unforgettable, irreplaceable.

The flat stones or bronze plaques that lie at the heads of the graves are appropriate—but inadequate. They cannot now, they can never, take the place of the crosses that mark the resting place of our Nation's heroes from Flanders Fields to the Philippines, from North Africa to South Korea.

For this military cemetery in the lofty crater of Punchbowl—the ancient Hawaiian "Hill of Sacrifice"—the crosses have a peculiar service and significance.

On these crosses each Memorial Day are gently draped the leis of Hawaii—the wreaths of fragrant flowers.

More than 50,000 such leis garlanded the crosses last May 30.

It was a spectacle sublime and deeply touching—the love and admiration of thousands of people flowing out to the fallen heroes of war; giving to them the gentle, sweet tribute of Hawaii.

All this garlanding of the crosses will now be gone.

It is no wonder that immediately the news came out that the crosses were to be removed, veterans' organizations here lifted their sturdy voices in protest.

Our National Congress should not hesitate to grant the funds necessary for permanent crosses. They can be fashioned of smooth concrete fitted into place to stay as long as the memorial cemetery shelters our fallen dead.

This rich Nation of ours can afford to keep the white crosses and install the stone markers or flat plaques.

We can never fully repay the debt we owe these men who have fallen. Nor should we, by removal of the silent, splendid symbols, take from this national cemetery its distinctice and traditional feature—"the crosses, row on row."

DISABLED AMERICAN VETERANS,
Xenia, Ohio, September 29, 1951.

EDITH NOURSE ROGERS,
Representative to Congress,
House Office Building,
Washington, D. C.

DEAR CONGRESSWOMAN ROGERS: I have been reading an account of the bill S. 1864, which, if passed, would benefit amputee veterans of World War I, World War II, and Korean veterans who lost limbs as a result of their war service.

I want you to know that we appreciate the great efforts you are making in our behalf. It is quite clear that if a veteran of any of these wars who lost a limb should receive the same consideration—that is, if a veteran lost a limb, no matter which war, he should receive the same benefit if he has an amputee injury. As you know, heretofore this has applied only to World War II veterans. We are glad that you are trying to get an automobile for each amputee veteran regardless of what war he was in.

We want you to know that we have watched your kind consideration in our behalf, and we want you to keep this fight going until this bill is a law.

Another thing: We read in the papers where for the sake of economy they are removing the crosses from the graves of our comrades. The cross is the symbol of Christianity, and we think it is awful that they

would do such a thing. We want the crosses to remain over the graves of our comrades.

Thanks for your help in our cause.

Yours sincerely,

WILBUR E. PITZER,
Adjutant, Chapter 92, Disabled American Veterans.

HONOLULU, *September 29, 1951.*

Lt. EDITH NOURSE ROGERS,
House Office Building,
Washington, D. C.:

It is like you to understand how we all feel about the inspiration of the cross. Deeply appreciate your assistance.

LOUISE and WALTER DILLINGHAM.

WHAT ABOUT OUR SCHOOL CHILDREN

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, when is the National Production Authority going to come to its senses and allocate sufficient building materials to the Office of Education for the essential construction of badly needed school facilities in California? It is becoming more apparent daily that the NPA does not fully realize the problems that have been created in my State by the influx of over three and a half million people in the last ten years.

Furthermore, it is difficult for the citizens I represent to understand why permits for commercial construction continue to be granted while partially completed school buildings are held up because necessary construction materials cannot be obtained. There is going to be the very devil to pay if somebody does not wake up soon and change this unfair and discriminatory allocation of so-called scarce construction items. It seems to me that educational institutions should rank first as far as priorities are concerned after the National Defene Establishment has been taken care of.

By way of further emphasis I wish to include with my remarks the following pungent, pertinent, and timely letter from one of the elementary school district superintendents in my congressional district. I also call attention to an editorial from the Redwood City Tribune which further points up the problems confronting us in California as a result of our unprecedented increase in population.

MENLO PARK ELEMENTARY
SCHOOL DISTRICT,
Menlo Park, Calif., September 27, 1951.

Hon. JACK ANDERSON,
House of Representatives,
Washington, D. C.

DEAR SIR: In reference to our NPA application on the Hillview School previously referred to in our letter of September 14, and your answer of September 17, and in accordance with our telephone conversation this date, the following information is offered for your use as you see fit.

I do not need to point out to you that our little school district encompassing the towns of Atherton and Menlo Park is a stronghold of so-called reactionary Republicans. The two newspaper articles enclosed which appeared during the past week are indicative of the construction which is going on here currently. Yet yesterday in the same mail delivery we received from the Department of Finance of the State of California the long awaited and final approval for the letting of bids and construction of the Hillview School.

We have the money. We have the children. We have them in basement rooms with 7-foot ceilings and no fire escapes. We have them in Sunday school rooms. We have them in libraries. We have them in auditoriums. This is not a poor town. The town has diligently attempted to keep up with its building needs. They have for some time been bonded to capacity and sometimes taxed far beyond the legal limitations. So it isn't something we let creep up on us.

To get back to the mail delivery, another letter received from the Federal Security Agency, Washington, D. C., begins with this sentence: "It is regretted that the Office of Education has been unable to grant authority to commence construction and to allot controlled materials for the project referred to above for which an application on CMP-4C has been received." It goes on to state that there is a possibility that an allocation can be made on October 10 for the first quarter of 1952. The question that has been raised repeatedly by me and your constituents: "Why can buildings such as depicted in the newspaper articles, a new emporium building on Nineteenth Avenue in San Francisco, the new City of Paris Building in the same vicinity, and innumerable others, use tons of steel where we would use a pound?" How can these buildings be approved when the schools, the very basis of our democracy, are denied the little pittance of steel needed?

An hour ago I met the superintendent of the Aptos School District, near Santa Cruz, whom you know and from whom you have had correspondence. He told me that last night he was approached by telephone that for a specified amount of money an NPA approval could be had within hours. This is only one instance of numerous such stories.

I cannot believe that they are all false. The proprietor of one of the buildings depicted in one of the newspaper articles is reported by a parent in my school district to have stated openly that he had no difficulty in getting a steel allocation; all he had to do was to grease the right palm. If our applications are correct, as referred to in our letter of September 14, and cannot be approved shortly over half of the children in this school district will be receiving half-time education next year.

Is it possible that the Federal Government values the expansion of commercial establishments, resort hotels, service stations, and the like, above the public education system of the country? I cannot believe it. I don't want to deluge you and Mr. Nixon and Mr. Knowland with telegrams, letters, and the like, but believe me just that will happen if the papers learn of this refusal, and I don't see how they can miss.

Most of the people in this area chose to live here because they wanted to bring their children up in the somewhat rarefied atmosphere of the peninsula. In addition to the semicountry living they appreciated the public schools. They are willing to pay for public schools, and they are willing to employ the finest teachers available, and I doubt that they will be denied buildings by bureaucrats being liberal handed with a selected few but refusing the needs of their children.

Now, Mr. Anderson, this is a strong letter. I need not point out to you that I am somewhat perturbed to put it mildly. I made it strong to impress upon you the fact that my people also are pertubed. I know that you will do all you can and believe me we will do all we can.

Very sincerely yours,

MELVILLE J. HOMFELD,
District Superintendent.

[From the Redwood City (Calif.) Tribune of September 18, 1951]

SCHOOLHOUSE CONSTRUCTION TELLS STORY OF EXPANSION

Elsewhere in tonight's Tribune is a story of the ground breaking for a new elementary school in San Carlos. Yesterday's page 1 carried the announcement of open-house ceremonies for the opening of the Menlo-Atherton High School on Middlefield Road at Ringwood Avenue.

These news items bring into sharp focus the tremendous school-population increase that our area has experienced in the past decade. These news items also tell part of the continuing story of how the taxpayers of this area are footing ever-increasing bills in order to build and staff schools that will provide South San Mateo County with the best facilities possible for their children.

San Carlos provides a typical example of schoolhouse expansion. When World War II ended it had only Central school and White Oaks school. With a population growth of 300 percent in 10 years, however, it found it necessary to vote funds for construction of two more public schools which are already in use, plus the third, for which ground was broken this week. In addition, a new school for Catholic children, St. Charles, was opened last year in the rapidly developing Brittan Acres section of the city.

In all, here's what the taxpayers of South San Mateo County have dug into their pockets to provide in new schools since VJ-day: Belmont, one new school; Redwood City, seven new schools (three still under construction) and additions to four old ones; Menlo Park, two new schools; Ravenswood, one new school with plans and a need for another one; Woodside, Las Lomitas, and Portola, all of which are one-school districts, have built additions. Sequoia high school district opens its second unit Monday at Menlo-Atherton, and hopes to have the third at San Carlos-Belmont ready next year.

Growing pains? Yes. And we haven't stopped yet.

PROTEST AGAINST REMOVING CROSSES FROM VETERANS' GRAVES

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I wish to join in the vigorous protest against the communistic movement to remove the crosses from the graves of our dead servicemen. I have here a letter from Hawaii, together with two photographs of the cemetery there in which our servicemen are buried.

Here is the first one. It is a photograph of a beautiful cemetery with a cross marking every grave. It is a beautiful and touching reminder of the sacrifices these boys made.

Here is another photograph of the same cemetery, taken only a few days ago, after all the crosses had been removed. It looks like a vacant cow pasture.

What is behind this movement to get rid of these crosses? Is it a communistic drive to destroy Christianity throughout the world?

It is about time that the Members of both Houses of Congress wake up, and officials at the other end of the Avenue wake up and put a stop to these attempts

to destroy our Christian civilization—the only real civilization that mankind has ever known.

The SPEAKER. The time of the gentleman from Mississippi has expired.

BASEBALL

Mr. KEARNS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KEARNS. Mr. Speaker, I think it is altogether proper and fitting today that we should pay tribute to the great national sport of baseball. We have heard many scandals about our national sports, but I think it is quite obvious, and it is certainly exemplified in the fine race in the National League and the American League, that we do have honest men participating in sports. So, today I think every member of the House can pay tribute to the managers in the National League—Leo Durocher of the Giants and Charlie Dressen of the Dodgers—and all the members of their teams who are now fighting for the championship; and also to Mr. Casey Stengel of the American League, and all the managers and players of the other teams who have made this tight race possible, which certainly proves that we do have honest people in sports in the United States.

SPECIAL ORDER GRANTED

Mr. CUNNINGHAM asked and was given permission to address the House for 10 minutes on Wednesday, October 3, following the legislative program of the day and the conclusion of special orders heretofore granted.

GIFT FROM THE PEOPLE OF ITALY TO THE UNITED STATES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an address by President Truman in accepting gifts from the Italian people recently.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The President's address is as follows:

Mr. Secretary of the Interior, Mr. Prime Minister, Mr. Secretary of State, ladies, and gentlemen, on behalf of the American people, I am happy to accept the gift of these four beautiful statues from the people of Italy. These statues were designed by American artists and made by Italian craftsmen. Italian foundries and Italian workmen, using the secrets of their craft that go back to the days of Michelangelo, cast these heroic figures in bronze and covered them with gold.

These statues bear witness to the artistic traditions and the fine workmanship of the Italian people.

Four of the craftsmen who made these bronze groups have come to this country for the ceremony, and we are delighted to have them with us. We are also fortunate to have with us a representative of the trade-union leaders of Italy who are striving for a free, democratic labor movement in Italy.

These leaders are fighting in the cause of free trade unions and free people everywhere. The presence here of these Italian citizens testifies to the friendship and trust between the people of Italy and the people of the United States in the struggle for human freedom.

Ever since the war, our two countries have been working together to preserve world peace. We have been seeking to create economic conditions that will make it possible for all men to do useful work and live their lives in freedom. At the same tme the Italian people have made great progress, Mr. Prime Minister, since your last visit to Washington in 1947.

Your people have made progress in agriculture and industry. Industrial production in Italy is now 45 percent higher than it was in 1947. Electric power production is almost double what it was before the war. You have been moving forward in land reclamation and flood control.

But this is not all. Italy is engaged in a program of economic and social reforms. Low-cost housing developments have been created. Land reform is giving thousands of farmers a new stake in the land they work. The whole island of Sardinia has been freed from the scourge of malaria and as a result offers new and greater opportunities for economic development.

We in the United States regard steps like these as vitally important. We earnestly believe most deeply that the benefits of economic progress and increased production should be made available to all the people.

HAILS ITALIAN DEVELOPMENT

That is why we are so glad to see the new developments that are taking place in Italy today. Italy is making progress by evolution and not by revolution. And it is progress that benefits the ordinary citizen. We are confident that the firm devotion to freedom and democratic principles that has guided you, Mr. Prime Minister, and your colleagues in office, will result in further advances for the Italian people.

Through these difficult years since the war, the Italian people have proved their right to participate fully—and as equal partners—in the great constructive tasks of the free world.

During our conferences here, Mr. Prime Minister, we have discovered ways in which our two countries can continue to work together in the effort of the free nations for peace and human advancement.

It is clear that Italy cannot do its full share in this effort under the existing restrictions of the Italian peace treaty. As it stands, the treaty does not give Italy the position of equality among the free nations to which it is entitled. Among other things, the treaty places unnecessary shackles on Italian efforts for the common defense of the community of free nations. We intend to do everything we can to see that these unfair restrictions and discriminations are removed.

We also intend to keep on working for the admission of Italy into the United Nations. If the Soviet Union keeps on vetoing Italy's membership, other ways must be found to enable Italy to play a full and equal part in upholding the principles of the United Nations.

In the economic field we realize that one of Italy's biggest problems is surplus manpower—and that jobs and homes must be found in other lands for many of those who cannot be employed in Italy. The history of the United States shows that a nation is most fortunate if it can obtain the energies and skills of Italian immigrants. I hope we can set up an effective international program to help solve Italy's problems of surplus manpower. There are many places in the world where people from Italy are needed and where they can lay the foundations for a prosperous future for themselves and their children.

WOULD USE ITALIAN FACILITIES

In addition to idle manpower, Italy has factories which could be used for defense production if they were not hampered by shortages of materials and lack of foreign exchange. When factories and workers in Italy stand idle, that is a needless loss to the strength of the free world. Acting together, our governments must take steps to use the resources of Italy's manpower and industrial production as fully as possible in the great mobilization effort of the free nations for peace.

The future of Italy lies not only in domestic progress, but also in closer ties and greater unity with the free nations that are its neighbors. We have followed with great interest the efforts of Italian statesmen to bring about a greater sense of European unity, based on moral and cultural values. We expect Italy, with its great religious and cultural heritage, to take a leading part in that effort.

Greater unity in defense, greater unity in economic effort, the removal of obsolete national barriers from the North Sea to the Mediterranean—these are the things that are needed to provide not only security, but social and economic advancement for the peoples of Europe.

Only by such changes can we preserve the fundamental values of the past, only by such combined effort can be counter the menace of Soviet aggression. Only through such cooperation by all can we raise the living standards and increase the opportunities of any single nation.

In these great tasks, Mr. Prime Minister, we wish the Italian people good fortune and speedy success. Rest assured that we are with you, and will do all we can to help you.

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. BENNETT] is recognized for 10 minutes.

CENTENNIAL OF THE SONG SUWANNEE RIVER

Mr. BENNETT of Florida. Mr. Speaker, it is my great, good fortune to represent in Congress the Suwannee River Valley. That beautiful and historic river winds its pleasant course from the mysterious Okefenokee Swamp to the sparkling Gulf of Mexico. On its banks live good, staunch Americans. Their fine quality should be reason enough for the river and its valley being a thing of note. But it was the great folk-song composer, Stephen Collins Foster, who made the river famous. Today, on the one-hundredth anniversary of the copywriting of the Suwannee River, Florida's official State song, we pay tribute to Foster and his warm and understanding heart.

A certain wise man is reported to have said that, as for him, he cared little who made the laws of a nation, provided he could write its songs. Frivolous though it may seem at first glance, there is a world of significance in that simple statement, for he who can express the hopes and fears and longings of the human heart is indeed a master among men, a true voice of his people. I venture to say that Foster's songs will live as long as the Suwannee River flows.

When Stephen Foster was inspired to write Way Down Upon the Swanee River he struck a chord which will never die, for it embodies the essence of the heart's loyalty to an unforgettable past, a nostalgia for all that has been, and

may never be again. Yet, the song brings its own consoling balm: It offers promise of return of things loved, and lost except in memory and hope. There is enough of the Godlike within each of us to rejoice when we have given perfect utterance to that which we most deeply feel; and Foster has made this possible in his great song.

Supreme art is an expression of ultimate truth and is, therefore, immortal. It has been said:

All else perishes. Art alone endures. The bust outlasts the man, the coin Tiberius.

Whether it be found in the thunder of Dante, the majesty of Homer, the supreme glory of Shakespeare; whether it be discovered in the Taj Mahal or the towers of Notre Dame or the paintings of Leonardo or Raphael; whether it be heard in the mighty cadences of Bach, the stately measures of Beethoven, the indescribable beauty of Mozart, or—it may be, perchance—in a simple, heartbreaking song, it is always the same; unmistakable, inimitable, sui generis, of itself alone. Keats tells us:

Beauty is truth, truth beauty—that is all ye know on earth, and all ye need to know.

The man we honor today had learned that lesson, had instinctively grasped that great, essential fact. We do not know how or why. It is enough to be thankful.

It was not—

Writes one of his biographers—

a great life, as the world counts greatness. It might even be called a failure, a life sadly out of harmony with its environment. But it has left an indelible impression on the world; and its influence, subtle, indefinite, immaterial but pervasive, is incalculable.

No one else has ever given us just what Foster offered. His songs, even the least of them, are as truly native, as surely and rightly expressive of the American temperament as Andy Jackson, Abe Lincoln, and Benjamin Franklin, as hog, hominy, and molasses. No one could ever for a moment mistake the national origin of Oh, Susanna, and Nelly Was a Lady.

The song Suwannee River is of the warp and woof of our national history. This song is Foster's chief claim to remembrance. Aside from possibly one or two national airs born of great historical crises and a few hymns of worship this is probably the most widely known and loved song ever written. It has been translated into every European language and into many Asian and African tongues. It has been sung by millions of people all across the world and has moved out of the realm of merely written song to be incorporated into the body of folk music passed orally from generation to generation.

During a time in World War II, I was with Filipino guerrillas in northern Luzon. I found that the two American songs which they seemed to know best were Suwannee River and the Battle Hymn of the Republic, songs coming respectively from the South and the North of our country. The Battle Hymn of the Republic had been given new words by them and was almost like a guerrilla national anthem, beginning with the words "Onward, onward to Manila," and it was the song of the morning. But the song of their evenings around mountain campfires was usually Suwannee River.

Foster was born, fittingly enough, on the Fourth of July 1826. Apart from the usual significance of the day, it was in this particular year a most notable date in the history of the United States for it marked the fiftieth anniversary of the Declaration of Independence and, by a strange coincidence, the passing both of the author and one of the greatest advocates of that immortal pronouncement. And, moreover, both of these men had been Presidents of the United States and were, by common consent, the two greatest living Americans—the last of a race of giants. Sir George Otto Trevelyan, the English historian of the American Revolution, remarks in a famous passage:

The Fourth of July, 1826, was the Jubilee of Independence, and the eyes of all spontaneously turned to the two veterans, so long divided by political differences, more recent indeed than the Revolution, but already of ancient date. It was hoped that they might meet once again, to shake hands over their life's work in the presence of an immense assemblage; some of whom might speak of it in the twentieth century as the most memorable sight an American ever witnessed. But both were very feeble and the hope was abandoned. The great day arrived and the old statesmen, for all they were absent, were not forgotten. From one end of the country to the other, wherever Americans were gathered together, the names of Adams and Jefferson were coupled in accents of gratitude and praise. Party passions were completely drowned in the flood of national feeling which overspread the land. All day Adams was sinking rapidly, and without pain. His last audible remark is said to have been, "Thomas Jefferson still survives." But such was not the case. Jefferson died at noon on that Fourth of July, and Adams shortly before sunset. There are few more striking circumstances, and no more remarkable coincidences, in history.

There was another coincidence. As the two mighty old men passed from the scene, another life was beginning which, brief though it was to be, was also in its own way to exercise a powerful and lasting and beneficent influence.

The Fosters were of Scotch-Irish extraction, that remarkable race which has already given us two Presidents, Jackson and Wilson, and, in the realm of music, Edward MacDowell, Ethelbert Nevin, and Stephen Collins Foster. Stephen's great-grandfather, Alexander, emigrated from Londonderry about the year 1728 and settled in Little Britain Township in Lancaster County, Pa., which incidentally, was the birthplace of Robert Fulton. Alexander Foster's eldest son, James, married Ann Barclay who was to become Stephen's grandmother and it was through her that Stephen was related to Judge John Rowan of Bardstown, Ky., in whose house, Federal Hall, Foster wrote the exquisite and heart-rending tribute to a humble slave cabin which in his imagination was beautiful because it was home. Where in the world will you find anything more poignant than this?

The sun shines bright in the old Kentucky home,
'Tis summer, the darkies are gay.
The corn top's ripe and the meadow's in the bloom
While the birds make music all the day.

The young folks roll on the little cabin floor,
All merry, all happy and bright:
By'n by Hard Times comes a-knocking at the door,
Then my Old Kentucky Home, good night!

Weep no more my lady,
Oh, weep no more today!
We will sing one song for the old Kentucky home,
For the old Kentucky home, far away!

I challenge any of you from Kentucky to deny that such words are ever heard without emotion. Wordsworth, himself a simple and unpretentions bard, knew what he was about when he spoke of "Thoughts that do often lie too deep for tears."

It is not my purpose to dwell today upon the life of Foster. Apart from a sunny youth, it was sad enough. Like that of his great contemporary, Edgar Allan Poe, it was deeply tragic. Perhaps a more exact comparison would be to the life of Robert Burns. All three seemed to be haunted throughout their days by implacable misfortune—yet all three bequeathed to mankind the works of imperishable genius. In moments of pessimism one is tempted to ask oneself, Is there, indeed, a terrible penalty to be exacted from those who are supremely gifted? Homer was blind, Beethoven was deaf, Mozart died from neglect, Keats was cut off in the flower of his youth. Actually, it is my conviction that the trials which Foster experienced were a part of the source of his understanding heart and of his genius.

There were, moreover, happy days in Pittsburgh when a gay and handsome young Foster met with his cronies to play and sing and from his wholesome, youthful exuberance produce songs which we love so well today. I like to to think of him courting Jenny McDowell—that Jeanie of the light brown hair "Borne like a vapor on the summer air," and of her old family butler, who became the prototype for dear Old Black Joe, who heard angel voices calling.

There appears to have been always about Foster, as was said of Dickens, something of that light which never shone on land or sea, and it has been reflected in the instinctive and devoted response of his countrymen.

I am sure his bright and charming spirit is with us today, as we honor his song, which, like himself, will never grow old. In an issue of the Musical Courier, many years ago, part of which was devoted to Foster and his supreme art, it was said of the Suwannee River:

Its name is deep in every heart, learned with the first lisped songs. It has come to be a river of dreams more than a real waterway. The fame of it, and devotion to it in the minds of millions of men, is the result of one man's singing of it.

"Way down upon the Swanee ribber,
Far, far away. Dere's wha my heart is turning ebber,
Dere's wha de old folks stay."

When Stephen Foster died at the age of 37, on January 13, 1864, his pocketbook contained 38 cents and a scrap of paper on which was written just the words: "Dear friends and gentle hearts."

Despite his poverty in money he left a great estate to mankind, in love and understanding.

May we not safely conclude that the soft and lovely stream which arises in the dark mystery of the Okefenokee and, through many a gracious winding, pursues its way to the sea is no more durable than the bard who sang of it in words which perhaps only Americans will ever fully understand.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. BENNETT of Florida. I yield.

Mr. RANKIN. I merely want to call attention to the fact that the original song to which the gentleman refers, Suwannee River, used the Yazoo River, but later he changed it because he thought the Suwannee River sounded a little more musical.

Mr. BENNETT of Florida. I thank the gentleman for his contribution I am glad that the gentleman is a student of Foster's songs.

The SPEAKER. Under the previous order of the House the gentleman from Minnesota [Mr. BLATNIK] is recognized for 5 minutes.

THE NEW ST. LAWRENCE PROJECT BILL

Mr. BLATNIK. Mr. Speaker, I have today introduced a new House joint resolution to authorize the construction of the St. Lawrence seaway and power project.

This is a new and materially different approach to the authorization of this project from any resolution heretofore considered by either the House or the Senate. It takes account of the suggestions and bona fide criticisms that were made before the House Public Works Commttee during the course of extensive hearings this past spring and in the subsequent executive sessions of the committee. It also incorporates suggestions made by several members of the committee who were opposed to previous resolutions on account of some detail in the legislation but were in favor of the construction of the project.

Let me enumerate the substantial changes that this resolution makes over previous bills:

First. Opponents, particularly railroad spokesmen, claimed before the committee during the hearings in February and March that there was no assurance Canada would accept the principle of charging tolls on the seaway, and that there was no assurance that the United States could reach an agreement with Canada in principle or in detail on charging tolls.

Section 1, subsection (b) of the resolution I have introduced requires that Canada agree to charging tools as a part of the agreement between the two countries which this resolution approves. Article XI of the 1941 agreement provides that the agreement shall enter into force when the Congress of the United States and the Parliament of Canada approve it. Section 1 (b) of my bill requires that before the agreement enters into force the Parliament of Canada should declare its approval of tolls on the new deep-water navigation works in the St. Lawrence River to the end that such works be self-supporting and self-liquidating.

There will be no agreement if the Canadian Parliament does not approve this principle. In effect, by approving this resolution, the two Governments will be writing that provision into the Canadian-American agreement, and the agreement shall go into force only when the Canadian Parliament consents to such revision by legislative action as an integral part of the contract.

Second. In order to facilitate the establishment of adequate tolls, the two Governments must have the information on cost of the whole project in both Canadian and United States territory. The agreement with Canada did not provide for the exchange of such information. In section 1, subsection (c), it is proposed that the pending agreement be revised to provide formally for such exchange of information between the two Governments, so that the necessary data are available for the determination of annual overhead costs as an aid to determination of toll rates. This provision, too, must be accepted by the Canadian Parliament as an integral part of the agreement.

Third. Opponents of this project have pointed out that in previous legislation many factors necessary for the determination and imposition of tolls were not known. Section 2 of the resolution authorizes and directs the President to negotiate and arrive at an agreement with Canada on toll rates. This section establishes definite principles to be followed in these negotiations, including the interest rate to be charged on the investment—at 2½ percent—the division of toll revenues between the two Governments, the period during which the financial results must be revaluated—every 5 years—and the period during which the original investment will be retired—50 years.

These are all new provisions in the bill which take account of the objections that were raised by the opponents to the previous resolutions, and we hope that they will now find this revised resolution satisfactory.

Fourth. For the first time this legislation provides that the American members of the commission established by the Canadian-United States agreement to supervise construction at the International Rapids, shall be appointed by the President with the advice and consent of the Senate, not more than three members being affiliated with any one political party. This effectively places the supervision of construction at the International Rapids section in the hands of a bipartisan commission.

Fifth. Again for the first time in the history of the St. Lawrence legislation, section 4 provides that the United States portion of the construction authorized by the Canadian-United States agreement shall be undertaken by the Chief of Engineers under the direction of the Secretary of the Army. It is provided also that the Secretary of Army maintain detailed accounts of capital costs, and annual overhead such as interest and amortization, and operation and maintenance expenses as well as revenues, to keep an accurate check on the financial performance of the project.

Sixth. Again for the first time section 5 provides setting up a St. Lawrence fund in the Treasury to be provided by bond issues and to which revenues from the project will be credited and interest on the unrefunded portion of the advances will be charged. This procedure will also facilitate an accurate accounting of costs as well as the performance results, and will provide the necessary data upon which the toll rates can be reevaluated at 5-year intervals in order to effectuate successfully the principle of self-support and self-liquidation of this project.

Mr. Speaker, the proponents of this legislation have gone the limit to give sympathetic consideration to the points raised by opponents of the project, and have gone more than halfway to meet their objections. We recognize that some elements in the country, such as the railroads, are not to be appeased by any improvements in legislation, but it is our hope that those who in good faith raised points of procedure before the committee will now feel that they can support this project with the improvements that we have made in this legislation.

We feel a certain sense of urgency in presenting this resolution again because this project is at least as important as the foreign-aid bill, since it deals with the development of the resources of the two nations—Canada and the United States—which are the economic and military pillars of the North Atlantic Treaty organization. Year by year we have authorized without a fraction of the fussing and fuming that has accompanied the consideration of the St. Lawrence project, many works in foreign countries which in total surpass the magnitude of this project. The only difference between this and others that go through Congress with comparatively little controversy is that the eastern railroads, with all their ample resources and the propaganda machinery, have been able to confuse the public and pressure Members of Congress.

We have honestly tried to meet those points raised by the opponents which could be incorporated in legislation. The only thing that we cannot do at this stage is to set the specific toll rates on specific commodities. Any businessman would know that prices cannot be set until all the factors of cost and competitive rates are known. It is utterly unreasonable to suggest that the two Governments come forward with an agreement on specific toll rates before approving construction. Those who maintain this position are not advancing it in good faith but instead are merely giving oblique expression to their opposition to the project itself.

The question has been raised—what happens if the two Governments do not agree on a toll schedule in spite of the

firm desire of both Governments to impose tolls? I do not anticipate that result because my information is that Canada looks with favor upon the whole idea of charging tolls, but I wish to assure my colleagues that in case there is no agreement reached upon specific toll rates by the time the canals open for traffic, the United States can charge tolls on the American section of the canals, unilaterally, if necessary. This is permitted in article I of the Boundary Waters Treaty of 1909, which allows either country to charge tolls in connecting waterways in boundary waters provided that such tolls apply equally to the citizens of both countries. As the United States portion of the works will be located in northern New York, we could therefore proceed to effectuate the principle of self-liquidation by charging tolls at the entrance of the United States canals.

I repeat that this will not be necessary, since our relations with Canada are among the most cordial and cooperative in the world, but since the opposition does raise these camouflage arguments, I wish to point out that we can make this project work as a business enterprise with or without the agreement of Canada on specific toll rates.

My decision to introduce this new St. Lawrence bill is partly prompted by the September 28 announcement, following the White House conference between President Truman and Canadian Prime Minister Louis St. Laurent, that Canada is prepared to build the project alone if Congress fails to authorize United States participation. This is a most significant event. It means, in effect, that construction of the seaway is inevitable and the only issue remaining is whether Canada will build, own and operate the seaway or whether the United States will join in this venture as a full partner.

The advantages of the partnership, with this country helping to construct, own and operate the seaway, are obvious. If Canada builds the project alone, then that country will manage it, set the toll rates and collect the revenues. Since United States shippers will use the navigation channel more than Canadian ships, the United States will pay a major share of the cost of construction in the form of shipping tolls, without acquiring the advantages of joint ownership and management. On the other hand, joint ownership means that this country will share in the responsibility, revenues and advantages of this project.

I therefore present this legislation to the House with the hope that Congress will reexamine the St. Lawrence project and take this last opportunity to insure half-ownership by the United States of this most important undeveloped natural asset remaining on the North American continent. Power-starved New York and New England need the cheap electricity that this project will provide, the farmers, business men and consumers need the additional transportation facilities that the seaway will afford, and our national defense requires the navigation facilities, electric power, and the Labrador iron ore made accessible by the project. I strongly urge the Congress to meet the responsibilities of the hour by enacting the St. Lawrence seaway and power project into law.

Under leave to extend my remarks at this point in the RECORD, Mr. Speaker, I include the text of the White House press release of September 28, which was issued following the conference between President Truman and Canadian Prime Minister St. Laurent. I also include a very timely editorial entitled "St. Lawrence Seaway" which appeared in this morning's edition, October 1, of the Washington Post:

[Press release of September 28, 1951]

The President and the Prime Minister discussed the St. Lawrence project. They agreed on the vital importance to the security and the economies of both countries of proceeding as rapidly as possible with both seaway and the power phases of the project. They explored the matter of the next steps to be taken in achieving the early construction of the project. They both agreed that it would be most desirable to proceed along the lines of the 1941 agreement between the United States and Canada.

The Prime Minister informed the President of the needs of Ontario for power and of the arrangement the Canadian Government could make with the Government of that Province for its participation with the appropriate Federal or State authority in the United States for the power development. In these circumstances, the Prime Minister indicated the Canadian Government would be willing to construct the seaway as a Canadian project if it is not possible to have the joint development undertaken on the basis of the 1941 agreement.

The President expressed his strong preference for joint action on the Seaway and his hope that the Congress would soon authorize such action, but stated he would support Canadian action as second best if an early commencement on the joint development does not prove possible.

[From the Washington (D. C.) Post of October 1, 1951]

ST. LAWRENCE SEAWAY

President Truman and Prime Minister St. Laurent of Canada have put Congress in an embarrassing position with regard to the St. Lawrence project. Only two months ago the House Public Works Committee laid aside a measure authorizing United States participation in the construction of the long-awaited seaway connecting the Great Lakes with the Atlantic. In the hearings and discussion that preceded the vote it was frequently forecast that Canada would go ahead with the project alone if the United States was not ready to carry out its agreement of 10 years ago. That warning was generally shrugged off as propaganda. Now Mr. St. Laurent has removed all doubt as to what his administration intends, and Mr. Truman has given his blessing to an all-Canadian seaway in the event that Congress continues to balk. As the channel proposed by Mr. St. Laurent would be built on the Canadian side of the river, it is assumed that no consent on the part of the United States would be required.

If Canada thus decides to go it alone, Americans will probably pay the lion's share of the cost without acquiring the advantages of joint ownership and control. Shipping on the St. Lawrence is predominantly in the hands of United States interests and will doubtless continue to be so. The importance of this shipping is being enhanced by the opening of vast iron ore deposits in Labrador and northern Quebec to supply steel mills in or near the Great Lakes cities. American interests might be left at a serious disadvantage if Canada, having put up the money and done the work, should exercise complete control over the fixing of rates on the waterway. The St. Lawrence might even become a bone of contention between the two countries instead of a bond of common interest between them.

The understanding reached between the President and Prime Minister St. Laurent is to the effect that the two countries would proceed jointly in development of a $400,000,000 hydroelectric power project near Massena, N. Y., even if the channel for ocean-going vessels should became a Canadian project. New York State is eager to go ahead with the power development regardless of the outcome of the seaway proposal. Congress could not stand in the way of such an arrangement without assuming a dog-in-the-manger attitude.

In our opinion, Congress ought to resurvey the entire project with less of the sectionalism that has so strongly influenced opinions in the past. Apparently a channel for ocean-going vessels will link Detroit to the Atlantic a few years hence with or without the approval of Congress. Pressure would then be strong for a deep channel linking Lakes Superior, Michigan and Huron to the seaway. The most practical course is to plan now for the entire undertaking with the United States and Canada sharing the responsibility, the costs and the benefits.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. I am very glad that the gentleman from Minnesota is doing what he is today; that is, endeavor to secure from the Congress enactment of this very much needed legislation. I compliment the gentleman upon his efforts.

Mr. BLATNIK. I thank the gentleman for his continued support and interest.

(Mr. BLATNIK asked and was given permission to revise and extend his remarks and to include a joint statement issued by the Canadian Prime Minister and the President last Friday and also an editorial appearing in the Washington Post of today.)

LEGISLATIVE APPROPRIATION BILL

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the conferees on the legislative appropriation bill may have until midnight tonight to file a report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House the gentleman from Missouri [Mr. CURTIS] is recognized for 15 minutes.

VIOLATION OF FEDERAL LAW BY EXECUTIVE BRANCH

Mr. CURTIS of Missouri. Mr. Speaker, it is with considerable reluctance that I call to the attention of the House what appears to me to be a serious violation of a Federal law passed by the Congress. The normal procedure would be to simply notify the Department of Justice of the violation and await the Department's action.

There are two reasons that the normal procedure cannot be followed in this instance. First, the violation of the criminal statute has been committeed by persons in the Justice Department it-

self. The primary violator is the Solicitor General himself, an office second only to that of Attorney General in the Justice Department.

Second, the statute violated was passed to protect the Congress in its free deliberations against undue pressure and influence from the executive branch of Government.

This matter might have been brought before this body under a question of privilege affecting the right of the House collectively, its safety, dignity, and the integrity of its proceedings. The matter might have been brought before the House in other ways than the informal way I am now presenting it.

However, I hope that this matter will be considered on the basis it should be, the question of the independence and integrity of the legislative branch of the Government against the calloused and highhanded actions of the executive branch. I hope that the fact that the majority of the House are members of the same party as the executive branch will not in any way lessen the zeal of the members of the majority party in the House to uphold the dignity and prestige of the legislative branch.

I have no resolution at this time. I have no charges. It is entirely possible that the Justice Department itself will recognize the dangerousness of the situation and enforce the laws itself. If so, Congress will need take no further action. If, however, the Justice Department does not take prompt action, it is clear to me at any rate that this House will have to take appropriate action.

The following is the letter I have this morning had delivered to the Justice Department:

OCTOBER 1, 1951.

Hon. J. HOWARD MCGRATH,
Attorney General of the United States, Washington 25, D. C.

My Dear ATTORNEY GENERAL: On September 22 I received an envelope addressed to me at my office in the Old House Office Building, the return address on which was Department of Justice, Washington, D. C. This envelope contained a 49-page mimeographed statement signed "Philip B. Perlman, Solicitor General" and entitled "The Truth About the Seizure by Three States of the Nation's Oil Resources in the Submerged Lands of the Sea."

On the title page of the statement it states: "Letter to Senator JOSEPH C. O'MAHONEY, chairman of the Senate Committee on Interior and Insular Affairs, from the Solicitor General."

The document starts off by stating, in effect, that its purpose is to counter-act the influence of a pamphlet printed and distributed by the National Association of Attorney Generals upon the same subject. A reading of the document itself leaves no doubt whatsoever that this is its purpose. The document takes cognizance of the fact that House Resolution 4484 recently passed by the House is pending before the Senate. It is, in other words, admittedly a document designed to influence legislation pending before the Congress.

The internal evidence of the document indicates that it was not prepared or sent at the request of Senator O'Mahoney either to himself, or to me, or to the other Members of the House of Representatives, who received copies of this same document. I positively did not ask that such a document be either prepared or sent to me. I have talked to several of my colleagues who received copies of this document. They have told me that they did not request that such a document either be prepared or sent to them. It is obvious that this 49-page document occasioned much work and expense on the part of the Department of Justice.

In other words, this was a willful and deliberate act to influence legislation pending before the Congres, requiring expenditure of moneys appropriated by enactment of Congress.

I am certain that you and the other members of the Justice Department on the policy making level are well aware of the concern expressed by Congress over a period of years at the attempts of various branches of the executive department to influence legislation before Congress. This concern has increased in the recent years.

Congress some time ago passed a law (18 U. S. C. 1913; 62 Stat. 792) entitled "Lobbying with appropriated moneys" which makes a crime of such acts apparently performed by Mr. Perlman and his staff. For your convenience I quote the statute:

"1913. Lobbying with appropriated moneys.

"No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

"Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than $500 or imprisoned not more than 1 year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment (June 25, 1948, ch. 654; 62 Stat. 792, effective Sept. 1, 1948)."

If the clear intention of Congress, as evidenced by this statute, is thus disregarded by the very department of our Federal Government whose duty it is to enforce our criminal statutes, what possible hope is there that this law, or any law for that matter, will be enforced anywhere within the executive department?

This matter is so serious that I contemplate introducing a resolution in the House asking for an immediate investigation of this matter. However, I shall await your response to this letter stating what action you are contemplating to enforce this particular statute, which seems to have been so openly violated. Naturally, if I do not receive a prompt reply to this letter, I shall assume that you contemplate no action at all.

Yours very truly,

THOMAS B. CURTIS.

RUMANIAN PRINCESS WARNS OF RUSSIAN THREAT TO UNITED STATES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to include a newspaper article from the Boston Globe of yesterday.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, Princess Ileana of Rumania on September 29 spoke at the Babson Institute. She warned that the Communists plan subtle methods of undermining the United States. The following article appeared in the Boston Globe of yesterday regarding her remarks:

RUMANIAN PRINCESS WARNS OF RUSSIAN THREAT TO UNITED STATES—TELLS BABSON BUSINESS CONFERENCE REDS HAVE SUBTLE PLAN OF CONQUEST

(By Joan McPartlin)

WELLESLEY HILLS, September 29.—Princess Ileana of Rumania today described how Russians took over her country, and she warned that Communists plan subtle methods of undermining the United States.

"I have talked with Anna Pauker, chief of all the eastern European satellite countries," she declared. "She has told me quite frankly that the Russians do not plan to drop an atomic bomb on the United States.

"They will use other methods, she says. They will use American workers to weaken this country until it becomes all Communist. And their threat is very real. Think, for instance, what Communists could do if they ordered all electricity to be turned off.

"And once they put their hands on a country, no one can get rid of them."

NOW LIVES IN NEWTON

Princess Ileana, daughter of King Ferdinand and Queen Marie of Rumania, spoke at the Thirty-eighth National Business Conference at Babson Institute, Wellesley Hills. The Princess now lives in Newton.

In describing how the Russians took over Rumania, Princess Ileana said they first took tools and machinery from the peasant farmers. "They left each man only his horse and plow," she said. "Then, one hot August they collected all the cattle and sheep from every farm, slaughtered them and piled those mountains of flesh on unrefrigerated cars for shipment, as they said, to Russia.

"But they brought no engines to pull the cars and there the meat stayed. I have seen that meat and I have smelled it.

"Then the Russians demanded 75 percent—and more—of each man's produce; they started teaching Communist ideas in the schools and failed the child who did not accept and repeat the ideas. They declared money worth nothing, so that no man could pay a debt, and they took over the houses, crowding families into one or two rooms so that they, the Communists, could have space for their secret work."

SAW DEMONSTRATIONS FAKED

Photographs and movies of pro-Communist demonstrations in Rumania's streets which have been released to the west were faked, the Princess added. The peasants were forced to start parades and to shout and cheer for communism on pain of losing their jobs and food.

"Once I drove down a street and into such a parade," she said. "The Russians were urging the people to shout and cheer very loudly, and to march along, waving banners. But they recognized me, and the whole parade halted while they stopped to chat with me and ask about my children and how they were doing at school."

The only solution to the problem of Communist domination, the Princess emphasized yesterday, is "Christian faith, that faith that has kept Rumania alive through many invasions. For if you are a Christian, you can learn not to be afraid."

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the

RECORD, or to revise and extend remarks, was granted to:

Mr. MANSFIELD and to include certain extraneous articles.

Mr. THOMPSON of Texas and to include an article.

Mr. ROGERS of Colorado and to include two newspaper articles.

Mr. BRYSON and to include an article appearing in the New York Times of today entitled "Defense Rebuilds Economy in the South."

Mr. CARNAHAN and to include an address by the President of the United States.

Mr. BECKWORTH (at the request of Mr. PRIEST) and to include extraneous matter.

Mr. SMITH of Wisconsin in two instances and to include extraneous matter.

Mr. O'HARA and to include an editorial from the Wadena Pioneer Journal.

Mr. HAND and to include an editorial.

Mr. CURTIS of Missouri and to include a letter.

Mr. SHEEHAN and to include a letter.

Mr. CHIPERFIELD (at the request of Mr. HALLECK) and to include an editorial.

Mr. GOLDEN.

Mr. MILLER of Nebraska.

Mr. KEARNS and to include an article appearing in the Washington Star pertaining to the gold situation.

Mr. SCUDDER and to include an editorial.

Mr. CRAWFORD and to include a newspaper article by Mr. Jack Thale on the situation in Puerto Rico.

Mr. JENSEN and to include a statement by him concerning the treaty which was signed at 10 o'clock this morning between the Government of the United States and the Government of Denmark.

Mr. FERNANDEZ and to include excerpts from resolutions adopted by the Cattlemen's Association of New Mexico.

Mr. BROOKS (at the request of Mr. THOMPSON of Texas), in two instances, in each to include extraneous matter.

Mr. ROGERS of Texas and to include a brief by the American Bar Association on communism notwithstanding that it exceeds the limit set by the Joint Committee on Printing, and is estimated by the Public Printer to cost $369.

Mr. BAILEY, in two instances, and in one to include a letter and in another to include a tribute to a noted labor leader.

Mrs. ROGERS of Massachusetts and to include an editorial from the National Tribune.

Mr. WITHROW and to include a letter he recently received from the four brotherhood chiefs relative to the pending railroad retirement legislation.

Mr. EDWIN ARTHUR HALL in three instances.

Mr. VAN PELT.

Mr. MCCORMACK and to include an address recently made in Boston by Gen. Nathan S. Twining.

ENROLLED JOINT RESOLUTION SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 333. Joint resolution to extend the time for use of construction reserve funds established under section 511 of the Merchant Marine Act, 1936, as amended.

JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. STANLEY, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, joint resolutions of the House of the following titles:

On September 28, 1951:

H. J. Res. 335. Joint resolution amending an act making temporary appropriations for the fiscal year 1952, and for other purposes.

On October 1, 1951:

H. J. Res. 333. Joint resolution to extend the time for use of construction reserve funds established under section 511 of the Merchant Marine Act, 1936, as amended.

ADJOURNMENT

Mr. MARSHALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 44 minutes p. m.) the House adjourned until tomorrow, Tuesday, October 2, 1951, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

830. A letter from the Chairman, Federal Power Commission, transmitting a report entitled, "Statistics of Electric Utilities in the United States, 1950"; to the Committee on Interstate and Foreign Commerce.

831. A letter from the Assistant Secretary of State, transmitting a copy of the counterpart of the agreement which was executed by the Governors of Kansas and Illinois on August 23 and August 29, 1951, entitled, "An agreement to extend the interstate compact to conserve oil and gas", pursuant to Public Law 128, Eighty-second Congress, approved August 28, 1951; to the Committee on Interstate and Foreign Commerce.

832. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated May 5, 1948, submitting a report, together with accompanying papers and a review of reports on, and a preliminary examination and survey of the Mississippi River-Gulf outlet and the Mobile to New Orleans Intracoastal Waterway, requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted on May 5, 1943, and the Committee on Commerce, United States Senate, adopted on April 19, 1943, and also authorized by the River and Harbor Act approved on March 2, 1945 (H. Doc. No. 245); to the Committee on Public Works and ordered to be printed with one illustration.

833. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1952 in the amount of $385,000 for the Department of the Interior (H. Doc. No. 246); to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BARDEN: Committee on Education and Labor. S. 1959. An act to amend the National Labor Relations Act, as amended, and for other purposes; without amendment (Rept. No. 1082). Referred to the Committee of the Whole House on the State of the Union.

Mr. LARCADE: Committee on Public Works. H. R. 2322. A bill to authorize the improvement of East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Fla.; with amendment (Rept. No. 1083). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Armed Services. H. R. 5425. A bill to authorize construction at Air Force installations, and for other purposes; without amendment (Rept. No. 1084). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. H. R. 5257. A bill to amend section 9 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), to increase the amount available as an emergency relief fund for the repair or reconstruction of highways and bridges damaged by floods or other catastrophes; without amendment (Rept. No. 1085). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. H. R. 5504. A bill to amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense; without amendment (Rept. No. 1086). Referred to the Committee of the Whole House on the State of the Union.

Mr. CARNAHAN: Special Mission to Australia. Report pursuant to House Resolution 204, Eighty-second Congress, first session. Resolution appointing Members of the House of Representatives to attend and participate in the Australian Commonwealth Jubilee Celebration to be held in Canberra, Australia, during May 1951 (Rept. No. 1087). Referred to the Committee of the Whole House on the State of the Union.

Mr. McGRATH: Committee of conference. H. R. 4496. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1952, and for other purposes; without amendment (Rept. No. 1088). Ordered to be printed.

Mr. DOUGHTON: Committee on Ways and Means. H. R. 5505. A bill to amend certain administrative provisions of the Tariff Act of 1930 and related laws, and for other purposes; without amendment (Rept. No. 1089). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BARTLETT:

H. R. 5545. A bill to authorize the Secretary of the Interior to investigate and report to the Congress on the conservation, development, and utilization of the water and related natural resources of Alaska; to the Committee on Interior and Insular Affairs.

By Mr. BROOKS:

H. R. 5546. A bill to amend certain authorization for construction at military and naval installations, and for other purposes; to the Committee on Armed Services.

By Mr. CELLER:

H. R. 5547. A bill to confer Federal jurisdiction to prosecute certain common law crimes of violence when such crimes are committed on an American airplane in flight over the high seas or over waters within the admiralty and maritime jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. KEARNS:

H. R. 5548. A bill to establish a National War Memorial Theater and Opera Commission, comprising the members of the Com-

mission of Fine Arts and certain other persons, to provide for the construction and maintenance of a National War Memorial Theater and Opera Auditorium, and for other purposes; to the Committee on House Administration.

By Mr. MURRAY of Tennessee:

H. R. 5549. A bill to provide for certain investigations by the Civil Service Commission in lieu of the Federal Bureau of Investigation, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BLATNIK:

H. J. Res. 337. Joint resolution approving the agreement between the United States and Canada, relating to the development of the resources of the Great Lakes-St. Lawrence Basin for national security and continental defense of the United States of America and Canada; providing for making the St. Lawrence seaway self-liquidating; and for other purposes; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANDERSON of California:

H. R. 5550. A bill for the relief of Tullio R. Fabris; to the Committee on the Judiciary.

By Mr. BOLLING:

H. R. 5551. A bill for the relief of Eugene Kline; to the Committee on the Judiciary.

By Mr. BRAMBLETT:

H. R. 5552. A bill for the relief of Mrs. Anna Vanoli; to the Committee on the Judiciary.

By Mr. GWINN:

H. R. 5553. A bill for the relief of Gabriele Attilio; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H. R. 5554. A bill for the relief of Rev. Jose De Oliveira and Rev. Daniel Luiz De Freitas; to the Committee on the Judiciary.

By Mr. MITCHELL:

H. R. 5555. A bill for the relief of Mrs. Toyoko Ogo Yoshihara; to the Committee on the Judiciary.

By Mr. RIBICOFF:

H. R. 5556. A bill for the relief of Emmanuel Loukas; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H. R. 5557. A bill for the relief of Nicholas B. Perry for losses sustained through confiscation of property by Rumania and Hungary, or either of said countries; to the Committee on Foreign Affairs.

By Mr. SMITH of Wisconsin:

H. R. 5558. A bill for the relief of Anna Maria Krause; to the Committee on the Judiciary.

By Mr. VAN PELT:

H. R. 5559. A bill for the relief of Mieko Takamine; to the Committee on the Judiciary.

PETITIONS, ETC.

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

443. By Mr. GROSS: Petition of Mrs. Anna Smith, Waterloo, Iowa, and 40 others in the Waterloo-Cedar Falls, Iowa, area, favoring the passage of legislation to prohibit alcoholic beverage advertising over the radio and television and in magazines and newspapers; to the Committee on Interstate and Foreign Commerce.

444. By Mr. HARRISON of Wyoming: Petition of Rock Springs, Wyo., Aerie No. 1, of the Fraternal Order of Eagles, requesting immediate action on the release of William N. Oatis by the Communist Government of Czechoslovakia; to the Committee on Foreign Affairs.

445. By the SPEAKER: Petition of the Secretary General Croatian National Committee, München, Germany, relative to the solution of the problem of southeast Europe, by a peaceful separation of Croatia from Serbia; to the Committee on Foreign Affairs.

SENATE

TUESDAY, OCTOBER 2, 1951

(Legislative day of Monday, October 1, 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:

God, our Father, we would make our hearts, cleansed by Thy forgiving grace, a temple of Thy presence, knowing that only to the pure in heart dost Thou grant the vision of Thy face. We come asking not that Thou wouldst give heed to the faltering petitions our lips bring, but that Thou wilt bend Thine ear to the crying of our deep needs which words cannot express. We bring to the altar of prayer our inmost selves, cluttered and confused, where good and evil, the petty and the great are so entwined. May the eternal immensities shame our little thoughts and ways. May some revealing glimpse of what we might be convict us of what we are. Enable those who in these baffling days act and speak for waiting humanity to rise to greatness in this hour of destiny. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, October 1, 1951, was dispensed with.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 579. An act for the relief of Hendryk Kempski;

H. R. 580. An act for the relief of Kwang Myeng Chu;

H. R. 662. An act for the relief of William O. Stevens;

H. R. 676. An act for the relief of Mrs. Aimee Hoyningen-Huene;

H. R. 710. An act for the relief of Mrs. Suzanne Chow Hsin and her son, Sven Erik Hsin;

H. R. 711. An act for the relief of George Lukes;

H. R. 744. An act for the relief of Wladimir Peter Lewicki, Mrs. Hedwige Lewicki, and George Wladimir Lewicki;

H. R. 804. An act for the relief of Sisters Maria De Rubertis, Agnese Cerina, Marianna Bonifacio, Dina Bonini, and Edvige Gasparini;

H. R. 901. An act to provide for the admission of Janet and Daisy Wong to the United States;

H. R. 1102. An act for the relief of Emilio Torres;

H. R. 1128. An act for the relief of Harvey McFarland and Laurance Anthony Warnock;

H. R. 1136. An act for the relief of Sister Natalie (Marie Palagyi) and Sister Alice (Elizabeth Slachta);

H. R. 1203. An act to authorize officers designated by the Secretary of the Air Force to take action on reports of survey and vouchers pertaining to Government property;

H. R. 1253. An act for the relief of Jack A. Witham;

H. R. 1420. An act for the relief of Dr. Eugen Jose Singer and Mrs. Frieda Singer;

H. R. 1463. An act for the relief of David Lee Harrigan;

H. R. 1598. An act for the relief of Hanoh Sarapanovschi (also known as Hanoh Charat), Gizela (Gizele) Sarapanovschi (nee Levy), and Philippe Sarapanovschi;

H. R. 1816. An act for the relief of Shoemon Takano;

H. R. 1818. An act for the relief of Hego Fuchino;

H. R. 2165. An act for the relief of Matthew Terry;

H. R. 2444. An act for the relief of James A. Vines;

H. R. 2459. An act for the relief of Ollie O. Evans, Jr.;

H. R. 2498. An act for the relief of Marianne and Michel Speelman;

H. R. 2562. An act amending section 437 (c) of the Internal Revenue Code;

H. R. 2621. An act for the relief of Mrs. Giulia Di Gaetano Coccia;

H. R. 2745. An act to amend section 2801 (c) (1) of the Internal Revenue Code;

H. R. 2807. An act for the relief of Stanislaw Poborski;

H. R. 2916. An act for the relief of Shizu Terauchi Parks;

H. R. 3026. An act for the relief of Joseph A. Ferrari;

H. R. 3128. An act for the relief of Blaine Dovico;

H. R. 3436. An act authorizing vessels of Canadian registry to transport grain between United States ports on the Great Lakes during 1951;

H. R. 3585. An act to authorize and direct the Administrator of General Services to transfer to the Department of the Navy certain property located at Decatur, Ill.;

H. R. 3818. An act for the relief of Yutaka Nakaeda;

H. R. 3895. An act for the relief of Ethel Cristeta Berner;

H. R. 3932. An act to provide vocational rehabilitation training for veterans with compensable service-connected disabilities who served on or after June 27, 1950;

H. R. 3965. An act for the relief of five sisters of the Franciscan Missionaries of Mary;

H. R. 4121. An act for the relief of Rafael Alemany;

H. R. 4127. An act for the relief of Mrs. Doris Ellen Young;

H. R. 4463. An act for the relief of Nadine Carol Heslip;

H. R. 4688. An act for the relief of Cecilia Wahls;

H. R. 4756. An act for the relief of George Francis Hammers; and

H. R. 5013. An act to authorize the President to proclaim regulations for preventing collisions at sea.

LEAVE OF ABSENCE

On request of Mr. MCFARLAND, and by unanimous consent, Mr. CLEMENTS was excused from attendance on the sessions of the Senate tomorrow and the remainder of this week.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. FULBRIGHT, and by unanimous consent, a subcommittee of the Foreign Relations Committee, under