

524. By the SPEAKER: Petition of the secretary, Omega Psi Phi Fraternity, Inc., of Howard University, Washington, D. C., relative to the assassination of Harry T. Moore, and offering a reward for the arrest and conviction of the person or persons responsible; to the Committee on the Judiciary.

SENATE

THURSDAY, JANUARY 31, 1952

(Legislative day of Thursday, January 10, 1952)

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

Very Rev. Francis B. Sayre, Jr., dean, Washington Cathedral, Washington, D. C., offered the following prayer:

O God, Father of all, help us in all things to begin in quietness; to remember first Thy will, and to know Thy forgiving peace. So by Thy strength may we renew our common loyalty and brotherly faith. Then follow us, gracious Lord, with Thy blessing through the heat and turmoil of this day. Give us courage to speak openly, fearlessly; but grace too of charity and the power to forgive. Grant us vision to lead; but humbleness to follow as well. Lift our imagination to wide horizons; but hallow us also with patience in trivial duty. Thus, aware of Thy continual care, may we reflect Thy glory in our lives and public trust, to the end that through us Thy people may be encouraged and united in one kindly destiny. Amen.

THE JOURNAL

On request of Mr. McFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 30, 1952, was dispensed with.

LEAVE OF ABSENCE

On request of Mr. BRIDGES, and by unanimous consent, Mr. THYE was excused from attendance on the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. McFARLAND. Mr. President, I ask unanimous consent that Senators be permitted to transact routine business, without debate.

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

AMENDMENT OF TRADING WITH THE ENEMY ACT—RESOLUTION OF FEDERATION OF GERMAN-AMERICAN SOCIETIES OF NEBRASKA

Mr. LANGER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Federation of German-American Societies of Nebraska, relating to the return of certain property acquired by aliens from American citizens. The federation recommended that a similar resolution be adopted at the Third Annual National Resettlement Conference, Chicago, Ill., on January 18 and 19, 1952.

There being no objection, the resolution was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas between 10,000,000 and 12,000,000 men, women, and children of German ethnic origin have been forcibly expelled from their ancestral homes from countries now behind the iron curtain since the close of World War II and are now living in overcrowded, unsanitary and unhealthy conditions in bombed out and dismembered Germany; and

Whereas various American church groups, charitable organizations and societies, as well as millions of individual American citizens have in a spirit of Christian charity and brotherly love, undertaken the enormous task of relief and rehabilitation of the German civilian population; and

Whereas being fully cognizant of the fact that godless communism breeds on human misery and as part of the general relief and rehabilitation program undertaken by these groups and individuals there has been established, with the aid and support of the United States of America, the resettlement in the United States of 55,000 persons from the surplus population now living in Germany; and

Whereas the resettlement work, although very important in itself, is only a small part of the relief and rehabilitation program and is not intended to nor can it solve the immediate problem of improving living conditions in Germany; and

Whereas the funds available for the resettlement program from American church groups, charitable organizations, societies, and individuals are limited by the demands made upon them for direct charity and relief to the German civilian population; and

Whereas the United States Government, through the Office of Alien Property, holds more than \$70,000,000 seized during the war from more than 10,000 estates and trusts created by American citizens which were meant by these American citizens for relief and rehabilitation of their relatives and the civilian population in Germany after the war was over, and the return of these funds would greatly relieve the burden of direct relief; and

Whereas included in this property seized by the Office of Alien Property and now held by the United States Government are the gifts, bequests, devises, and trusts created by American citizens for hospitals, orphanages, charitable organizations, and church groups of all denominations in Germany affiliated with their American brethren and so direly in need of our support to carry on their work; and

Whereas the Office of Alien Property, according to its own reports to Congress, holds more than \$300,000,000 in seized properties and that the total war claims to be paid from said funds do not exceed \$100,000,000, as stated by the War Claims Commission, and that therefore the return of the \$70,000,000 seized from the estates and trusts of American citizens would not jeopardize the payment of war claims; and

Whereas in recognition of these facts, a bipartisan group of United States Senators under the sponsorship of United States Senators William Langer, Herbert O'Connor, Kenneth Wherry, recently deceased, and Hugh Butler introduced legislation in the Eighty-first Congress to return such funds with adequate safeguards that such returns be not made to former members of the Nazi Party; and

Whereas the Senate Judiciary Committee, under the chairmanship of Senator PAT McCARRAN, unanimously recommended that the Congress pass this legislation and in its committee report stated:

"Such property is not enemy property within the strict sense of the word, nor is it enemy property within the spirit of the Trading With the Enemy Act. It is in-

trinsically and inherently American property. Said property was amassed and earned in America by American citizens. It remained in this country to aid and abet the Government in the way all property does to a successful fruition of the war. Certainly, and no one would contend otherwise, it was not the desire of Congress or the people of this country to seize such property"; and

Whereas this legislation was unanimously passed by the United States Senate during the Eighty-first Congress and sent to the House of Representatives for approval, whereupon the legislation was sent to the House Interstate and Foreign Commerce Committee, under the chairmanship of Congressman ROBERT CROSSER, of Cleveland, Ohio, which committee failed to act on the legislation and it therefore died with the adjournment of the Eighty-first Congress; and

Whereas the failure to pass this just legislation has hindered and continues to hinder the work of relief and rehabilitation of the German civilian population so vital to the peace and the well-being of the world; and

Whereas identical legislation was introduced in the Eighty-second Congress known as S. 172 which has again been approved by the Senate Judiciary Committee and is now in the Senate Calendar for final action; and

Whereas a companion bill was introduced in the House of Representatives and was again referred to the House Interstate and Foreign Commerce Committee; and

Whereas the release of these funds would relieve the economic plight of thousands of men, women, and children in Germany and lighten the burden on American church groups, charitable organizations, and individual American citizens, thus making counter funds available for the resettlement program which will otherwise not be available: Now, therefore, be it

Resolved, That the Federation of German American Societies of Nebraska, petition the President of the United States and the Members of Congress urging the immediate passage of this legislation, S. 172, to return such property seized from the estates and trusts of American citizens and making the same available to the German civilian population, religious and charitable groups, as intended by their American friends and relatives, for their relief and rehabilitation; and be it further

Resolved, That this resolution be presented to the delegates attending the third annual resettlement conference in Chicago on January 18 and 19, 1952, for their further action; and be it further

Resolved, That copies of this resolution be sent to the various church groups in the United States and other charitable organizations and societies doing relief work in Germany with the request that they consider similar action; and be it further

Resolved, That copies of this resolution be sent to the President of the United States and to all Members of Congress.

WILLIAM A. PETER,
President, Federation of German-
American Societies of Nebraska.
ADOLPH SCHUETTE,
Secretary.

Approved this 30th day of December in the city of Omaha, Nebr., in the year of our Lord 1951.

JESSAMINE CREEK DAM—RESOLUTION OF COMMON COUNCIL OF FRANKFORT, KY.

Mr. CLEMENTS. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Common Council of the City of Frankfort, Ky., urging an appropriation of \$50,000 to complete the planning of the Jessamine Creek Dam.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

RESOLUTION REQUESTING THE REPRESENTATIVES OF THIS DISTRICT IN CONGRESS TO WORK FOR AN APPROPRIATION REQUEST OF \$50,000 TO COMPLETE THE PLANNING OF THE JESSAMINE CREEK DAM

Whereas there is considerable local interest for the construction of the Jessamine Creek Dam, which, in the opinion of the United States Corps of Engineers, will alleviate all future floods in the city of Frankfort; and

Whereas an appropriation was made available to the United States Corps of Engineers in 1951 for the purpose of defraying the expense of plans and specifications for the construction of the said dam; and

Whereas the appropriation was \$50,000 short of the amount necessary to complete the plans and specifications; and

Whereas the United States Corps of Engineers has recently requested an appropriation of this amount in order to complete their planning work on this project: Now, therefore, be it

Resolved by the Board of Common Council of the City of Frankfort, Ky.:

1. That all Members of Congress, both Senators and Representatives, representing this district be advised that the people of Frankfort are urgently requesting that this dam be constructed at the earliest practical date, and that they investigate this appropriation request from the United States Corps of Engineers and do whatever can possibly be done on behalf of the citizens of Frankfort to see that this \$50,000 request is made available to the United States Corps of Engineers.

2. *Be it further resolved*, That a certified copy of this resolution be sent to United States Senator EARL C. CLEMENTS, United States Senator THOMAS R. UNDERWOOD, and United States Representative JOHN WATTS in order that they may be advised of the people's desires in this respect.

RESOLUTIONS OF INTERNATIONAL ASSOCIATION OF GAME, FISH, AND CONSERVATION COMMISSIONERS

Mr. WILEY. Mr. President, I send to the desk a series of four resolutions adopted in New York on September 11, 1951, at the Forty-first Annual Convention of the International Association of Game, Fish, and Conservation Commissioners.

Down through the years, it has been my pleasure to cooperate with conservation authorities throughout our Nation in order to preserve the great outdoor heritage which is ours and which we want to pass along to future generations.

I ask unanimous consent that the resolutions, as forwarded to me by the distinguished conservation director of my State, Ernest Swift, be printed in the RECORD and be thereafter appropriately referred to the Agriculture Committee.

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

RESOLUTIONS ADOPTED AT THE FORTY-FIRST ANNUAL CONVENTION OF THE INTERNATIONAL ASSOCIATION OF GAME, FISH, AND CONSERVATION COMMISSIONERS, AT ROCHESTER, N. Y., SEPTEMBER 11, 1951

RESOLUTION 1—OPPOSING EXTENSION OF FEDERAL CONTROLS OVER FISH AND GAME

Whereas there is a growing tendency for agencies of the Federal Government, both

civil and military, to promote Federal legislation and regulations designed to usurp State authority over wildlife resources and to use the said resources in a manner contrary to the best interests of the peoples of the respective States: Now, therefore, be it

Resolved by the International Association of Game, Fish, and Conservation Commissioners in conference assembled at Rochester, N. Y., this 11th day of September 1951, That it opposes any retention or extension of controls by any Federal agency, except those now held by the United States Fish and Wildlife Service and the National Park Service, over the wildlife resources of the respective States; and be it further

Resolved, That this association opposes the enactment of H. R. 3233 which would enable commanders of military reservations within the several States to enact rules and regulations inconsistent with State laws and regulations applying to wildlife; be it further

Resolved, That this association shall sponsor appropriate legislation in Congress to read essentially as follows:

"That all hunting on lands owned or controlled by the Federal Government and all fishing in waters owned or controlled by the Federal Government shall be in accordance with the laws of the State in which the area is located."

RESOLUTION 2—FAVORING TACKETT BILL, H. R. 565

Whereas the multiple use nature of the United States forests is hereby recognized; and

Whereas funds for the development of recreational resources on these national forests have not been available for some several years; and

Whereas these past few years have seen a deterioration and decline in the values of recreational resources: Now, therefore, be it

Resolved, That the International Association of Game, Fish, and Conservation Commissioners does hereby recommend the passage of the Tackett bill, H. R. 565, which provides that 10 percent of all moneys received from national forest income shall be available for the development, maintenance, and operation of national forest recreational resources; and be it further

Resolved, That this association goes on record as again opposing any Federal use stamp for hunting and fishing on national forest land.

RESOLUTION 3—NATIONAL FOREST ADVISORY BOARDS

Whereas the national forests and national grazing lands of the West are administered and operated under a multiple use program which embraces watershed protection, timber production, grazing, wildlife management, public recreation, and other valid and legitimate purposes; and

Whereas there now exist under law, national forest advisory boards consisting of domestic livestock interests, with one other forest user being represented, such representation consisting of only one wildlife vote: Now, therefore, be it

Resolved, That the International Association of Game, Fish, and Conservation Commissioners strongly insists that the representation on national forest advisory boards be broadened to provide equal representation and participation by all legitimate users of the national forests and national grazing lands under the multiple use program, specifically including the interests of wildlife, recreation, timber, grazing, and watershed management.

RESOLUTION 9—CONSERVATION EDUCATION

Whereas all progress in conservation depends on public support, which in turn depends on education and information: Therefore be it

Resolved by the International Association of Game, Fish, and Conservation Commissioners in convention assembled at Roch-

ester N. Y., this 11th day of September 1951, That we deem it vitally important to promote the utmost possible expansion and development of all activities for conservation education and information through the schools, press, radio, television, and other means, and we urge the Congress, the State legislatures, and other authorities concerned to provide all necessary funds and facilities for adequate conservation education and information programs.

THE GRAY MARKET IN STEEL—REPORT OF SELECT COMMITTEE ON SMALL BUSINESS (S. REPT. NO. 1141)

Mr. SPARKMAN, from the Select Committee on Small Business, submitted a report relating to the gray market in steel, which was ordered to be printed.

BILLS INTRODUCED

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

By Mr. DOUGLAS:
S. 2558. A bill for the relief of Guenter Hoffmann; to the Committee on the Judiciary.

By Mr. NIXON:
S. 2559. A bill for the relief of Mary L. Barrett; to the Committee on Finance.

S. 2560. A bill to provide for the reinstatement of William A. Burkett as a Senior Special Agent, United States Treasury; to the Committee on Post Office and Civil Service.

By Mr. GREEN:
S. 2561. A bill for the relief of Susan Patricia Manchester; to the Committee on the Judiciary.

By Mr. LANGER:
S. 2562. A bill for the relief of Asob Ulla; to the Committee on the Judiciary.

By Mr. LANGER (for himself, Mr. MUNDT, Mr. MURRAY, Mr. ECTON, Mr. CASE, and Mr. YOUNG):

S. 2563. A bill to authorize the conveyance to the former owners of mineral interests in certain lands in North Dakota, South Dakota, and Montana acquired by the United States under title III of the Bankhead-Jones Farm Tenant Act; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. LANGER when he introduced the above bill, which appear under a separate heading.)

By Mr. FREAR (by request):
S. 2564. A bill to amend the Home Owners' Loan Act of 1933, as amended; to the Committee on Banking and Currency.

By Mr. SPARKMAN (for himself and Mr. HILL):

S. 2565. A bill to extend the period within which courses of instruction may be initiated pursuant to the Servicemen's Readjustment Act of 1944, as amended, by certain veterans unable to avail themselves of such educational benefits because of illness or physical disability; to the Committee on Labor and Public Welfare.

By Mr. McCARRAN:
S. 2566. A bill for the relief of Niccolo Luvissotti; and

S. 2567. A bill to facilitate immigration to areas of the world in need of additional manpower for economic development from certain European countries having surplus manpower; to the Committee on the Judiciary.

(See the remarks of Mr. McCARRAN when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. DOUGLAS:
S. 2568. A bill for the relief of Amy Beverly Wong; to the Committee on the Judiciary.

By Mr. ELLENDER (by request):

S. 2569. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, and the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture and Forestry.

By Mr. DOUGLAS (for himself, Mr. SMATHERS, Mr. TOBEY, Mr. HUNT, Mrs. SMITH of Maine, Mr. MURRAY, Mr. KEFAUVER, and Mr. AIKEN):

S. 2570. A bill to authorize the Attorney General to conduct preference primaries for nomination of candidates for President and Vice President; to the Committee on Rules and Administration.

By Mr. SMATHERS:

S. 2571. A bill for the relief of Ernest Daniel Davis, Jr.; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina:

S. 2572. A bill to provide, in certain cases, reduced postal rates on fourth-class mail sent by members of the Armed Forces of the United States; to the Committee on Post Office and Civil Service.

By Mr. MURRAY:

S. 2573. A bill authorizing the issuance of a patent in fee to Walter Anson Pease; to the Committee on Interior and Insular Affairs.

AMENDMENT OF LEGISLATIVE REORGANIZATION ACT RELATING TO EVALUATION OF FISCAL REQUIREMENTS OF EXECUTIVE AGENCIES—AMENDMENTS

Mr. HAYDEN submitted amendments intended to be proposed by him to the bill (S. 913) to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States, which were ordered to lie on the table and to be printed.

CHANGE OF REFERENCE

On motion by Mr. JOHNSTON of South Carolina, the Committee on Post Office and Civil Service was discharged from the further consideration of the bill (S. 2524) to amend section 1114 of title 18, United States Code, so as to extend its protection to postmasters, officers, and employees of the field service of the Post Office Department, and it was referred to the Committee on the Judiciary.

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. CARLSON:

Address delivered by Senator SEATON at Kansas Day dinner at Topeka, Kans., on January 29, 1952.

By Mr. LEHMAN:

Address entitled "Preserving Free Competitive Enterprise," delivered by Hon. James M. Mead, Federal Trade Commissioner, at National Convention of Motor and Equipment Wholesalers Association, Chicago, Ill., December 3, 1951.

By Mr. McCARRAN:

Address entitled "Statism Versus Liberty War," delivered in Reno, Nev., by Most Rev. Thomas K. Gorman, bishop of Reno.

By Mr. MUNDT:

Statement by former Senator Hawkes with reference to the final report of the Committee to Explore Political Realignment.

An address by George E. Stringfellow, delivered before the seventy-fifth anniversary dinner Reading Lodge, No. 549, F. and A. M., Reading, Pa., on December 15, 1951.

By Mr. PASTORE:

Article published in the Government Standard with respect to honors conferred on newspaper, radio, and TV reporters for strengthening the merit system.

By Mr. DIRKSEN:

Address on the subject of world peace, delivered by William B. Mathews, editor and publisher of the Arizona Daily Star, before the Channel City Club of Santa Barbara, Calif., on January 28, 1952.

By Mr. BENTON:

Article entitled "First Impressions of an Ambassador," published in the January 13, 1952, issue of the Times of India.

Article from the November 1951 issue of the Survey entitled "Call for a New Immigration Policy," by United States Ambassador Chester Bowles.

Editorial in the Record of Meriden, Conn., entitled "We Favor Globetrotting."

Letter to the Council of State Chambers of Commerce on the subject of economy measures passed by the Senate, together with a list of 20 Senate votes.

By Mr. BRIDGES:

Article entitled "Judge Robert P. Patterson as I Knew Him," written by Brig. Gen. Julius Klein, former special assistant to Secretary of War Robert P. Patterson.

Editorial entitled "Results of Not Listening to MacArthur," published in the Manchester (N. H.) Union.

By Mr. HILL:

Editorial entitled "Oil Lobby Is After Our Oil Lands," published in the Machinist for January 31, 1952.

By Mr. McMAHON:

Article entitled "Spokesman or Just an Observer?" written by David Lawrence and published in the Washington Evening Star of January 29, 1952; editorial entitled "Old Line," published in the Washington Post of January 29, 1952; and editorial entitled "Mr. Hoover on NATO," published in the Washington Evening Star of January 29, 1952.

By Mr. BRICKER:

Editorial entitled "The Railroads' Plight," published in the Washington Times-Herald of January 30, 1952.

By Mr. WELKER:

An article entitled "Can't Argue With Them," written by John Breier, and published in the Lewiston (Idaho) Morning Tribune of December 23, 1951.

By Mr. MARTIN:

Editorial entitled "West Europe Must Do Its Full Share," published in the Philadelphia Inquirer of January 30, 1952.

Essay entitled "What the Bill of Rights Means to Me," by Miss Jerry-Lynn Rainwater.

Editorial entitled "Speed Probe of Tax-wasting Price Boosters in CCC," from the Philadelphia Inquirer, regarding investigation of the Commodity Credit Corporation.

CREATION OF A FEDERATION OF EUROPE

Mr. FULBRIGHT. Mr. President, on behalf of myself, the Senator from Connecticut [Mr. McMAHON], and the Senator from Alabama [Mr. SPARKMAN], I submit for appropriate reference a resolution expressing interest in the creation of a Federation of Europe.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 269), submitted by Mr. FULBRIGHT (for himself and other Senators), was referred to the Committee on Foreign Relations, as follows:

Whereas it is now well recognized, both here and abroad, that many past wars, including the two World Wars, have had as one of their underlying causes political disunity in Europe; and

Whereas a vast majority of the statesmen of the Western World now agree that further European unity is vital to the economic and military security of the free world; and

Whereas it is the policy of this Government to encourage all measures looking toward the closer association of the European nations; and

Whereas this Government has already taken positive steps, such as the enactment of the European recovery program and the encouragement of the Organization for European Economic Cooperation and the European Payments Union, which have paved the way for greater unity; and

Whereas a number of important nations of Europe have demonstrated the sincerity of their desire to attain further unity by initiating such unification programs as the Schumann plan, the Council of Europe, and the European defense community; and

Whereas the Foreign Ministers of France, the Federal German Republic, Italy, the Netherlands, Belgium, and Luxemburg declared on December 30, 1951, that the unification of Europe remains one of the essential goals of their Governments; and

Whereas it is believed that the realization of this desire would produce a powerful new democratic state, capable of sustaining itself politically, economically, and militarily and able to contribute greatly to the achievement of world peace; and

Whereas it is clear that the United States has a profound interest in a strong and free Europe: Now, therefore, be it

Resolved, That it is the sense of the United States Senate that this Government declare its interest in the early creation within the framework of the North Atlantic community of a united states of Europe, or whatever other form of political federation the countries concerned deem most suitable; be it further

Resolved, That it is the sense of the Senate that it would welcome the calling of a European constitutional convention to lay the groundwork for a European political federation at the earliest date possible; and be it further

Resolved, That it is the sense of the Senate that this Government now proclaim its intention of cooperating with any new European federal government that may be brought into being; and finally be it

Resolved That it is the sense of the Senate that the collaboration of a united states of Europe and the United States of America along with the other free nations of the world, dedicated to the same principles, would be one of the greatest contributions of this century to the preservation of freedom and the attainment of peace on earth.

Mr. FULBRIGHT. Mr. President, I ask that there be printed in the RECORD at this point, following the printing of the resolution, a letter addressed by the Senators who are sponsoring the resolution to the President of the United States, dated January 30, 1952, concern-

ing the resolution, and the reply from the President endorsing it.

The VICE PRESIDENT. Without objection, the letters will be printed.

The letters are as follows:

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
January 30, 1952.

The Honorable HARRY S. TRUMAN,
The President,
The White House,
Washington, D. C.

DEAR MR. PRESIDENT: AS YOU KNOW, since becoming Members of the United States Senate, our efforts have been directed toward the establishment and maintenance of peace and the preservation of the dignity of man. In order to be fully equipped to make the maximum contribution toward the achievement of this end, we have given constant study and consideration both to political and economic history and to the possible solutions to the many problems confronting those people of the world desiring peace and freedom.

We have discussed these questions with our colleagues and with many of the leading statesmen of the world. We have long been convinced and, are now more firmly convinced than ever, that the creation of a political federation in Europe would be a great contribution—in fact, a necessary step—toward the achievement of these objectives.

The will to achieve federation is present among the people of Europe, as well as among their statesmen and their leaders. We believe the necessity is felt. This Government has taken positive steps to encourage, indeed to facilitate, such a federation. The Congress has manifested in legislation over the past several years its interest in European unity. What is now needed is a clear statement by this Government formally declaring its sympathy for the creation of a political federation in Europe. We should encourage the European countries to call a constitutional convention to lay the groundwork for European political federation at the earliest possible date.

With this in mind, we intend to introduce the attached resolution in the United States Senate. It is our sincere hope that you will find it possible to lend it your support and encouragement.

Respectfully yours,

J. WILLIAM FULBRIGHT,
United States Senator,
BRIEN McMAHON,
United States Senator,
JOHN J. SPARKMAN,
United States Senator.

THE WHITE HOUSE,
Washington, January 30, 1952.

HON. J. W. FULBRIGHT,
HON. BRIEN McMAHON,
HON. JOHN J. SPARKMAN,
The United States Senate,
Washington, D. C.

DEAR SENATORS: I have your letter advising me of your intention to introduce a resolution designed to bring about a declaration by this Government of its sympathy for the early creation, within the framework of the North Atlantic community, of a political federation in Europe.

I believe such a declaration would do much to encourage our European friends to move ahead vigorously toward this objective. I believe sincerely that the creation of a political federation in Europe, uniting the strength of free peoples on that continent, would be one of the greatest contributions that could be made toward the advancement of freedom and the maintenance of peace.

It is my hope that the United States Senate will give this resolution its careful consideration and its wholehearted approval.

Sincerely yours,

HARRY S. TRUMAN.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that I may speak for about 2 minutes in explanation of the resolution.

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

Mr. FULBRIGHT. Mr. President, I consider this to be a very historic resolution. For centuries some of the wisest men in the world have advocated the political unification of Europe. Many of the bloodiest wars, particularly the two world wars in which we have been involved, have grown out of the friction which has resulted from the political and economic fragmentation of Europe. So this resolution we are advocating is not an idealistic dream. The European leaders themselves are taking the lead and are making progress toward the economic integration of their countries, as proved by the adoption of the Schuman plan only a few days ago by the legislature of Western Germany.

Mr. President, I am very pleased, indeed, that the President of the United States has given his strong approval to the resolution. In my opinion, it is one of the most hopeful and farsighted policies he has ever supported.

I sincerely trust that the Committee on Foreign Relations will hold hearings on the resolution at an early date.

Mr. CONNALLY. Mr. President, I have just come into the Chamber. What is the resolution to which the Senator is referring?

Mr. FULBRIGHT. It is a resolution presented by myself, the Senator from Connecticut [Mr. McMAHON], and the Senator from Alabama [Mr. SPARKMAN], to be referred to the Committee on Foreign Relations. It concerns the proposed federation of Europe. I have just stated that I hope very much that the Committee on Foreign Relations will find an opportunity to hold hearings on the resolution in the near future.

Mr. CONNALLY. Does the resolution empower us to bring about the federation and set it up in Europe?

Mr. FULBRIGHT. I would not say that it goes that far. It expresses our approval and hearty support of the efforts which are being made in Europe now to bring about a political federation, and, in my opinion, it would be a great step forward if we could assist in achieving that objective. I think we should do all we can to promote it.

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

Mr. FULBRIGHT. I yield to the Senator from Connecticut.

Mr. McMAHON. I hope we will be able to go forward with the resolution in the Committee on Foreign Relations.

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

Mr. McMAHON. I do not have the floor.

Mr. FULBRIGHT. I have yielded to the Senator from Connecticut.

Mr. CONNALLY. Both the Senator from Arkansas and the Senator from Connecticut are members of the Committee on Foreign Relations, and they can be heard before the committee. It does not take a resolution of the Senate to enable two such able and distinguished members of the committee who are proponents of the resolution to get a hearing before the committee.

Mr. McMAHON. I thank the Senator from Texas.

The VICE PRESIDENT. The Senator's time has expired.

Mr. McMAHON. Mr. President, I ask unanimous consent that I may address the Senate for 3 minutes on the subject which has just been discussed.

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

Mr. McMAHON. Mr. President, I appreciate the cooperative spirit which has been evidenced by the chairman of the Committee on Foreign Relations in this matter. I hope the committee will be able to consider the resolution very quickly, because it is a matter of the first importance. I came firmly to that conclusion after attending the meeting at Strasbourg of the 14 Members of Congress who convened with the delegates of the European Consultative Assembly for a 5-day meeting.

This resolution, if adopted, would place the Senate on record in favor of the immediate calling of a constitutional assemblage in Europe for the purpose of bringing about a United States of Europe, which means the political, economic, and military unification of that continent. I say to the Senate that unless that is achieved, we shall not be able to relieve ourselves of the burden which we are now carrying.

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

Mr. McMAHON. I yield.

Mr. FULBRIGHT. I agree with the Senator entirely in that remark. I am particularly pleased that the President of the United States, speaking certainly for the executive branch of the Government, has now given his strong approval to this proposal. I think it is a very great step forward.

AMERICAN CITIZENS IMPRISONED IN COMMUNIST CHINA

Mr. KNOWLAND. Mr. President, I ask unanimous consent to proceed for not to exceed 5 minutes.

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

Mr. KNOWLAND. On December 9th I released to the press and to the American public for the first time a list of 32 American citizens who have been imprisoned by the Chinese Communists. These are civilians, some of whom have been in Communist jails for a period of a year

or more. I ask unanimous consent that this list be printed in the RECORD at this point as a part of my remarks.

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

American citizens believed to be imprisoned in China

Name	Organization	Approximate date of arrest	Place
1. Bersohn, Malcolm	American medical student at Peiping	July —, 1951	Peiping.
2, 3. Bradshaw, Dr. Homer V. and wife.	Presbyterian mission		Lien Hsien, Kwangtung.
4. Bryan, Robert T.	American attorney at Shanghai	Feb. 13, 1951	Shanghai.
5. Buol, Lawrence R.	C. A. T.	Jan. —, 1950	Kunming.
6. Cline, Philip (deceased)	Private business		Tsingtao.
7. Cooley, Frank	YMCA, Chungking	Sept. —, 1951	Chungking.
8. Donnelly, Jerome	Franciscan Fathers	Jan. —, 1951	Sung tze, Hsien, Hupei.
9. Fahy, Eugene	Jesuit Fathers	July 31, 1951	Yangchow, Kiangsu.
10. Ford, Bishop Francis	Maryknoll mission	Apr. 14, 1951	Arrested Muiyuen, Kwangtung (now at Canton).
11. Gaspard, Raymond A.	Maryknoll Mission	Apr. —, 1951	Loting, Kwangtung.
12. Gross, Fulgence	Franciscan Missionary Union	Jan. —, 1951	Tsingtao.
13. Kanady, Dilmus	Edward T. Robertson & Sons	Apr. 26, 1951	Shanghai.
14. Kiehn, Arnold Milton	Private business	Mar. —, 1951	Do.
15. Kowalski, Bishop Robert	Franciscan Fathers	June —, 1951	Wuchang, Hupei.
16. Lovegren, Levi A.	Conservative Baptist Foreign Mission Society	Jan. 15, 1951	Yaen, Sikan Province.
17. McCann, Robert	Frazar, Federal, Inc. (auto agency) (manager)	June 14, 1951	Tientsin.
18. Middleton, Dorothy	Presbyterian mission	Apr. 30, 1951	Lien Hsien, Kwangtung.
19. Mills, Harriet	Peking University	July 25, 1951	Peiping.
20. Morse, Justin Russell	Yunnan-Tibetan Christian Mission	Mar. —, 1951	Kunming.
21. Perkins, Sarah	Presbyterian mission	Mar. —, 1951	Lien Hsien, Kwangtung.
22. Pinger, Bishop Ambrose H.	Franciscan Missionary Union	Aug. —, 1951	Tsingtao.
23. Redmond, Hugh Francis	Private business	Apr. 26, 1951	Shanghai.
24. Rickett, W. A.	Peking University	July 25, 1951	Peiping.
25. Ryan, Sister Joan Marie	Maryknoll Mission	Apr. 14, 1951	Arrested at Muiyuen (moved to Canton).
26. Ryan, William	Jesuit Seminary	Apr. 31, 1951	Yangchow.
27. Schneider, Siegfried	Catholic mission	June 4, 1951	Hankow.
28. Stockwell, Francis Olin	Methodist mission	Nov. 26, 1950	Chungking.
29. Swift, John	Franciscan Missionary Union	Jan. —, 1951	Tsingtao.
30. Thornton, James	Jesuit Seminary	July 31, 1951	Yangchow.
31. Ubinger, Paul Joseph	Passionist mission	July 1, 1951	Yuanling, Hunan.
32. Winter, W. L.	Presbyterian mission	Jan. 25, 1951	Lien Hsien, Kwangtung.

Mr. KNOWLAND. Mr. President, I also ask that there be printed in the RECORD at this point as a part of my remarks an article published in the Houston (Tex.) Post of December 10, 1951, dealing with one of the gentlemen, a Texan, who has been imprisoned.

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

KANADY AMONG THIRTY-TWO AMERICANS HELD BY REDS—SENATOR REVEALS CONFIDENTIAL LIST

The case of Dilmus T. Kanady, Houstonian, held prisoner by the Chinese Reds, has stirred up so much fire that Senator WILLIAM P. KNOWLAND, Republican, of California, released during the week end a confidential State Department list of the names of 32 Americans being held prisoner in China.

Senator KNOWLAND, in making the names public, demanded that the United States Government take steps to free them before the Korean truce negotiations proceed any further.

TAKES RESPONSIBILITY

The Senator said he released the list on his own responsibility, despite the fact the list was marked "confidential."

The name of young Kanady appeared on the list.

It listed the date of his arrest as April 26.

PHONY CHARGES

The State Department gave no further information, but the young man's father, Delbert T. Kanady, of 1415 Bonnie Brae, believes his son was arrested on phony espionage charges.

It was the elder Kanady who came to the press last Thursday after repeated correspondence with Representative ALBERT THOMAS, Senator LYNDON JOHNSON, and the State Department failed to establish whether his son was dead or alive.

CONNALLY PROMISED ACTION

Mr. Kanady produced some letters today from Senator TOM CONNALLY in which the Senator promised a friend of the Kanadys that he would request a report from the State Department in the case and call for "whatever action may be suggested looking to the young man's release."

The letter, dated October 10, was sent to M. B. Holleman at Brenham.

CRITICIZES STATE DEPARTMENT

Senator KNOWLAND over the week end criticized the State Department for trying to keep the list of prisoners secret. The State Department answered that publicity might endanger chances of freeing the prisoners.

The State Department had suggested also to Mr. Kanady that the story of his son's imprisonment be kept out of the papers. It was only after months of frustration that Mr. Kanady decided to take the case to the people.

STILL TRYING

"The Department continues to make every effort to free those held in prison or detained against their will," said the State Department.

"The Department, however, does not consider it advisable at this time to make public the steps it is taking and has taken until it has exhausted every effort to accomplish the release of the detained Americans."

THREE HUNDRED IN CHINA

The State Department said there are 300 United States citizens still in Communist China. Not all are in jail, however.

Most of the persons on the list released by Senator KNOWLAND are Catholic and Protestant missionaries. There are five women.

THE LIST

This is the list, with the occupation and approximate time and place of arrest:

Malcolm Bersohn, medical student, July 1951, Peiping.

Dr. and Mrs. Homer V. Bradshaw, Presbyterian Mission, date not known, Kwangtung. Robert T. Bryan, international lawyer, February 13, 1951, Shanghai.

Lawrence R. Buol, China Air Transport, January 1950, Kunming.

Philip Cline, businessman, date uncertain, Tsingtao.

Frank Cooley, YMCA, September 1951, Chungking.

CATHOLIC MISSIONARIES

Jerome Donnelly, Franciscan Fathers, January 1951, Sungtze, Hsien, Hupei.

Eugene Fahy, Jesuit Fathers, July 31, 1951, Yangchow, Kiangsu.

Bishop Francis X. Ford, Maryknoll Mission, April 14, 1951, Muiyuen, Kwanbtung; now believed in Canton.

Raymond A. Gaspard, Maryknoll Mission, April 1951, Loting, Kwangtung.

Fulgence Gross, Franciscan Missionary Union, January 1951, Tsingtao.

Dilmus Kanady, Edward T. Robertson and Son's Agency, April 26, 1951, Shanghai.

Arnold Milton Kiehn, businessman, March 1951, Shanghai.

Bishop Robert Kowalski, Franciscan Fathers, June 1951, Wuchang, Hupei.

BAPTIST MISSIONARY

Levi Lovegren, Conservative Baptist Foreign Mission Society, January 15, 1951, Yaen, Sikan Province.

Robert McCann, auto agency manager, June 14, 1951, Tientsin.

Dorothy Middleton, Presbyterian Mission, April 30, 1951, Lien Hsien, Kwangtung.

Harriet Mills, Peking University, July 25, 1951, Peiping.

Justin Russell Morse, Yunnan-Tibetan Christian Mission, March 1951, Kunming.

Sarah Perkins, Presbyterian Mission, March 1951, Lien Hsien, Kwangtung.

NUN HELD, TOO

Bishop Ambrose H. Pinger, Franciscan Missionary Union, August 1951, Tsingtao.

Hugh Francis Redmond, businessman, April 26, 1951, Shanghai.

W. A. Rickett, Peking University, July 25, 1951, Peking.

Sister Jean Marie Ryan, Maryknoll Mission, April 24, 1951, Muiyuen (moved to Canton).

William Ryan, Jesuit Seminary, April 31, 1951, Yangchow.

Siegfried Schneider, Catholic Mission, June 4, 1951, Hankow.

Francis Olin Stockwell, Methodist Mission, November 26, 1950, Chungking.

John Swift, Franciscan Missionary Union, January 1951, Tsingtao.

MORE MISSIONARIES

James Thornton, Jesuit Seminary, July 31, 1951, Yangchow.

Paul Joseph Ubinger, Passionist Mission, July 1, 1951, Yuanling, Hunan.

W. L. Winter, Presbyterian Mission, January 25, 1951, Lien Hsien, Kwangtung.

Apparently, young Kanady was arrested with Mr. Redmond. Both were picked up on the same day in Shanghai. And reports from Hong Kong said two businessmen had been arrested together.

Mr. KNOWLAND. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a letter which I addressed to a certain individual, who asks that his name be held confidential, which I shall do. He had raised some objection to this information being made public, on the ground that anything the senior Senator from California and certain other Senators might say on the floor of the Senate would only irritate the Chinese Communists. That was given as an excuse for remaining silent. This letter is my reply to him.

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

JANUARY 9, 1952.

Your letter of December 5 was awaiting me upon my return to Washington. Please rest assured that I appreciate your frank expression of opinion regarding the Americans now imprisoned and detained in Communist China and the procedures which, in your judgment, should best be followed to secure their release.

First of all, I am fully conversant with the fact that whatever this Nation does in the field of international affairs or whatever responsible officials of the Government, in either the legislative or the executive branches, may do will be subject to deliberate misrepresentation by the Communist propaganda agencies throughout the world.

On the basis of your argument however, Congressman JUDD, Senator SMITH, Senator FERGUSON, Senator McCARRAN, Senator BRIMGES, and other Republicans and Democrats, who have been active in opposing recognition of Communist China and in urging aid to the Republic of China, should remain silent so that the Communists will not be irritated and therefore less likely to take an adamant position relative to the release of Americans now held.

We have a responsibility as elected representatives of the people which we cannot and should not abdicate on any such theory.

In a community the extortionist, the kidnaper, and the blackmailer are able to carry on their activities only in darkness. The threat is always the same. If the family goes to the authorities, the victim will be killed or tortured and hence it is easier to remain quiet, pay the ransom and leave the criminal free to select his next victim and widen his field of operations. In a community this is destructive to law and order and ultimately would mean a breakdown of the civil authority into the hands of criminals.

Negotiations are now going on in Korea. If the Chinese Communists are sincere in wanting a settlement on honorable terms, now is the time for the Government of the United States to show a real and determined interest in the fate of these American citizens in the hands of the Chinese Communists. To let this opportunity pass will not only be a fatal policy in the long run, but it will be a discouragement to the individuals involved and to their loved ones at home.

I worked as long as I could with the State Department without making the information public. After consideration of all the arguments that you and the State Department have made and after discussing the matter with relatives and others interested in the fate of these people in China, I took the responsibility to bring this matter to the attention of the American Congress and the American people.

So that you may be more adequately informed, I am enclosing a copy of a letter I received from the State Department dated December 14 and a copy of my telegram to Secretary Webb of December 21.

Please rest assured that I am glad to have your views.

Sincerely yours,

WILLIAM F. KNOWLAND.

Mr. KNOWLAND. Mr. President, I invite the attention of the Senate, and particularly of members of the Foreign Relations Committee as well as members of the Subcommittee on Appropriations dealing with State Department appropriations, to the following facts:

On December 26, at the close of some negotiations and discussions with the Department of State, I released to the press a letter which had been sent to me by Mr. James E. Webb, Under Secretary, and a copy of my telegraphic reply to

him, dealing with the subject of the 32 Americans who have been imprisoned by Communist China. I ask unanimous consent that the correspondence be printed in the RECORD at this point, as a part of my remarks.

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

DECEMBER 14, 1951.

HON. WILLIAM F. KNOWLAND,
United States Senator.

DEAR SENATOR KNOWLAND: It was with deep regret that I learned of your release to the press of the names of the American citizens imprisoned in Communist China. Mr. Rusk sent you this list in confidence under cover of his letter of October 19. He explained to you that it was the considered judgment of the Department that the list should not be made public. In response to your telegraphed request of November 30 for further information on this subject, you were told on December 1 that such information would be sent you and it was sent on December 7. I note from the press that you decided to release the list on your own responsibility because you did not consider Mr. Rusk's reasoning valid, and that you did so before receiving the Department's letter of December 7.

The Department of State has given full publicity to the fact that Americans are imprisoned by the Chinese Communist regime. It had withheld publication of the names of individuals for three principal reasons:

1. We could not guarantee that such a list was exact, since it depended upon pieces of information from a wide range of sources;

2. In many cases either the persons themselves or their relatives or associates have asked that no publicity be given for fear of impairing rescue moves or for fear of serious consequences to the individuals themselves;

3. The governments which are seeking to aid these individuals have warned that publicity might jeopardize their efforts.

As you were informed, the Department of State has attached considerable importance to the requests of these people primarily interested in the welfare of the imprisoned persons and of the friendly governments trying to help them, and the Department determined after a thorough consideration of all the facts involved that release of individual names or comment on their situation would be contrary to the welfare of the imprisoned citizens.

It need hardly be pointed out that under the President's constitutional authority for the conduct of foreign relations, it is the President and the authorized officers of the Department of State acting as his agents who have responsibility for handling this matter and for determining whether and when this information should be released.

As a United States Senator, you have in the past been given access to classified information on the understanding that it was not to be released to the public. Although the question of whether particular information should or should not be made public may be susceptible to an honest difference of opinion, the decision must be made by those responsible. I regret that in this instance you chose to disregard this fundamental principle and to take independent action.

Sincerely yours,

JAMES E. WEBB,
Under Secretary.

[Wire from Senator WILLIAM F. KNOWLAND to Under Secretary James E. Webb]

DECEMBER 21, 1951

JAMES E. WEBB,
Under Secretary of State,

Washington, D. C.:

Your letter of December 14 was awaiting me upon my return to Oakland. As a Mem-

ber of the United States Senate I believe that the Congress of the United States which is coequal branch of the Government also has a responsibility in regard to American citizens who are unjustly imprisoned by Communist governments any place in the world. I shall be prepared to discuss this further with you in person when I return to Washington and also intend to discuss the issues involved on the floor of the United States Senate. It so happens that I have received a considerable number of communications from relatives of imprisoned American citizens expressing their great appreciation for the action I took in making the names known to the American people.

There was a time in our history when the Government of the United States was prepared to use more than words in protecting Americans abroad. That was prior to the time the Government of the United States embarked upon a policy of vacillation and weakness in a matter of this grave nature. President Theodore Roosevelt in 1901 enunciated the doctrine of "Perdicaris alive or Raisuli dead."

What I want to know specifically is whether or not the Department of State has taken steps in the current cease-fire negotiations to assure that the 33 Americans now jailed in China, the 30 or more under house arrest, and the 300 who have been refused exit visas to get out of Red China are able to leave Red China and return to the United States.

I do not intend to remain silent when if this opportunity passes these Americans may remain prisoners or compulsory residents of China for months or years to come unless a strong stand is taken by this Government now. I am as conversant as are you with the President's constitutional authority in regard to foreign relations, but I am also aware that as elected Representatives of the American people the Members of Congress have a responsibility also.

I do not understand that the executive branch of the Government has either the right or the authority to suppress information relating to imprisoned and detained Americans so that neither the Nation nor Congress are fully informed. You may rest assured that both as a Member of the Senate and of the Appropriations Committee this issue will be pressed until these Americans are freed.

WILLIAM F. KNOWLAND,
United States Senator.

THE STATE DEPARTMENT BULLETIN

Mr. KNOWLAND. Mr. President, for some time I have been calling to the attention of members of the Appropriations Committee the fact that it is my judgment that the bulletin of the Department of State which is issued each week is, in fact, a propaganda document on behalf of the policies of the administration. The argument has constantly been made that this is a technical document, which is available to schools and colleges, and to various persons who may wish to subscribe to it. It has been said that it gives a fair presentation of our foreign policy.

It has been my observation that while the speeches of the Secretary of State and those of Mr. Jessup and others are constantly carried in full, I have yet to find printed in this document any remarks by any Member of either the House or the Senate who might differ in the slightest degree with the foreign policy as carried on by the Department of State.

I think we now have a clear-cut case to show that this document is one-sided

in fact. I hope the Subcommittee on Appropriations dealing with the appropriations for the State Department will consider this question when the State Department appropriations are before the subcommittee.

On page 11 of the State Department Bulletin of January 7, 1952, this appears in the second column:

RELEASE OF NAMES OF AMERICAN PRISONERS IN CHINA REGRETTED

(Released to the press December 28)

Following is the text of a letter from Under Secretary of State James E. Webb to Senator WILLIAM F. KNOWLAND, of California, which Senator KNOWLAND released to the press on December 26.

The statement contains Mr. Webb's letter to me. It does not give my reply to Mr. Webb. I invite the attention of Senators to the fact that when I released the correspondence I released his letter to me, in which he was critical of the action I had taken, at the same time I released my reply to him. It seems to me that unless the Congress is to permit this bulletin of the State Department to be used purely as propaganda for the administration in power, the least we can do is to give the other side of the picture.

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

Mr. KNOWLAND. I yield.

Mr. FERGUSON. Is the Senator informed as to the number of copies which are distributed free?

Mr. KNOWLAND. No; I do not have that information. However, I hope the Senate Committee on Appropriations will go into the subject. While this document purports on its face to provide that it may be subscribed to, I rather doubt whether the subscription cost covers the cost of printing, the cost of the paper, and the pay of the employees engaged in the editorial work. It certainly should not be issued under the general thesis that it is an impartial document presenting the facts to the American people, when they have obviously been given in a one-sided presentation.

Mr. FERGUSON. As the Senator from Michigan is on the particular subcommittee which handles the State Department appropriations, I am glad the Senator from California has called attention to this matter.

Mr. KNOWLAND. I will present the document to the Senator.

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

Mr. KNOWLAND. I yield.

Mr. LANGER. Does the Senator know that a great number of speakers are apparently furnished free of cost to any school or college which desires them?

Mr. KNOWLAND. I am not familiar with the details, although I know that a number of persons are engaged in that activity. My only point, I will say to the Senator from North Dakota, is not that facts should not be presented, but that there should be at least a balance in presenting the facts. There should be no one-sided presentation.

WAGE PAYMENTS TO WORKERS AT NEVADA TEST SITE OF ATOMIC ENERGY COMMISSION

Mr. MCMAHON. Mr. President, I have before me a very brief statement on the subject of the \$756 paid to a plumbing superintendent at the test site of the Atomic Energy Commission in Nevada, in which we are all very much interested. A certain individual received \$756 for working a week at the test site near Las Vegas, Nev. We held a hearing yesterday afternoon and developed certain facts. We are not through with our investigation.

The short statement gives a résumé of the facts as they have been developed. I ask unanimous consent that it may be printed in the RECORD at this point, as a part of my remarks. Suffice it to say, however, that the payments were made for a period of 7 days, the week before tests were to start, and construction work was pushed to that extent because about \$30,000 worth of engineering and scientific personnel per day would otherwise have been standing idle if the construction of this particular building had not been completed.

It is not a normal practice in the Commission, far from it. It is not being done at Savannah River or at Paducah, and any implication that it is being done is unwarranted by the facts. I wish to submit a statement of our preliminary investigation. I desire the Senate to know that we are on guard lest there be any throwing away of taxpayers' money on this project.

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

In the past 2 days the press has carried stories concerning exceptionally high wage payments made to workers at the Nevada test site of the Atomic Energy Commission. These reports are based on certain contract appeal hearings now in progress in Los Angeles. In these hearings it was developed that a plumbing superintendent received \$756 for 1 week's pay and that similar exceptional wage payments had been made at the Nevada test site of the Atomic Energy Commission. The Joint Committee on Atomic Energy held a public hearing yesterday afternoon in order to determine the facts concerning wage payments at the Nevada test site. The facts, as developed in this hearing, are as follows:

Mr. M. H. Stewart, plumbing superintendent on the control building was paid \$756 for 123 hours of work during the week of October 16. This is the week directly preceding the start of the fall atomic tests at the Nevada test site. Mr. Stewart was paid \$3.50 per hour, which is the legal minimum established by the Department of Labor as required by the Bacon-Davis Act, for plumbing superintendents in the Las Vegas area. Double time and only double time was paid for all hours worked after 5 p. m. on week days and all hours worked on Saturday and Sunday. These double time payments were in accordance with the agreements between the construction labor unions and the associated contractors in effect in the Las Vegas area. These rates apply on all single-shift operations, and construction at the Las Vegas test site was set up as a single shift operation. Thus Mr. Stewart's payments, considering the hours he worked, were the minimum permitted under the law and the labor union agreements in effect in the area at the time.

The Atomic Energy Commission gives the following reason as a cause for the exceptional circumstances which required this plumbing superintendent to work 123 hours in 1 week. The control building is the nerve center in the operation of the Nevada test site. The building-construction contract was originally awarded to the McNeil Construction Co. of Los Angeles on May 21, on a lump-sum basis, as the low bidder. The contract called for completion in 90 days or by the 19th of August. Five bids were received for this work. McNeil's bid was \$618,000. This sum was subsequently raised to \$660,000 as the result of certain additions to and changes in the building design. The next lowest bidder submitted \$723,000 as its figure, and the highest bidder, Haddock Engineers, Ltd., bid \$896,000. The successful bidder was required to obtain a performance bond. McNeil's performance bond is for slightly over \$300,000. On June 22, Haddock Engineers, Ltd., was awarded a cost-plus-fixed-fee contract for approximately \$6,000,000 to erect certain structures required in the shot area for scientific measurements and observations. These structures were designed by the scientists in the field, and it was therefore impossible to put this work out on lump sum as no designs were available. To further complicate the work of Haddock Engineers, additional tests were added to the schedule during the summer of 1951, and these tests called for additional structures. In order to complete the job on schedule, Haddock Engineers regularly worked its employees overtime and its workers received overtime payments each week. As a result of these overtime payments, great pressure was placed upon lump-sum contractors such as McNeil to pay similar high wages on penalty of losing their workers to the cost-plus-fixed-fee contractors. McNeil did in effect lose large numbers of his workers to Haddock Engineers. By mid-September, McNeil had fallen behind on his construction work to such an extent that drastic action was required in order to complete the control building on time. When it became clear on September 24 that McNeil would not have the control structures ready for use by bomb-testing time, the Commission terminated his contract and gave Haddock Engineers, Ltd., the cost-plus-fixed-fee contractor on the job, cost-plus-fixed-fee contract to complete the control point. Under Government contract law, the Commission was precluded from awarding the cost-plus-fixed-fee completion contract to McNeil; for the law specifically states that the Government may not alter a contract in favor of a contractor. In view of the legal restrictions and McNeil's unwillingness to pay the necessary overtime rates for his own economic reasons, it was decided to award the contract to some other firm. Haddock was on the site. There were only 15 days left in which to complete the structure, and the Commission therefore awarded the cost-plus-fixed-fee completion contract to Haddock.

The latter in effect took over McNeil's labor force and added to it, completing the structure in time for the test. Mr. Stewart, the plumbing superintendent who received the \$756 pay check, was originally an employee of McNeil but was on Haddock's payroll during the week of October 16 (the week before the tests were scheduled to begin) when he received the \$756 payment. As plumbing superintendent, he was familiar with details of the job; and it was actually cheaper, the Commission testified, to pay overtime wages to the plumbing superintendent and the other construction workers on the control point than it would have been to have delayed the tests, thereby requiring 600 scientists and 2,800 Army and Air Force personnel to stand idly by at an estimated cost of \$30,000 per day, excluding the cost of the Army and Air Force personnel. Moreover, if another individual had been called

in to relieve Mr. Stewart, the new man—under the union contract—would have been paid at the same double-time rates, and cost to the Government would have been the same.

As the Chairman of the Atomic Energy Commission indicated, this is not a situation which the Commission likes or condones; but there was in effect no other realistic alternative if the tests were to be carried out on schedule.

The control point was not fully complete at the time of the first test shot, but it was completed to the point where it could be fully utilized for the test. Haddock engineers finally completed the building after the tests were concluded. All of this final completion work following the test was done on a straight-time basis. The Commission estimates that it will cost between \$50,000 and \$100,000 extra for the completed control building. That is approximately \$700,000 to \$750,000 as opposed to McNeil's bid of \$660,000. This would bring the cost up to approximately that of the second lowest bidder and \$150,000 to \$200,000 below that of the highest bidder.

It should be emphasized that these excessive overtime payments are peculiar to the Nevada test site construction program and are not to be found at other large Commission installations. The work schedule at Savannah River, for example, originally started out on a standard 40-hour week. Because of the pressure for completion of this vital national defense project, the schedule has now been moved up to 45 hours per week, with the extra 5 hours being paid for at time and one-half. There is no double-time overtime at the Savannah project, as the local union contracts here call for time and one-half for overtime. At Paducah, the standard work schedule is 48 hours per week, with time and one-half for overtime for all time in excess of 40 hours being paid at this location. In both of these plants, a three-shift schedule is provided for in the union contract, so that overtime is not normally paid for work after 5 o'clock. There is a premium for second- and third-shift work that amounts to 8 hours pay for 7½ or 7 hours work. The Commission said that this, too, is a standard construction-industry procedure.

At one sensitive AEC project in the Middle West, whose completion has been delayed by engineering and other difficulties, a 54-hour week schedule is being used in an effort to make up lost time. Each of these facilities forms a link in the chain of production of atomic weapons; and delays in completion of any of the links delay the production of atomic weapons. The Commission measures the cost of these delays against the cost of overtime payments at a particular project in determining how much overtime should be paid at a specific project which is behind schedule.

With regard to the charges that the cost-plus-fixed-fee contractor pirated labor from the lump-sum contractor, it is worth pointing out that there were several other lump-sum contractors on the Nevada test site in addition to the McNeil company. One of these contractors built the important power-generating facilities. This contractor completed his job in time for the tests, and AEC has advised that during the week of October 16 he paid two of his electrical foremen in excess of \$700 per week in order to complete his job on schedule. In his case, it was also necessary to carry out certain final completion work after the tests had taken place; but here again the facility was usable in time to make the tests schedule. This contractor received no extra payments from the Commission. The same is true of several other lump-sum contractors who got their facilities into usable condition in time for the test and added the final finishing details after the tests were completed. The Com-

mission's reason for canceling McNeil's contract was not that he failed to have his structure completed within the 90-day schedule or even within the 125-day revised schedule, but rather that he refused for his own economic reasons to speed up work sufficiently to insure that the control building would be usable in time for the tests. He thus failed to do what the other lump-sum contractors did in fact do, in spite of the competition from the cost-plus-fixed-fee contractor.

The joint committee has requested a full report from the Atomic Energy Commission concerning all overtime payments on construction at the Nevada test site, together with a report concerning overtime wage payments at all other major construction sites. The joint committee plans to continue to study this matter until all facets have been exhaustively explored.

In connection with press allegations as to the burning of \$30,000 worth of form lumber at the Nevada test site, AEC advises that when Haddock engineers took over the McNeil contract, they found the construction area around the control building practically unusable, due to the trash and lumber strewn about the area. Haddock surveyed the area with the architect-engineer, Holmes and Narver, together with local AEC representatives, and all three agreed that the debris (including quantities of used form lumber) should be gathered up and burned in order to clear the site for more efficient access to the area. The Commission maintains that no individual or group of individuals at this time or at that time were able to agree upon the value of this lumber.

Further investigation is now being made by the joint committee.

UNEMPLOYMENT IN THE AUTOMOBILE INDUSTRY

Mr. FERGUSON. Mr. President, the newspapers have been making much, and properly so, of the serious unemployment situation that has been created in the automobile-production centers by administration policies to curtail the production of motor vehicles. From a level of 1,900,000 passenger cars produced in the third quarter of 1950, production has been progressively reduced, through restrictions of material, to not over 1,000,000 passenger cars for the first quarter of 1952, but with copper for only 930,000 cars. Employment has been correspondingly reduced by more than 150,000 workmen, and working hours have also fallen about 3 hours a week for those still employed.

But the worst, it seems, is still to come. The administration now guarantees that another 65,000 workmen in the industry alone will be laid off beginning with the second quarter. The National Production Authority has released only enough copper in the second quarter of 1952 to build 800,000 automobiles. This will cut production 130,000 cars below the available steel and save only 3,000 tons of copper. Three thousand tons of copper is less than half a day's consumption for the country as a whole. This 3,000 tons of copper, we are told, is not available. They say that copper is an acutely scarce commodity. So it appears that sacrifice must begin in Michigan. Sixty-five thousand automobile workers will be laid off during April, May, and June, because the NPA cannot find 3,000 tons of copper to keep the workmen working. Their wage loss will be over \$60,000,000.

The unemployment compensation during this period of unemployment will be more than \$20,000,000.

Automobile manufacturers could probably buy the 3,000 tons of copper in foreign markets at the world price at a total cost of about \$3,000,000. So \$3,000,000 worth of copper would enable 65,000 workmen to earn over \$60,000,000. The extra cost for this 3,000 tons above our pegged prices is less than \$2,000,000. But the manufacturers are not to be allowed to pay the extra \$2,000,000 so they can pay over \$60,000,000 in wages and save over \$20,000,000 in unemployment compensation.

This does not take into consideration the loss of automobiles to the American people, or the sales of such automobiles and the people who would be employed in the making of the sales.

Who is responsible for this situation? Why cannot the manufacturers buy this 3,000 tons of copper?

I have spent some time in an effort to obtain an answer to these two questions. The information I have obtained from official Government records fixes the responsibility where the responsibility lies—squarely on the administration in Washington.

Let us go back and look at the administration's own record. The reports of the ECA Administrator state that between April 3, 1948, and June 30, 1951, the United States, through ECA, purchased, paid for, and gave away \$325,000,000 worth of copper. Some of this was bought in the United States; most of it was bought in South America and Canada. The reports do not show the exact weight of copper bought. Assuming an average price of 25 cents a pound more than 600,000 tons of copper have been given away by the United States since 1948. All we need now to keep that 65,000 automobile workmen working is less than 1 percent of what we have given away in the past 4 years.

The ECA's published records do not disclose in detail specifically who got how much copper for what. They indicate only in general terms the country to which the allocation was made and the general purpose.

We do know, however, that while our automobile producers could be put in jail if they pay over 24½ cents a pound for domestic copper, the Administrator has been giving other countries the money to buy foreign copper at over 50 cents a pound. So what is called a black market in private business at home is "economic cooperation" by governments abroad.

How could it be that with an increased world supply of copper the world's greatest copper-using nation, and one of the world's greatest copper producing nations does not have enough copper to keep its citizens working? Why cannot we get an additional 3,000 tons of copper and avoid the staggering losses which these men now face? Why should men who are helping to pay the heaviest taxes in our history, now be the victims of our international economic planning?

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. FERGUSON. I would rather not yield until I have completed my remarks.

When I have finished my remarks, I shall be very glad to yield, and I hope the Senator will remain so that I may yield to him then.

In looking into this situation, my attention was called to some remarks by Mr. C. E. Wilson, Director of Defense Mobilization, as reported in the New York Herald Tribune on January 10, 1952, when he was quoted as saying that "efforts are under way to get a better allocation of copper for the United States from the International Materials Conference."

I wish to emphasize the words "International Materials Conference."

This was a strange reference. A search of the Congressional Directory disclosed no organization known as the International Materials Conference authorized by any statute of this Congress. So further inquiries were in order. Those inquiries disclosed that the International Materials Conference was established by the joint action of our State Department—let me emphasize the point that it was done by our State Department—with the Governments of France and the United Kingdom, according to a release dated January 12, 1951, by the State Department.

This announcement followed closely upon Prime Minister Attlee's visit to the United States, during which, according to published reports, he pleaded for an increased share of the world's materials at a price which Britain "could afford to pay."

Again on February 21, 1951, in a press release, Secretary Acheson announced that six committees had already been formed to deal with six commodities including copper.

On September 28, 1951, the International Materials Conference issued a press release which stated:

The copper-zinc-lead committee of the International Materials Conference announced today that its member governments have accepted its proposals for the allocation of copper and zinc for the fourth quarter of 1951.

The Chilean Government accepted the committee's recommendations with respect to 80 percent of the copper production of its large mines. With the respect to the remaining 20 percent and the production of its small and medium mines it reserves the right to dispose of this tonnage without reference to the allocation scheme. Notwithstanding this reservation, the Chilean Government stated that it will give careful consideration wherever possible to the committee's recommendations.

The allocations for each participating country are in the form of a "total entitlement for consumption"—the amount of primary metal which may be processed or consumed—

Mr. President, I emphasize the words "processed or consumed"—

by the country concerned, either from domestic production or imports. They do not specify from which source or sources a country's metal shall be obtained. Participating countries will, therefore, be free to purchase from any source or sell to any destination within their allocation, but it is suggested that so far as possible the normal patterns of trade should be followed.

In accepting the plan, governments assume the responsibility for seeing that the allocations are not exceeded.

Note well the last sentence of this release, Mr. President. I wish to repeat it for emphasis:

In accepting the plan, governments assume the responsibility for seeing that their allocations are not exceeded.

No policing is provided for in this provision; once they get the copper which we pay for, its disposition is in their hands. On the other hand, our industries are very closely policed on their use of these materials, as is indicated by the fact that we are allowed to make only 930,000 automobiles in the second quarter of 1952. Furthermore, there are no guarantees that none of this copper so allocated and paid for by our funds, will not leak through the Iron Curtain to Russia, to be returned to us in ammunition fired at our boys by Chinese Communists.

On December 20, 1951, the International Materials Conference released its allocations of copper and zinc for the respective nations for the first quarters of 1952 on only 10 days' notice. The amount allocated to the United States as "its entitlement for consumption" was 403,000 short tons. This is about the amount of primary copper that the NPA has authorized for the first quarter of 1952 usage in the United States.

So the facts show, and Mr. Wilson's statement confirms, that the control of copper available to the United States is now in the hands of this international cartel or trust established by the State Department without congressional sanction, and operating as a law unto itself. It publishes no records of its proceedings. It publishes no evidence to indicate the basis upon which these allocations to the different nations are made. It tells us nothing with respect to the political and economic pressures that may enter into their deliberations. Mr. President, it simply tells us, in high-sounding press releases, of our "entitlement for consumption" of copper we paid for in the first place. All we know is one thing: that, as usual, the United States asks less, gets less, and pays the whole bill. So the 65,000 additional automobile workers facing unemployment this spring can thank Mr. Acheson and his world planners, supported by the administration. One week's unemployment compensation for these men would pay the difference between the domestic and foreign price for the 3,000 tons of copper required to keep them employed for the next quarter. The extra cost of that 3,000 tons of copper would be about 5 cents per hour for those 65,000 workmen. I am sure that every one of them would be glad to pay 5 cents per hour, if he could, to keep these jobs.

Nor is this all. We are spending and lending millions of dollars of taxpayers' money to open additional copper resources in the United States. One would think that, since we shall be paying for these additional facilities, we could have all the copper produced by these expenditures. But that is not the way the International Materials Conference works. Our "entitlement for consumption" has been set at about 49 percent of the primary copper available internationally so we are entitled to only 49 per-

cent of whatever additional copper we add to that supply by this enormous American investment and the premium payments.

Where did this figure of 49 percent come from? It appears to be based on the United States proportion of the world's copper consumption in 1950. But in addition to what we consumed, we bought and paid for at least another 600,000 tons between 1948 and 1951, and gave it away. If we had not done so, the world's production and consumption would have been lower, so our share of the total would have been greater than 49 percent, possibly so much as 60 percent. So our present limitation to 49 percent is a result of our previous ill-conceived generosity. Not only did we give the copper away, but now we are crippled by the arithmetic of our own charity. So the International Materials Conference's Marxist notions of each nation's "entitlement to consumption" of copper now end up as the administration's "entitlement to unemployment" for 65,000 additional automobile workers, on top of the thousands already unemployed.

Of course, this will not cure the unemployment situation in the automobile industry, particularly in the Michigan automotive cities. It would only keep unemployment from becoming worse. There is only one way to raise employment in the automotive centers quickly, to a tolerable level, mainly, to increase the allowable passenger car production to 1,100,000 cars per quarter and the allowable truck production to 250,000. This will require so little additional scarce materials in comparison to the cost of the unemployment itself that there is simply no further defense for permitting a continuation of this unjustifiable situation.

These automobile workmen are not the only ones who are victims of this administration's global economic planning. Thousands of workmen in other industries are suffering from the same mistaken actions. I am only using this situation to high light the forces which have caused it.

Thus marxism has now reached international proportions. The central principle of Marxist ideology is from each according to his ability, to each according to his need. That is the basis upon which the new copper trust, the International Conference, is now proceeding to divide up the world's production of copper. Additional international trusts have been and are being created to decide entitlement for consumption for each nation of each of the rest of the scarce materials. International marxism, under American leadership, and British Labor Party inspiration, will then be complete. That policy bankrupted Britain at home, but is now being applied at our expense on an international scale. This policy, carried to its logical conclusion, means the progressive deterioration of the American workmen's standard of living, to the level of the rest of the world. It is a program of American austerity, imposed by agreement by the State Department with other nations, to make our people share this misery of others even though their plight be of their own

making. It is no longer a policy to help others help themselves; it is a policy of asking them to help themselves to our production.

This situation is one of the most fantastic that has yet been developed in the insane muddle this administration has created. It cannot be permitted to continue unchallenged. The establishment of these international trusts with unlimited power over the future of our economy and the destiny of every American business and of every American workingman, allegedly under the authority of the Defense Production Act, is usurpation of the worst kind. Congress conferred authority to regulate economic matters in the emergency to forward the defense of our Nation. It did not grant authority to delegate that control to representatives of foreign nations meeting in secret to divide up our supply of materials. That would have been abdication, not delegation. So that there may be no mistake in the future as to the intent of Congress in this regard, I shall introduce an amendment to the Defense Production Act of 1951 or any extension thereof, to make it perfectly clear to everyone, including the State Department personnel, that no foreign nations nor their representatives shall in any way exercise any of the authority conferred by any act of this Congress. Furthermore, I demand that this administration, which has bought and given away hundreds of thousands of tons of copper to other countries, go and get back the 3,000 additional tons needed to keep these 65,000 workmen at work making automobiles. The International Materials Conference is a creature of our State Department. It is operated with tax money deducted from the pay envelopes of our workers. The administration can get that 3,000 tons on demand.

Mr. President, let me summarize briefly. Here is the situation:

With more than 150,000 persons already unemployed in the automobile industry—and this does not include the many who are unemployed in other industries—the administration, which has so often posed as the friend of the workingman, now proposes to throw an additional 65,000 out of work by curtailing the amount of copper which may be used in automotive production.

Automotive manufacturers would certainly buy the necessary 3,000 tons of copper at world prices if they were permitted to do so. They would be spending about a \$2,000,000 premium for this purpose in order to pay out more than \$60,000,000 in wages and save \$20,000,000 in unemployment compensation which will be necessitated during the second quarter by the present administration policy.

While automobile producers could be jailed for buying domestic copper at more than the domestic price of 24½ cents a pound, the administration is giving foreign countries the money to buy foreign copper, at as much as 50 cents a pound, as a part of our program of international cooperation.

The restriction on American use of copper is imposed by the International Materials Conference, a global organ-

ization set up by Secretary Acheson, without congressional authority, for the international allocation of materials. Committees of this organization meet and decide the "total entitlement for consumption" of each country, including the United States, which, however, pays the bill.

There is no policing of this plan provided for. As far as we know, scarce materials allocated under it could be leaking through the iron curtain to Russia and her satellites for eventual return to us in the form of shells fired at Americans fighting communism in Korea.

The International Materials Conference is in reality an International Raw Materials Trust; most importantly at present it is an International Copper Trust operated by Dean Acheson, with the connivance and support of foreign countries with their hands in the American taxpayers' pockets.

The result is to deprive American workers of employment, force increased unemployment compensation spending and drag the American standard of living down to that of the foreign recipients of our charity.

The 3,000 tons of copper is only eight-tenths of 1 percent of the United States supply and four-tenths of 1 percent of the world supply. This is an election year. Now that this situation is exposed, I predict that the administration for purely practical political reasons will get that 3,000 tons of copper in a hurry.

Mr. President, I notice in today's Washington Daily News, under the headline, "If Washington would let it, Detroit could muscle up its own war materials," an article with Mr. Charles Lucey has written upon this subject. I ask unanimous consent to have the article inserted in the Appendix of the RECORD.

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

Mr. BUTLER of Maryland and Mr. MUNDT addressed the Chair.

The VICE PRESIDENT. Does the Senator from Michigan yield, and if so, to whom?

Mr. FERGUSON. I said I would yield to the Senator from Maryland.

Mr. BUTLER of Maryland. Is it not true that it has been said on this floor many times that it is a policy of the present administration to create scarcity, drive up prices, and then get a larger tax take from the American people?

Mr. FERGUSON. Yes, that has been said.

Mr. BUTLER of Maryland. Could not the situation to which the Senator refers reflect some such scheme? The result is to drive up the price of the automobile to every consumer, to increase the profit to the manufacturer, and thus to make the tax take larger? Is it not merely the same old story of scarcity and a larger tax take?

Mr. FERGUSON. It will have that effect, but it will also have the effect of throwing people out of work. If the Government were to take a second look at it, it would discover that the workman is not paying an income tax on money not earned.

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

Mr. FERGUSON. I yield to the Senator from Connecticut.

Mr. McMAHON. If we pursue the theory now enunciated by the Senator from Michigan, or if we can get the perpetrators of this devilish conspiracy to pursue it sufficiently far, we shall then have no automobiles, we shall have no one at work, there will be no profits to the manufacturer, and the result will be that there will be no taxes. That would result, would it not?

Mr. FERGUSON. If we shut down all industry, that would be the result.

Mr. McMAHON. I hope that those who are engaging in the conspiracy which has been suggested by the Senator from Maryland will restrain themselves before they reach the peak of effectiveness to which the Senator from Maryland apparently thinks they will come.

Mr. BUTLER of Maryland. Mr. President, will the Senator from Michigan yield further?

Mr. FERGUSON. I yield.

Mr. BUTLER of Maryland. So far as the workers are concerned, this is only a momentary situation, a change-over situation, is it not?

Mr. FERGUSON. No; it is more than that.

Mr. BUTLER of Maryland. As I understand, it is but a momentary change-over situation.

Mr. FERGUSON. No; it is much more than that. The result of the policy being pursued is to cut down the number of automobiles to be manufactured, and in many other industries to cut down the amount of work that can be done, because the copper of the world, which includes our own is being divided. I have pointed out, if we found a copper mine today which would produce any great amount of copper, under this agreement we could get only 49 percent of it, because we have to divide all the copper among the nations of the free world. That has been done without consideration by either the Congress or the American people.

Mr. BUTLER of Maryland. I did not know it went that deep or that it was a lasting situation.

Mr. FERGUSON. Yes; it is a lasting situation. It will go on in perpetuity.

Mr. BUTLER of Maryland. So I agree with the Senator from Connecticut that someone take steps to thwart the conspiracy, which is certainly what it is.

Mr. FERGUSON. It will be found that the same thing is happening with respect to lead, zinc, and many other products. We fix the price of American-mined minerals, but we send the taxpayers' money to foreign nations and pay them greater prices for material, which we give away. So we allow the economy of other nations to be raised by obtaining a higher price, while in America we fix the price. Manufacturers in this country are prohibited from buying or using the material; they can use only 49 percent of the world's supply of copper. That is why industries using copper are being shut down and people are being thrown out of work.

RETURN OF MINERAL INTERESTS IN CERTAIN LANDS TO FORMER OWNERS IN NORTH DAKOTA, SOUTH DAKOTA, AND MONTANA

Mr. LANGER. Mr. President, on behalf of myself, the senior Senator from South Dakota [Mr. MUNDT], the Senators from Montana [Mr. MURRAY and Mr. ECTON], the junior Senator from South Dakota [Mr. CASE], and my colleague the junior Senator from North Dakota [Mr. YOUNG], I introduce for appropriate reference a bill to authorize the conveyance to the former owners of mineral interests in certain lands in North Dakota, South Dakota, and Montana acquired by the United States under title III of the Bankhead-Jones Farm Tenant Act. It is one of the most important bills pertaining to the West. I ask unanimous consent that I may be permitted to make a short statement regarding it.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the Senator from North Dakota may proceed.

The bill (S. 2563) to authorize the conveyance to the former owners of mineral interests in certain lands in North Dakota, South Dakota, and Montana acquired by the United States under title III of the Bankhead-Jones Farm Tenant Act, introduced by Mr. LANGER (for himself and other Senators), was read twice by its title and referred to the Committee on Interior and Insular Affairs.

Mr. LANGER. Mr. President, in general, the purpose of this bill is to permit the former owners of certain grazing lands which were sold to the Government to repurchase the minerals they owned in these lands at the time of the conveyance to the United States.

So far as North Dakota is concerned, these lands are practically all situated in the western part of the State, principally in the counties of Slope, Billings, and McKenzie, and in what is commonly known as the Badlands of North Dakota. All the lands affected are situated in the Dust Bowl area.

This area has a romantic history of stock raising from the early days in the eighties when great herds consisting of thousands of cattle were roaming the prairies in western North Dakota, South Dakota, and Montana. As the farming lands in North Dakota and South Dakota were gradually taken up under the Homestead Act, the later settlers moved to the western part of the State, which was the last place available to homesteaders. The result was that the large-scale ranchers gradually disappeared because of the interference by the homesteaders, who attempted not only to raise livestock but also to farm some of these lands. A great influx of these homesteaders and farmers came into the area mostly in the beginning of the twentieth century, and by 1910 and 1915 most of the land which was available under the Homestead Act was taken up by the homesteaders.

Then followed the period of crop failures in the Dust Bowl area, with the result that in the early thirties the drought and the wind and dust storms had caused great economic distress in these States,

and particularly in western North Dakota, where the economic situation of the farmers and ranchers was even worse than in the central or eastern part of the State. Many of them were required to abandon their farms and seek other means of earning a living. A very great percentage of these people, and particularly in the area affected by this bill, were on relief. In 1932, when the farmers were successful in realizing a crop, the prices were so low—approximately 25 or 30 cents a bushel for wheat—that it spelled economic disaster in spite of the good harvest. To cap the climax, the people living in the Badlands area in North Dakota suffered a very severe drought in 1934, with the result that practically all the cattle were shipped out of this area to other parts of the United States, some as far as Texas, and many of the farmers and ranchers lost their herds because of the expense incident to the shipping of the cattle and the unbearable expense of attempting to return them the following year when conditions improved.

I may say, Mr. President, that the senior Senator from North Dakota had a great many cattle for which he paid as high as \$75 or \$80 a head and which were taken over by the Government and shot. The only money I ever received in return was approximately \$17.50.

This Badlands area was, up to that time, an open-range country where stock would run at large. The result was that the one who was able to acquire more cattle, through credit or otherwise, than what his land would be able to sustain would, nevertheless, do so and permit them to run at large and graze over other peoples' lands, the same as they had done in the early days when cattle ran at large and were permitted to graze on lands other than those owned by the stockmen.

For some years before that the agricultural extension agents and the United States Department of Agriculture were attempting to educate the stockmen and ranchers in that area to the idea of controlled grazing, so that whenever there was a dry cycle, which history showed recurred periodically, there would be ample grass to provide for these cattle during the drought period. They pointed to Government experiments, as well as to the practices in other States under the Taylor Grazing Act.

About 1924, the Government contemplated setting up a very small ranching unit in McKenzie County, N. Dak., for the purpose of developing data concerning the livestock industry and the practices of controlled grazing. The Government felt controlled grazing was necessary if we were to have a stable livestock industry. Because of the disheartening experience of the people in the area during the 1934 drought, a drought which lasted 9 years, Mr. President, the sentiment in favor of controlled grazing soon spread in that area. As a result of conferences between the Government representatives and the stockmen, it was decided that if the Government acquired these lands, it would be in a position to lease the lands to some organization to be set up, and the Gov-

ernment could then, by the terms and provisions to be incorporated in its lease, introduce a method of controlled grazing. While there were many who did not desire to dispose of their lands because they had units large enough so that they could practice controlled grazing, the sentiment of the majority nevertheless was that a grazing association should be established and that it should take in all the ranchers in the area. As a result, many who, as stated, did not desire to dispose of their interests, did so in order to be decent and agreeable neighbors, and thus consented to dispose of their lands against their own wishes.

In North Dakota the Government acquired, as we are informed, approximately 912,000 acres between the years 1934 and 1942. The principal purchases were actually made during the years 1935 and 1936 when these people were still under economic distress and bankrupt. The price fixed by the Government, which I believe averaged \$2 an acre in North Dakota, was grossly inadequate, but because of their economic distress the people had no choice, and were forced to sell these lands. In North Dakota and in all this area, lands were at that time at their very lowest value.

While we are referring to values, it may be well to point out the method under which these lands were purchased and the prices paid for the lands. Under the rules which had been adopted by the Department, the perfect land in that area, as we are informed, was fixed at \$15 per acre. Then there was applied a formula that deducted a certain percentage for various differences in soils, distance from markets, distance from schools, availability of water, topography, and a number of other elements, with the result that the average price for the lands in that area would have been perhaps a dollar an acre or less. It was argued at the time that the valuation of \$15 for the perfect land was arbitrary and unfair to the landowners, but because they were prostrate economically they had to accept what was offered to them. There was, in fact, representation made to the Department, and, after a considerable number of conference there was allowed a slight increase of a few cents per acre. This was not an addition for minerals but merely because the price for the land as a whole was so entirely low and out of line.

I might say, Mr. President, that the senior Senator from North Dakota was at that time Governor of the State, and actively participated in these conferences, and as Governor, signed a bill passed by the Legislature of North Dakota providing for these grazing associations.

It is our information that the lands that were purchased during the years 1934 to about 1936 did not average more than \$2 an acre, if that much. That this value was entirely too low and inadequate is indicated by the assessed valuation of these lands. I do not have the statistics concerning their assessed valuation for tax purposes, but the investigation I made of the lands disclosed that the average would be anywhere from about \$4 to \$8 per acre.

In valuing these lands for assessment purposes no consideration was given for the minerals, and there was no provision under the North Dakota law, and there is none now, for the valuing of minerals in the lands or for the taxing of minerals, as distinguished from the surface.

It will be seen from the foregoing that the average amount per acre paid by the Government for these lands, including the minerals, was approximately one-third or one-fourth of the assessed valuation of the lands. It is common knowledge that the assessed valuation of the land for tax purposes is generally a great deal less than the actual market value of such land. Very few people ever sell their lands for the assessed value thereof. Generally, it is a great deal more. This merely points up the economic distress under which these people must have suffered when they were forced to dispose of their lands at such ridiculously low prices.

In passing, it may be well to point out that the same lands which the Government had acquired during the distress period are now worth anywhere from four to six times as much for the surface alone. In addition to that, the Government had operated these lands at a profit during the entire period. This is not a case where the Government, by relinquishing the minerals, would suffer a financial loss. It has already benefited financially in the increased value of the land and had been able to operate the lands profitably during the entire period through the fees charged to the people in the area for the grazing of their stock.

These lands were acquired under title III of the Bankhead-Jones Farm Tenant Act for the purpose of establishing a grazing area only. At that time there was no thought on the part of the sellers, or of the Government, that these lands would be used by the Government for any purpose other than to practice controlled grazing. As a matter of fact, immediately following the initiation of the program a special grazing law was passed by the North Dakota Legislature to enable the people in the area to carry out the controlled grazing program. Not all of the former owners of the land could remain in the area, because a program of this kind necessarily required a thinning out of the ranchers in the area. Many of the little fellows would not have received enough grazing rights to make it economically feasible for them to remain. Others had been compelled to leave even prior to that because of the financial difficulties they had experienced.

I might say that in that area, in one county, 90 percent of the people were on relief. As a matter of fact at that time over one-half the people of North Dakota were on relief.

Those who operated on a small scale were aware that they could not make progress under a program of that kind. The large landowners who wanted to sell were also, to a great extent, influenced by representations by the agencies of the deplorable condition of these pasture lands. For instance, in 1934 it was

stated that the rich grasses such as grama, buffalo, and similar grasses, which had made that particular section of the country known as excellent grazing area, were completely killed off by the drought, and that the lands would most likely have to be reseeded to such grasses if they were ever to come back again. Even then it was doubtful whether such grasses would come back before a period of about 10 years. That they were mistaken in this is evidenced by the fact that in 1935, when the rains came, the pastures again very rapidly greened, and the rich grasses came back to life and the lands were as good as before. However, many relied upon the representations made in making disposition of their lands, in the hope that the grazing lands which had been killed off by the drought would be rehabilitated over the years. Most of the options for the purchase of the lands in those areas were taken in 1934 and in the forepart of 1935.

In the purchasing of these lands no consideration whatever was paid for the minerals. Many of these lands contained coal, which is known to exist in that part of the State, and no consideration whatever was given for that. The majority of the landowners were not aware of the fact that they had the right, under the act by which the land was purchased, to reserve the minerals. Quite a number of them had attempted to reserve the minerals, but were informed that this was impossible under the law. By this, it is not meant to imply that fraud was practiced in the acquisition of the lands. I believe in nearly all instances that it was due to the lack of knowledge of the field man who took the options. These field men were principally farmers or ranchers who lived in the very same vicinity, who were temporarily employed by the Government to obtain the options. It may very well be that since no specific instructions were given them with reference to minerals, they assumed that it was impossible to reserve the minerals, or perhaps, for the purpose of saving themselves the trouble of looking into the matter, they may have reached that conclusion. However, the fact is that quite a number, who were insistent enough—and that includes some lawyers—were permitted to reserve the minerals in the lands that they sold, and paid nothing for the reservation. The result was that there was no uniformity, and discrimination was practiced, in that, in a number of instances, the sellers were permitted to retain the minerals either for 25 or 50 years or perpetually. It is very clear, however, that those who were insistent enough were permitted to retain the minerals without any conditions, and that they paid nothing for the reservation.

I want to stress the fact that no consideration was paid for acquiring these minerals and that there was no distinction in the price paid, whether the minerals were or were not retained by a former owner. We do not know of a single instance in which there was any breakdown of the price as between the surface and the minerals, or any spe-

cial consideration given to the value of the minerals in the purchase of any of these lands in North Dakota.

We all know that there has been some oil activity in the Williston Basin during the past year. Some oil has been found outside the area where these lands are located. No oil has as yet been found in any land in North Dakota covered by the bill, and I believe the same is true in South Dakota and Montana. However, there has been some activity in connection with the leasing of these lands by the oil companies. The former owners feel that because of the gross inadequacy of the consideration paid them, and the fact that these lands were not acquired with any thought of using them for purposes other than grazing, and because there was lack of uniformity and there was discrimination practiced, it would be only just and fair that they be permitted at least to repurchase the minerals that they had given away free of charge to the Government. The bill does not contemplate giving them the minerals without the payment of any consideration, although I personally think they should be returned without payment of any kind. This bill proposes that the former owner, if he is interested and thinks that the minerals may have some value to him, may be permitted to repurchase them within a 3-year period for the consideration of one-fourth of the price which the Government had paid him for the lands. In many places minerals that are still owned by people in that area have been held in recent months for no more than what has been suggested as the consideration for the reacquisition of the minerals. The bill also specifically eliminates from its provisions any 40-acre tract, the boundaries of which may be designated by the Secretary of the Interior, on which there is an existing oil well.

While the Government acquired approximately 912,000 acres in the North Dakota area, it is my opinion that perhaps only half the acreage would be affected by the bill because the Government has retained all minerals, including oil and gas, subsequent to 1914. This bill does not contemplate that the former owner of the surface would have the right to purchase any minerals which the Government originally reserved in its patents to the patentees. It contemplates only the repurchase of the minerals which the Government acquired when it purchased the surface to these lands. Therefore, if the Government reserved the coal only, as it did in a great many instances, the purchaser would be entitled to repurchase only those minerals other than coal. Out of 400,000 or 500,000 acres with respect to which the Government did not reserve the minerals, particularly oil and gas, no doubt there will be a certain percentage who may not desire to avail themselves of the privilege of repurchasing the minerals.

That there is authority and precedent for the right of the surface owner to purchase minerals is evidenced by Public Law 760, of the Eighty-first Congress, passed in 1950, under which the owners of the surface were permitted to purchase the minerals from the Government. This apparently had no reference

to former ownership. As we interpret that law, any present owner of the surface would have that privilege. This act proposes to give the right only to the former owner and his heirs—the one who sacrificed his lands.

As we previously pointed out, the bill excludes tracts on which oil and gas are already being produced and on which a royalty is being paid. It also makes the purchase by the former owner subject to the oil and gas leases which may heretofore have been given by the Government. The consideration which has already been paid to the Government for the leases will be retained by the Government.

I believe that the provisions of the bill are just and fair not only from the standpoint of the purchaser, who has a just cause, but also from the standpoint of the Government, in that it is not required to account for profits made on the lands, whether in the form of leases or otherwise. In addition, it receives fair and just compensation for the minerals. The former owners should, under moral and equitable considerations, be entitled to reacquire the minerals. The bill also corrects discrimination practiced in the purchase of these lands.

The area involved was made famous by President Theodore Roosevelt. The Bad Lands in North Dakota, in which he operated for 3 years, are in the very heart of this area. Everyone who was there during the drought knows that over a great area, because of the continued drought year after year, not even one cow could exist. Not even thistle grass grew. Livestock either starved to death or was shot. The situation was so bad that even chickens starved to death in that area.

As I previously stated, even though that land was assessed at from \$4 to \$8 or \$10 an acre, nevertheless the ranchers living there, unable to make a living, took whatever they could get from the Government under the Bankhead-Jones Act, so that the Government could make a grazing area out of the land. The owners sacrificed their minerals. In fact, they gave them away.

There are joined as sponsors of the bill my distinguished colleague [Mr. YOUNG], the two Senators from South Dakota [Mr. MUNDT and Mr. CASE], and the two Senators from Montana [Mr. MURRAY and Mr. ECTON]. We are all familiar with the situation in that area. We are very anxious that the committee to which the bill may be referred shall have early hearings on the bill in order that prompt action may be taken. We hope that expert witnesses may be called, including those from the Department of Agriculture who have been in charge of the administration of the Bankhead-Jones Act, witnesses from the agricultural colleges of Montana, South Dakota, and North Dakota, and those in charge of the administration of land under the jurisdiction of the Department of the Interior, including the Secretary of the Interior himself, Oscar Chapman. We hope all those witnesses may be called before the committee so that the facts may be promptly presented, and so that we may have action on the bill,

thereby relieving the situation which we believe warrants the kind of action on which we are proposing.

RECENT AIRPLANE CRASH AT ELIZABETH, N. J.

Mr. JOHNSON of Colorado. Mr. President, on January 22, an airplane, as it approached Newark, N. J., crashed at Elizabeth, N. J. On January 23 the Senators from New Jersey [Mr. SMITH and Mr. HENDRICKSON], submitted a concurrent resolution (S. Con. Res. 55) to investigate the airplane crash, in order to determine what steps could be taken to remove the very grave hazards which the crash had illustrated.

The concurrent resolution was sent to the Committee on Interstate and Foreign Commerce. It came to the committee following the committee's regular meeting, and we have not had a regular meeting since the concurrent resolution was referred to the committee. However, when the concurrent resolution was referred to our committee, the members of the committee discussed it and our staff started an immediate investigation, to gather all available information with respect to the very sad and terrifying crash, which took the life of our beloved former Secretary of War Robert Patterson, and the lives of the other passengers on the plane and 6 persons in the city of Elizabeth who were trapped by the crash.

Our staff undertook the investigation immediately. On Tuesday of this week the committee was ready to make its preliminary report to the Senate. However, our committee did not wish to proceed under a joint committee authorization. We wanted it to be a Senate investigation only. Therefore we undertook to amend Concurrent Resolution 55, which was submitted by the distinguished Senators from New Jersey, by making it a Senate study and investigation rather than a joint study and investigation. Much to our surprise we found that we could not do it under the rules of the Senate. We thought we could amend Senate Concurrent Resolution 55, but the Parliamentarian told us that that could not be done.

Yesterday the Senators from New Jersey submitted Senate Resolution 268, so that the matter could come before the Senate and receive action by the Senate.

We have our report ready on Senate Resolution 268. I shall read portions of the report into the RECORD and submit the remainder of it to be printed in the RECORD.

Before I yield the floor I shall ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 268, and I hope that it may be agreed to by the Senate.

The PRESIDING OFFICER (Mr. CLEMENTS in the chair). The Chair understands that the Senator from Colorado wishes the resolution to be considered at this time.

Mr. JOHNSON of Colorado. Yes. Before I yield the floor I shall ask unanimous consent that the Senate proceed

to the consideration of Senate Resolution 268. I am hopeful that the two Senators from New Jersey will have returned to the floor by that time. I do not think it will take very long to consider the resolution. I believe it can be acted upon in a few minutes. However, while we are waiting for the two Senators from New Jersey to return to the floor, I should like to read some excerpts from the report.

The PRESIDING OFFICER. The Chair would suggest that the resolution be considered by the Senate before the report is made by the committee.

Mr. JOHNSON of Colorado. In line with the suggestion of the Chair, I ask unanimous consent for the immediate consideration of Senate Resolution 268.

Mr. BRIDGES. Mr. President, will the Senator from Colorado be good enough to designate the resolution again?

Mr. JOHNSON of Colorado. It is a resolution which was submitted by the two distinguished Senators from New Jersey with respect to airport difficulties at Newark and the very serious airplane crashes which occurred at Elizabeth, N. J. It is Senate Resolution 268.

Mr. BRIDGES. I have no objection. The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 268) was considered and agreed to, as follows:

Resolved, That the Committee on Interstate and Foreign Commerce or any duly authorized subcommittee thereof, shall make a full and complete investigation of (1) the airplane crash which occurred on January 22, 1952, at Elizabeth, N. J., with a view to ascertaining the cause of such crash, and (2) the operation, location, and proposed expansion of the Newark Airport. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation together with such recommendations as it may deem advisable with respect to the elimination of hazards not only to occupants of planes but to residents of the Newark area and the prevention of similar accidents in the future.

The preamble was agreed to.

Mr. JOHNSON of Colorado. Mr. President, I hold in my hand a report which the staff of the Committee on Interstate and Foreign Commerce has made. I shall read excerpts from it and insert the remainder of it in the RECORD. It is supported by documents, which I shall not undertake to read. I shall merely skim through the report.

First, I wish to say that the two Senators from New Jersey have taken a great interest in the matter. It is a subject which concerns the citizens of their State, especially the residents of the cities of Elizabeth and Newark. I wish to commend them for the efforts which they have made, in a most reasonable way. Although it is a very serious matter, they have acted with very commendable restraint in pushing it.

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

Mr. JOHNSON of Colorado. I yield. Mr. FERGUSON. Is the resolution sufficiently broad to include a survey or investigation of the flying of airplanes

over cities? I refer particularly to the city of Detroit. One of the beams between Willow Run and the city airport crosses the city of Detroit, and it is this beam which airplanes use in flying from Cleveland to Willow Run, even though it would be in a more direct line not to fly over the city of Detroit. From inquiries of airplane pilots I learned that the situation is caused by certain beams which they are required to follow. Therefore it is necessary, in following the beam, to fly over the entire western section of Detroit, sometimes even over the downtown area.

I am wondering whether the resolution would be sufficiently broad to include that kind of situation, so that the question of whether anything could be done to avoid flying over cities everywhere in the country could be looked into.

Mr. JOHNSON of Colorado. I shall have to say to the Senator from Michigan that Senate Resolution 268 cannot be broadened to the extent that has been suggested. However, our committee and the staff members of the committee have been and are continuing to make a Nation-wide study of the subject to which the Senator from Michigan has referred.

I did not know there was any difficulty at Detroit. I have flown out of Detroit a few times, and it takes me longer to go from Detroit to Willow Run Airport than it does to fly from Willow Run Airport to Washington.

Mr. FERGUSON. I have the same difficulty.

Mr. JOHNSON of Colorado. I suppose the airport is so far removed from the city in order that there will be no hazard.

The Senator from Michigan says there is also an airport in the city of Detroit, and I assume he refers to that airport rather than to the Willow Run Airport.

Mr. FERGUSON. No. The planes have to fly from Washington to Cleveland and then toward Detroit and then over the western area of Detroit. The pilots advise me that is because the beam runs that way, rather than to have two beams, one to the Detroit city airport and one to the Willow Run Airport. So they have to fly over the city.

Mr. JOHNSON of Colorado. Our committee is glad to have the information the Senator has given us. I assume that we shall make a study of the problem in the Detroit area. However, this resolution is not sufficiently broad for that.

Mr. FERGUSON. If the Senator's committee will look into that problem, that will be sufficient; a special resolution will not be required. I think flying over cities presents a very important problem in all parts of the United States.

Mr. JOHNSON of Colorado. We realize that, too; for instance, not very long ago an Army plane destroyed five homes in the city of Denver.

This matter is one in which our committee has been interested, and in which it will continue to be interested; and we shall continue to study it.

Mr. FERGUSON. If the Senator from Colorado will yield further, let me say that I hope his committee will go into this problem, and also the related problems as they affect the Air Corps, the Army, or whatever may be the other Government agencies affected, in order to avoid having Government planes fly over cities, either for military purposes or to advertise service in the Air Force. We find that to be a hazard, as I have indicated to the committee.

Mr. JOHNSON of Colorado. That is correct. I doubt whether our committee has jurisdiction to go into a matter which is directly a military one, but we are studying it and we shall go into it as far as our jurisdiction will permit us to go.

Mr. FERGUSON. The Senator and his committee could at least be advisory in that connection.

Mr. JOHNSON of Colorado. Yes.

I thank the Senator from Michigan for his interest in this matter, and I assure him that our committee will continue its study, so that at least the Detroit situation may be looked into. We shall make a report to him.

Mr. FERGUSON. If the Senator will make a report, I shall appreciate it.

Mr. JOHNSON of Colorado. Yes, we shall make a report to the Senator from Michigan.

Mr. FERGUSON. I thank the Senator from Colorado very much.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Colorado yield to me?

Mr. JOHNSON of Colorado. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. I should like to say to the distinguished Senator from Colorado that I know my colleague from New Jersey [Mr. HENDRICKSON] will agree with me when I express our deep appreciation for the prompt action taken on this resolution, which was submitted only yesterday.

As the Senator from Colorado has stated, we originally submitted a concurrent resolution; and then, after conferring with the Senator from Colorado, we decided to offer a Senate resolution so that the matter could be dealt with by the Senate committee alone.

I wish also to thank the distinguished Senator from Colorado for the prompt action taken by the members of his staff, because they have been in New Jersey since the first accident in December, and they have also been there during the last week. I have heard from the people there, and they are very grateful for the prompt sending of the committee's inspectors and investigators.

We shall hope to have soon a full report from the Senator's committee in regard to the entire matter. I have not yet been able to determine whether the report to which the Senator has referred relates to it.

Mr. JOHNSON of Colorado. No; this is a preliminary report. Our committee is glad to have the commendation, assistance, and help of the Senators from New Jersey and also of the officials of New Jersey. They have been very helpful to our committee in connection with

ascertaining the facts and in assisting us to prepare to make recommendations which may relieve the intolerable situation in the cities of Elizabeth and Newark.

Mr. President, I have before me a report from our staff. I may say that at this moment our staff is in New York and in the general area of Newark, still continuing to study this problem. Therefore this report is only a preliminary one.

Mr. SMITH of New Jersey. I had the privilege of discussing with a member of the committee's staff some of their preliminary examinations of this entire matter. Of course, all of us in New Jersey are very much concerned with it, and again I wish to commend the Senator from Colorado for the prompt action taken in sending the members of the staff there.

Mr. JOHNSON of Colorado. I thank the Senator.

Mr. HENDRICKSON. Mr. President, will the Senator from Colorado yield to me?

Mr. JOHNSON of Colorado. I yield to the distinguished junior Senator from New Jersey.

Mr. HENDRICKSON. Mr. President, I also wish to thank the distinguished chairman of the Committee on Interstate and Foreign Commerce for the prompt manner in which his able committee have taken steps to investigate the awful tragedy, which has shocked all those who live in that area of New Jersey, as the Senator from Colorado well knows.

It has meant a great deal to the people of New Jersey and to the officials of New Jersey to have the Senator's staff go there so promptly to look into not only the accident but also the measures which may be taken to prevent future tragedies of this character in that whole densely populated area.

I think I can say that the members of the committee's staff were the first ones on the job after the accident occurred, and that fact is well known to the people of New Jersey. As I have said, I know they are grateful to the distinguished Senator from Colorado and to his able committee, and I should like to associate myself with the remarks which have been made by my distinguished colleague the senior Senator from New Jersey [Mr. SMITH].

Mr. JOHNSON of Colorado. Our committee is very grateful to both the Senators from New Jersey and our staff is grateful to them, too, for the help they have given us.

Mr. President, this report will speak for itself; therefore I do not intend to take too much of the time of the Senate in discussing it.

The report includes some documentary evidence which our staff has gathered. I shall not take very much of the time of the Senate at the moment, except to read a few excerpts into the Record, and then I shall ask unanimous consent that the entire report be printed in the Record.

The PRESIDING OFFICER. Does the Senator from Colorado make that request at this time?

Mr. JOHNSON of Colorado. Yes; I now make that request, Mr. President, namely that the entire report be printed

in the RECORD, as a part of my remarks.

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

(See exhibit A.)

Mr. JOHNSON of Colorado. Mr. President, I now read from the report:

THE NEWARK AIRPORT

The Newark Airport is one of the oldest commercial airports in the United States and has served the New York metropolitan area since the inauguration of scheduled airline service. In 1943, Newark Airport was expanded by the United States Army in connection with its military flight operations and it is today considered a valuable national defense asset. This is enhanced by the fact that it is one of the few air terminals on the eastern seaboard that is adjacent to oceangoing shipping terminal facilities. Its great value as a commercial air terminal to northern New Jersey was recognized by the strong opposition that Newark and other municipalities registered when the LaGuardia Airport on Long Island, New York, was developed, and the transfer of many scheduled airline flights thereto was made.

The Port of New York Authority acquired the Newark Airport on October 22, 1947, by a 50-year lease from the city of Newark. This lease required the port authority to develop the airport as a major commercial terminal and to build two sets of parallel runways for use by the heaviest commercial aircraft. A year ago the port authority acquired by condemnation 800 acres of undeveloped land adjoining the south side of the airport and lying within the city of Elizabeth. The city of Elizabeth authorized the abandonment of streets lying therein and is reported to have specifically approved the plans of the authority to expand the airport in its direction.

Closing of the Newark Airport is obviously an action that should be taken only if no other satisfactory way can be found to protect the citizens living in the vicinity of the Newark Airport. The very fact that the Newark Airport is near the center of large populated areas increases its utility as a commercial air terminal provided, of course, it can be operated with adequate safety and without undue annoyance. Its location near a deep water channel increases its national defense value. Many millions of dollars have been invested in the airport by the city of Newark, by the Federal Government, and by the Port of New York Authority. This investment can in all probability be only partially recouped if the land is sold for other uses. Other sites for the Newark terminal were mentioned to the committee investigators but they have not been studied in detail. At this time, the committee has devoted its primary attention to ways and means of improving permanently the safety of flight operations into and out of the present Newark Airport and of reducing the noise and danger to citizens in the adjoining areas.

THE NEWARK INSTRUMENT RUNWAY

The complaints of the citizens of Elizabeth are aggravated by the frequency of airplanes making straight-in instrument approaches from the southwest which take them directly over the business center of Elizabeth. The present ILS instrument landing system is aligned for the use of runway 6 (northeast-southwest). This system directs aircraft by a radio beam. The beam is bisected by an approaching airplane at some designated point along its course and the aircraft then flies "down the beam" to the airport runway. This beam, at one point, passes about 400 feet to the south of Elizabeth courthouse and approximately 550 feet overhead. The built-up section of Elizabeth commences about 1¼ miles from the approach end of runway 6 (northeast-southwest). On takeoff, airplanes fly over Elizabeth only when the wind is from the southwest. It should be kept in mind that, while landing

the engines of aircraft do not develop full power and are not as noisy, therefore, as when the aircraft is climbing following take-off.

To have the approach for an instrument runway pass over a highly congested section of any city is not desirable—

As the Senator from Michigan pointed out in his remarks, today—

and the Civil Aeronautics Administration, which has the responsibility for selecting the instrument runways, avoids such a condition when possible. In a congested metropolitan area like that surrounding the present Newark Airport, it probably is impossible to avoid all congested areas. Runway No. 6 (northeast-southwest) has always been used for instrument landings. According to the CAA, six factors are weighed in making a determination of the runway upon which to install instrument landing aids, namely:

1. Approach areas suitable for the safe maneuvering of aircraft just prior to landing or for continuation of flight in event the landing cannot be made on the first attempt.

2. Direction of approach which is over the most sparsely settled areas.

3. Direction of approach such that the flow of landing aircraft will not conflict with other aircraft in the vicinity.

4. Direction of approach such that landing aircraft will head into the wind prevailing during periods of restricted visibility.

5. A runway with adequate length, width, and clearance from airport structures.

6. Suitable sites for installation of the radio, radar, and lighting aids which comprise the system of landing aids.

No priority is given to any of the six factors listed, and according to the CAA the selection of a given instrument runway generally represents a compromise after all factors have been taken into consideration. A northeast-southwest alignment has been found to be the most desirable for all airports in the New York area.

We have more regarding that in the Appendix.

This does not preclude some realignment—20 degrees—in the instrument runway at Newark as hereinafter discussed.

We touch upon "improvement in flight traffic patterns and procedures," and we touch upon "preferential use of runways under visual flight conditions." We touch upon "adoption of higher crosswind component for 'no-wind conditions.'" We touch upon "radar departure procedures to improve the air traffic pattern in IFR weather," "turns at low altitudes following take-off to avoid congested areas," "possibility of closing the No. 6 instrument runway at Newark Airport," "possibility of temporarily raising the glide path 'beam' for the present No. 6 instrument runway, and the "possibility of raising instrument weather minimums at Newark Airport."

Mr. President, as I say, our committee has not had as much time as we should like. We are still working on the matter, but we felt that the seriousness of the situation at this airport called for an early report, and these are our recommendations at the present time. I do not know whether they will suit anyone, but we do think they are entitled to very serious consideration by the Civil Aeronautics Administration and by others who may be affected thereby.

SUMMARY OF COMMITTEE RECOMMENDATIONS

Your committee recommends:

1. Expedite the completion of the new instrument runway No. 4 at Newark Airport.

2. Designate runway No. 10 as the first priority runway for landings and take-offs when weather permits, not later than February 5, 1952.

3. Examine, and if possible raise, the crosswind component for runway use at Newark Airport.

4. Adopt radar direction as the required departure procedure at Newark for instrument weather as soon as technical equipment is ready.

5. Encourage the practice of making low-altitude turns after take-offs to avoid congested areas whenever the safety of flight will not be endangered.

6. Raise the instrument weather minimums at Newark Airport to a ceiling of 500 feet and 1 mile visibility until such time as the new instrument runway No. 4 is operational.

7. Adopt on February 5, 1952, simultaneously, recommendations Nos. 2 and 3, at the opening of the access taxiway to runway No. 10.

Mr. President, I shall not burden the Senate at the present time with the further reading of this report. I have heretofore requested that the entire report be printed in the RECORD.

EXHIBIT A

SENATE REPORT NO. 1140, SUBMITTED PURSUANT TO SENATE RESOLUTION 268

On January 22, 1952, a commercial aircraft approaching the Newark Airport crashed at Elizabeth, N. J., killing all 23 persons aboard, including former Secretary of War Robert Patterson, and six residents of the city who were trapped in their homes.

Immediately, on the following day, the distinguished Senators from New Jersey [Mr. SMITH and Mr. HENDRICKSON] introduced Senate Concurrent Resolution 55 calling for the establishment of a joint congressional committee, to investigate the tragedy, the joint committee to be composed of five Members of the Senate who are members of the Senate Committee on Interstate and Foreign Commerce and five Members of the House to be selected from the membership of the House Committee on Interstate and Foreign Commerce. That resolution was referred to your committee and its chairman immediately assigned two of the committee's four professional staff members to the exclusive task of investigating the Newark crash.

It was the opinion of your committee, after preliminary consideration of Senate Concurrent Resolution 55, that inasmuch as a concurrent resolution such as this would require action by both the Senate and the House of Representatives with resultant delay and loss of time in getting the investigation underway the simpler and more expeditious approach to the problem would be for the New Jersey Senators, who have given a great deal of time and attention to this matter, and who have been pressing the committee hard for early action, to introduce a simple Senate resolution which would not require time-consuming action by the other House. The matter was discussed with both New Jersey Senators with the result that Senate Resolution 268 was introduced.

The resolution specifically called for a full and complete investigation of (1) the airplane crash which occurred on January 22, 1952, at Elizabeth, N. J., with a view to ascertaining the cause of such crash, and (2) the operation, location, and proposed expansion of the Newark airport. It further requested a study and investigation, together with such recommendations as it may deem advisable with respect to the elimination of hazards not only to occupants of planes but to residents of the Newark area and the prevention of similar accidents in the future.

During the past 2 years, complaints from officials and citizens of Newark and Elizabeth, as to the noise and potential danger of planes flying overhead, have increased. Last summer citizen groups were organized to find ways and means of curtailing the noise nuisance. Some members of these groups urged the complete abandonment of the Newark airport site. Officials of the Port of New York Authority, operators of Newark Airport, and representatives of the Civil Aeronautics Administration and the airlines using the airport have conferred in a common effort to correct this situation. However, before these objectives could be accomplished, within a period of 38 days, December 16, 1951, to January 22, 1952, Elizabeth experienced two commercial plane crashes within the heavily populated areas of the city. These accidents resulted in the deaths of 79 airborne persons and 6 residents of Elizabeth who were trapped in their homes.

This committee's staff, by direction of the chairman of your committee, and in response to the urgent request of the Senators from New Jersey, made an on-the-spot investigation on January 25 and 26, viewing the scene of the accident, examining the wreckage, and consulting with Federal, State, county officials, private citizens, and local authorities having jurisdiction or interest in the accident. Among those consulted and interviewed were New Jersey Attorney General Parsons, Union County Prosecutor Cohn, Assistant Prosecutor Moss, Detective Chief Lombardi, State Senator Hand, CAB Regional Director of Accident Investigations Joseph Fluet, the Regional Administrator of Civil Aeronautics, Mr. Young; Messrs. Tobin and Glass, of the Port of New York Authority; Operations Director Armstrong, of the Newark Airport; representatives of American Airlines, the Airline Pilots Association, Consolidated Vultee Aircraft Corp., manufacturers of the Convair, and investigators of other airlines voluntarily assigned by them to gather information and experience to be used in the advancement of air safety.

The investigators of this committee were strongly impressed by the generous and complete cooperation between the Federal, State, and local authorities having responsibility in the investigation. Union County Prosecutor Cohn and CAB Accident Director Fluet should be especially commended for their coordination of the local facilities, Red Cross, police, and other local organizations in bending every effort to relieve the anxiety of relatives of the victims and in examining into the cause of the accident.

On December 16, 1951, a nonscheduled C-46 crashed in Elizabeth, killing 56 persons. Although the findings in this accident have not been officially released by the CAB, your committee understands from the data developed by its staff that it was due to an oil leakage in a cylinder head which ignited and burned through the nacelle and wing of the plane. This plane had apparently received all required check-ups as specified in the regulations of the Civil Aeronautics Administration. Even though the required check-up did not reveal the leakage, CAB investigators have been able to determine its location and the propagation of the fire.

The cause of the crash of the American Airline's Convair aircraft on January 22, 1952, has not been determined. The plane was attempting an ILS (instrument-landing system) landing over the city of Elizabeth to the No. 6 runway in weather reported to have been 400 feet ceiling and three-fourths-mile visibility.

The fact that within the short space of 38 days the citizens of Elizabeth experienced two tragic plane crashes in the very heart of their city is terrifying and horrifying to those on the ground who least of all expect death and injury from above. This destruction from above appears to climax the long protests of citizens of powerfully

disturbing noises created by reportedly low-flying planes.

The committee's investigators were keenly aware of the grinding noises of planes overhead. It is their opinion that the citizens of Elizabeth and those in surrounding municipalities have, at present, a legitimate complaint and that the responsible officials should expedite pending projects and plans to eliminate aircraft noises and hazards. This responsibility lies equally upon the airport users, the airport itself, and the Port of New York Authority. The fear of those living in the area, especially in Elizabeth and Newark, is very real and cannot be discounted by showing the extreme improbability of the recurrence of accidents similar to the last two tragedies.

THE NEWARK AIRPORT

The Newark Airport is one of the oldest commercial airports in the United States and has served the New York metropolitan area since the inauguration of scheduled airline service. In 1943, Newark Airport was expanded by the United States Army in connection with its military flight operations, and it is today considered a valuable national defense asset. This is enhanced by the fact that it is one of the few air terminals on the eastern seaboard that is adjacent to ocean-going shipping-terminal facilities. Its great value as a commercial air terminal to northern New Jersey was recognized by the strong opposition that Newark and other municipalities registered when the LaGuardia Airport on Long Island, N. Y., was developed, and the transfer of many scheduled airline flights thereto was made.

The Port of New York Authority acquired the Newark Airport on October 22, 1947, by a 50-year lease from the city of Newark. This lease required the port authority to develop the airport as a major commercial terminal and to build two sets of parallel runways for use by the heaviest commercial aircraft. A year ago the port authority acquired by condemnation 800 acres of undeveloped land adjoining the south side of the airport and lying within the city of Elizabeth. The city of Elizabeth authorized the abandonment of streets lying therein and is reported to have specifically approved the plans of the authority to expand the airport in its direction.

Closing of the Newark Airport is obviously a action that should be taken only if no other satisfactory way can be found to protect the citizens living in the vicinity of the Newark Airport. The very fact that the Newark Airport is near the center of large populated areas increases its utility as a commercial air terminal provided, of course, it can be operated with adequate safety and without undue annoyance. Its location near a deep water channel increases its national defense value. Many millions of dollars have been invested in the airport by the city of Newark, by the Federal Government and by the Port of New York Authority. This investment can in all probability be only partially recouped if the land is sold for other uses. Other sites for the Newark terminal were mentioned to the committee investigators but they have not been studied in detail. At this time, the committee has devoted its primary attention to ways and means of improving permanently the safety of flight operations into and out of the present Newark Airport and of reducing the noise and danger to citizens in the adjoining areas.

The Newark instrument runway

The complaints of the citizens of Elizabeth are aggravated by the frequency of airplanes making straight-in instrument approaches from the southwest which take them directly over the business center of Elizabeth. The present ILS instrument landing system is aligned for the use of runway 6 (north-east-southwest). This system directs air-

craft by a radio beam. The beam is bisected by an approaching airplane at some designated point along its course and the aircraft then flies "down the beam" to the airport runway. This beam, at one point, passes about 400 feet to the South of Elizabeth Court House and approximately 550 feet overhead. The built-up section of Elizabeth commences about 1¼ miles from the approach end of runway 6 (northeast-southwest). On takeoff, airplanes fly over Elizabeth only when the wind is from the southwest. It should be kept in mind that, while landing, the engines of aircraft do not develop full power and are not as noisy, therefore, as when the aircraft is climbing following takeoff.

To have the approach for an instrument runway pass over a highly congested section of any city is not desirable and the Civil Aeronautics Administration, which has the responsibility for selecting the instrument runways, avoids such a condition when possible. In a congested metropolitan area like that surrounding the present Newark Airport, it probably is impossible to avoid all congested areas. Runway 6 (northeast-southwest) has always been used for instrument landings. According to the Civil Aeronautics Association, six factors are weighed in making a determination of the runway upon which to install instrument landing aids, namely:

1. Approach areas suitable for the safe maneuvering of aircraft just prior to landing or for continuation of flight in event the landing cannot be made on the first attempt.
2. Direction of approach which is over the most sparsely settled areas.
3. Direction of approach such that the flow of landing aircraft will not conflict with other aircraft in the vicinity.
4. Direction of approach such that landing aircraft will head into the wind prevailing during periods of restricted visibility.
5. A runway with adequate length, width, and clearance from airport structures.
6. Suitable sites for installation of the radio, radar, and lighting aids which comprise the system of landing aids.

No priority is given to any of the six factors listed, and according to the CAA, the selection of a given instrument runway generally represents a compromise after all factors have been taken into consideration. A NE/SW alignment has been found to be the most desirable for all airports in the New York area (see appendix). This does not preclude some realignment (20°) in the instrument runway at Newark as hereinafter discussed.

The location of the present runway No. 6 (60°) and its use for all instrument landings at Newark substantially increases the number of landing aircraft flying directly over the city of Elizabeth. According to the United States Weather Bureau, instrument weather exists at Newark 21 percent of the time. This is a condition when the ceiling is less than 1,000 feet and visibility is 3 miles or less. According to the same source, at least 6 percent of the time the ceiling is less than 500 feet and visibility is less than 1 mile. When instrument weather condition exists, aircraft landings at Newark Airport must utilize an instrument landing aid.

New runway orientation at Newark Airport

Following acquisition of the Newark airport, the Post of New York Authority conducted extensive studies as to the best manner of developing the Newark Airport in accordance with the provisions of its lease. Based upon these studies, a new runway for instrument operations has been under construction for more than a year. It is located on the east side of the field, aligned 40°-220° magnetic, in contrast with the 60°-240° alignment of the present instrument

runway. Approaches to the new runway from the southwest, will bring in flights over less densely populated areas outside the business section of Elizabeth. Aircraft will fly up the Arthur Kill Van Kull waterway and pass over the eastern edge of the city of Elizabeth with maximum approach clearances. The completion of this runway as the instrument approach to Newark Airport will accomplish a most desirable improvement and should be expedited.

The Port of New York Authority has advised the committee that this runway cannot possibly be completed and put into use before November 1, 1952. (See telegram in appendix.) A portion of this runway has been constructed over swamp land and problems connected with stabilizing the fill and the pouring of concrete or other hard surface thereon are said to preclude earlier completion. Every effort should be made to secure the earliest practicable completion of this new instrument runway.

Improvement in flight traffic patterns and procedures

Since the new instrument runway for the Newark airport cannot be completed for 10 months, immediate steps to alleviate the danger and noise of low-flying aircraft have been studied. The committee investigators have found that several changes have been considered, and others can and should be taken. It should be recognized, however, that any change in the aircraft flight pattern and procedures will involve technical engineering and safety problems, and no change should be adopted by the responsible authorities until all safety factors have been thoroughly examined with reference to both persons on the ground and in the aircraft.

(a) Preferential use of runways under visual flight conditions: At Newark, the CAA adopted recently, the practice of requiring aircraft to take off on the runway permitting flight over the least populated areas surrounding the airport whenever wind and weather conditions permit such use without hazard to the aircraft. This increases aircraft taxing time and increases congestion on the airport, but reduces the volume of aircraft flying low over congested areas on an appreciable portion of time when local weather permits flight by visual reference to the ground. Legal authority to adopt this policy is confirmed by the Administrator of Civil Aeronautics.

A new access taxiway to the west end of the present East-West runway (10°-23°) will be completed by the New York Port Authority and placed in use on February 5, 1952. This will permit the airport control tower to direct traffic to use runway number 10 as a first priority and will effect take-offs to the east and over the ocean, thus minimizing take-offs over congested areas. (See appendix.)

(b) Adoption of higher cross-wind component for "no-wind conditions": In connection with the establishment of the preferential use of runways, a study should be made of the feasibility of providing that the first priority runway must be used for landings and take-offs whenever the cross-wind velocity is less than 15 miles per hour and there is no tail-wind component. The maximum cross-wind component now tolerated by the Civil Aeronautics Administration in directing runway use is 6 miles per hour, and this has been selected after giving consideration to the operating characteristics of all types of airplanes in general use.

The committee investigators found that the airline pilots and companies using LaGuardia and the New York International airports recently approved the 15-mile-per-hour increase in the cross-wind component in connection with the preferential use of runways at these airports but that the feasibility of doing so at Newark had not been taken up. Your committee has urged the airlines using the Newark terminal to do so, and now

understand they have agreed to make a study immediately and to reach a decision prior to February 5 so that if the higher wind component is found feasible and approved by the Civil Aeronautics Administration it can be adopted at the same time the new access taxiway is opened.

(c) Radar departure procedures to improve the air traffic pattern in IFR weather: The general adoption of radar-directed departures at Newark Airport under instrument weather conditions will permit the flexible use of more desirable flight paths which, in many cases, can be so laid out and directed as to avoid the more congested and heavily populated areas. A new surveillance radar is being installed at the Newark Airport tower to replace the wartime GCA, but this new equipment will not be ready for this winter season. This installation should be expedited. (See appendix.)

(d) Turns at low altitudes following take-off to avoid congested areas: The civil air regulations now permit such turns at the discretion of the pilot when the safe operation of his aircraft warrants. This is proper and the practice of banking following take-off to avoid congested areas should be encouraged by the immediate study of this practice by all interested groups. This should be followed by briefing of pilots with respect to the conditions under which such turns can be made with safety. (See appendix.)

(e) Possibility of closing the No. 6 instrument runway at Newark Airport: This possibility has been considered and is rejected. According to the Civil Aeronautics Administration the closing of runway 6 would result in the complete shut-down of operations at Newark Airport for approximately 6 percent of the time and would restrict the capacity of the airport to handle traffic under visual contact as well as instrument weather conditions.

More important, the closing of runway 6 would have an adverse effect upon the safety of air traffic using Newark Airport. This adverse effect is not the result of technical problems created by the use of different or more difficult instrument approach procedures, but is a direct result of the fact that the prevailing winds in the Newark area during instrument weather are from a northeasterly direction. Closing runway 6 would deprive approaching air traffic of the runway best oriented to take advantage of the prevailing wind component during the most difficult type of aircraft landing.

(f) Possibility of temporarily raising the glide path beam for the present number 6 instrument runway: This possibility has been considered and is rejected. Glide path equipment is capable of providing glide path slopes up to 3½°; however, this angle has been determined to be unsuitable for large transport aircraft. Whenever the glidepath slope is increased above the optimum 2½ to 2¾°, it becomes increasingly more difficult to fly because of the higher rates of descent and experience has proved that the touchdown point is projected further down the runway. In order to retain the operational optimum glide slope at Newark, a setting of 2°39' has been selected by the Civil Aeronautics Administration. To obtain the required obstruction clearance in the instrument approach zone with this optimum setting, the glide path transmitter was located at 1,600 feet from the approach end of the runway departing from the normal citing of 750 feet.

Because of the length of the ILS runway at Newark and the fact that the glide path transmitter is located 1,600 feet from the approach end of the runway, any increase in the glide path angle would introduce very undesirable factors in the Newark approach. For example, if the ILS glide path angle were increased to 3° without moving the glide path transmitter, the altitudes above Elizabeth would be increased approximately 25

feet at the middle marker location 66 feet at a point in the approach 1.5 miles from the runway end, 100 feet at the 3 mile point, 160 feet at 4.5 miles from the end of the runway and 200 feet at a point 6 miles from the runway end. However, it is probable that the glide path transmitter would have to be moved closer to the approach end of the runway if the glide path is raised. This would result in reduced heights over close-in obstructions and very little increase in height over more distant obstructions. Net result of increased glide angle would be reduced safety and probably an increase in missed approaches.

(g) Possibility of raising instrument weather minimums at Newark Airport: The present weather minimums at Newark now permit qualified air transport pilots to operate into and out of Newark with the ILS aid with a cloud ceiling as low as 250 feet and visibility of three-fourths of a mile. Few airlines operate under these conditions and American Airlines, for example, restrict straight-in ILS landings to 300-foot ceilings and ¾-mile visibility; and other landings to 500-foot ceilings or better.

The effect of raising instrument minimums at Newark on the volume of traffic would be to restrict instrument approaches in proportion to the amount by which the instrument minimums are raised. For example, raising ceiling minimums above 500 feet would probably result in eliminating more than one-third of all instrument approaches conducted at the Newark Airport. Thus, raising the landing minimums at Newark, which handles approximately 20 percent of all instrument approaches in the metropolitan area, would result in the routing of aircraft to other airports in the area and add to the already saturated traffic conditions which presently exist there.

Except for the reduction in number of instrument approaches indicated above, raising the instrument weather minimums at Newark will probably not reduce the exposure of persons on the ground since the track of landing aircraft using the ILS instrument approach facilities would be the same. However, taken in connection with the other steps being taken to divert traffic from congested areas, and discussed above, raising the weather minimums should have a salutary effect.

It is recommended that the weather minimum be raised immediately to 500-foot ceilings and 1 mile visibility until such time as the new instrument runway No. 4 is operational. This recommendation is made notwithstanding the fact that the recent accident record in the Newark area does not indicate that weather minimums were an important contributing factor. The committee believes, however, there is ample evidence to indicate that the safety of flight operations at Newark will be improved by raising the instrument minimums.

SUMMARY OF COMMITTEE RECOMMENDATIONS

Your committee recommends:

1. Expedite the completion of the new instrument runway No. 4 at Newark Airport.
2. Designate runway No. 10 as the first priority runway for landings and take-offs when weather permits, not later than February 5, 1952.
3. Examine and, if possible, raise the cross-wind component for runway use at Newark Airport.
4. Adopt radar direction as the required departure procedure at Newark for instrument weather as soon as technical equipment is ready.
5. Encourage the practice of making low-altitude turns after take-offs to avoid congested areas whenever the safety of the flight will not be endangered.
6. Raise the instrument weather minimums at Newark Airport to a ceiling of 500 feet and 1 mile visibility until such time as

the new instrument runway No. 4 is operational.

7. Adopt on February 5, 1952, simultaneously, recommendations Nos. 2 and 3 at the openings of the access taxiway to runway No. 10.

As part of your committee's continuing program of studying the progress of civil aviation and the responsibilities of the Federal Government thereto, the committee has investigated each major airline crash, and will continue to do so. It will continue to study ways and means of improving aircraft safety and of reducing the danger and annoyance to persons in their homes and on the ground.

It is recognized that the advent of large four-engine transport aircraft which came in general use following the war intensified the aviation-annoyance problem to persons living within the vicinity of major air terminals. At the same time the safety factor has substantially improved. Moreover, the development of new all-weather landing and navigation aids are being developed and have been encouraged by your committee for years, especially the SC-31 all-weather navigation program. New Federal legislation has been sponsored to increase aviation safety and will continue to be expedited whenever the need therefor becomes manifest. The problem of aviation safety presents the greatest challenge to the aeronautical industry and requires the intent and constant attention of all concerned.

CIVIL AERONAUTICS BOARD,
Washington, January 29, 1952.

Mr. EDWARD C. SWEENEY,
Professional Staff Member, Senate
Committee on Interstate and Foreign
Commerce, Senate Office Building,
Washington, D. C.

DEAR ED: As per your request to me yesterday there is enclosed herewith the approach control transcription of January 22, 1952.

Sincerely yours,

W. K. ANDREWS,
Director, Bureau of Safety Investigation.

APPROACH CONTROL TRANSCRIPTION, JANUARY 22, 1952—WM. A. WILLIAMS—OPERATOR

American 6780: The Newark weather indefinite 400 sky obscured three-fourths of a mile light rain fog. Altimeter 2997. Over.

6780: Descend to three—to 2500. Over.

6780: Thank you.

6780: Descend to 1500—leave—you can leave Linden at 3:39. Over.

6780: Leaving Linden at :41 Listen for radar on localizer voice, cleared to land 6, the wind northeast 4.

6780: What is your position now?

6780: This is Newark approach control American 6780 Newark approach control. Over.

6780 American: 6780. This is Newark radar, if you hear Newark radar we're not hearing your transmissions; try another frequency. Over.

6780: This is Newark approach control, if you hear Newark approach control try another frequency. Over.

NEWARK RADAR TRANSCRIPTION, JANUARY 22, 1952—10-MILE PRECISION SCOPES—G. DEHNER, OPERATOR

American 6780: This is Newark radar. How do you hear. Over.

6780: This is Newark radar, have you 5½ miles out, coming up on the glide path, and you're 900 feet to left of course.

American 6780: 5 miles out, on the glide path, still 900 feet to the left of course. Coming back to the course now, you're now 400 feet left, glide path is good 4½ miles out. Three hundred feet to the left you're coming back, you're right on course now, and your glide path is going a little high 100 to 150 feet high on the glide path 4 miles out, the courthouse 1 mile ahead of you. Glide path is good 3½ miles out and you're drift-

ing to the right, you're 900 feet to the right of course and a half mile from the court house.

NEWARK RADAR TRANSCRIPTION, JANUARY 22, 1952—3-MILE PRECISION SCOPES—J. PENKA, OPERATOR

American 6780: This is Newark radar, we've lost your target sir after you drifted well to the right there. I don't have you in radar contact as present, we'll try and pick you up.

American 6780: This is Newark radar still unable to pick up a target on you—could you advise us your position.

American 6780: This is Newark radar; do you hear. Over.

(10-mile operator, G. Dehner): American 6780—American 6780. This is Newark radar, 1-2-3-4-5-5-4-3-2-1. Do you hear Newark radar. Over.

CIVIL AERONAUTICS BOARD,
Washington, January 29, 1952.

Mr. EDWARD C. SWEENEY,
Professional Staff Member, Senate
Committee on Interstate and Foreign
Commerce, Senate Office Building,
Washington, D. C.

DEAR MR. SWEENEY: As per your request of yesterday, I am pleased to enclose listings of all accidents involving civil aircraft which have occurred at or near the Newark Airport since the installation of the ILS approach system at that location.

List No. 1 covers those air-carrier accidents which did not involve instrument approach. List No. 2 covers those air-carrier accidents which did occur during instrument conditions. List No. 3 covers the non-air-carrier accidents which occurred during the period. None of the latter involved instrument approach.

There is also enclosed a complete résumé of those accidents which involve the Convair 240 aircraft.

If the Board can be of any further service to you, please do not hesitate to call on us.

Sincerely yours,

DONALD W. NYROP,
Chairman.

AIR CARRIER ACCIDENTS WHICH OCCURRED AT OR NEAR THE NEWARK AIRPORT, NEWARK, N. J., DURING THE PERIOD OF JANUARY 1, 1948, TO DATE

ACCIDENTS NOT INVOLVING INSTRUMENT APPROACH

Date: April 2, 1948.
Location: Newark, N. J.
Operator: Northwest.
Injury: None.
Damage: Substantial.

Just as the aircraft left the ground on a ferry flight, the front loading door came off and struck the left propeller. The field was circled and a normal landing made on the airport. Examination indicated that probably on numerous occasions the door had been locked before the rods or bayonettes were lined up with the receptacles in the door frame. This caused the rod assemblies to bend or break, and only two of the bayonettes were actually holding the door at the time of the accident. Design on the door could be improved.

Date: January 27, 1950.
Location: Newark, N. J.
Operator: T. W. A.
Injury: None.
Damage: Substantial.

Nose gear collapsed during normal taxi turn.

Date: March 8, 1950.
Location: Newark, N. J.
Operator: American Air Transport, Inc.
Injury: None.
Damage: Substantial.

Landing was made in a strong, gusty wind. Aircraft skipped on touchdown then touched again in a wheel-landing attitude. There

was considerable side motion during the roll and excessive rudder control was utilized. Aircraft had rolled approximately 1,500 feet when the gear collapsed. Evidence indicates failure of gear structure was due to excessive side loads at time of touchdown and/or during landing roll.

Date: November 28, 1950.

Location: Newark, N. J.

Operator: American Air Transport, Inc.

Injury: None.

Damage: Substantial.

The left wing dropped as aircraft became airborne and, when pilot was unable to bring it up, he reduced power and discontinued his takeoff. Aircraft touched down on left gear and veered off runway onto soft ground. The right gear retracted and left gear folded back. Investigation disclosed aileron control chains and cables were connected in reverse.

Date: August 11, 1951.

Location: Newark, N. J.

Operator: All American Airways.

Injury: None.

Damage: Destroyed.

Pilot failed to maintain directional control of aircraft during a night takeoff, and cut power as it ran off the runway. Aircraft ran into a swamp area, shearing the right gear on a ditch, and came to a stop on top of a 4-foot embankment. Fire started under right engine, as the fuel tanks had ruptured. Fire was extinguished by ground personnel. All occupants were safely evacuated.

Date: December 16, 1951.

Location: Elizabeth, N. J.

Operator: Miami Airline, Inc.

Injury: Fatal.

Damage: Washout.

During takeoff at the Newark Airport white smoke was observed coming from the right engine nacelle. The control tower advised the flight of this condition and cleared it to return to Newark and land on any runway desired. The Miami Airline captain on the ground at Newark Airport requested the control tower to advise the flight that the main right landing gear brake appeared to be burning and suggested that the captain lower the landing gear. This message was acknowledged and as the landing gear doors opened, flames were observed shooting out of the right nacelle. The aircraft started a left turn apparently in an attempt to return to the Newark Airport. During the turn control was lost of the aircraft and it crashed.

ACCIDENTS INVOLVING INSTRUMENT APPROACH

Date: March 2, 1948.
Location: Newark, N. J.
Operator: Meteor Air Transport.
Injury: None.
Damage: Substantial.

En route Detroit to Newark, the aircraft was exposed to icing conditions for approximately 40 minutes. Newark was contacted for an emergency landing, which was approved. After one approach was missed, a "missed approach" procedure was applied and a second approach made. This time, visual contact was made and the aircraft approached runway 6. As it passed over the approach lights, the plane stalled, shearing off the runway-light supports and the right wing of the aircraft. The plane continued on in flight attitude, bounced onto the end of the runway, continued down the runway under control and was taxied into a parking area. Weather was ceiling 500 feet; visibility 1-1½ miles; heavy icing.

Date: May 2, 1951.

Location: Newark, N. J.

Operator: National.

Injury: None.

Damage: Substantial.

Pilot was making a night ILS approach. As flight passed over the middle marker the copilot advised that approach lights were visible to the right. Both pilots saw that the airplane was about to contact the ground prematurely and power and full-up

elevator control were applied simultaneously. The aircraft contacted the ground in a swamp area 110 feet to the left and 1,200 feet from the approach end of the runway. As a result of pilot action it became airborne again and a second touchdown was made within the airport boundary. The left stabilizer struck an upright steel pipe.

Date: January 22, 1952.

Location: Elizabeth, N. J.

Operator: American.

Injury: Fatal.

Damage: Washout.

Landing was diverted from LaGuardia and Idlewild Airports to the Newark Airport due to weather conditions. Weather in Newark at the time was given as 400 foot ceiling.

obscurant visibility $\frac{3}{4}$ miles, light rain, light fog. While making an ILS approach monitored by GCA the aircraft disappeared from the radar scope just before reaching the airport. Shortly thereafter it was learned that the aircraft had crashed into houses and was burning in the city of Elizabeth. (This information is preliminary since accident is now in process of investigation.)

NOTE.—Approval for the first airline to make ILS approaches into Newark Airport was given in December of 1947. This approval was extended to other airlines operating into Newark shortly after this date. There were no ILS-connected accidents at the Newark Airport in 1947. Therefore, these listings cover the period of 1948 to date.

Non-air-carrier accidents at or near Newark Airport, 1948 to date

Date	Type	Injury	Damage	Cause
Mar. 22, 1948	Stinson 108.....	None.....	Substantial.....	Gear retracted during landing roll.
Oct. 19, 1948	Widgeon.....	do.....	do.....	Gear collapsed during landing roll.
Oct. 27, 1948	Piper J3C.....	Minor.....	do.....	Struck a runway light.
Sept. 29, 1949	Lodestar.....	Serious.....	Demolished.....	Struck wires.
Feb. 4, 1951	Bonanza 35.....	None.....	Substantial.....	Gear retracted during landing roll.

NOTE.—None of this group involved instrument approach.

CONVAIR 240 ACCIDENTS, 1947 TO DATE

Date: August 19, 1948.

Location: Glenview, Ill.

Operator: American.

Injury: None.

Damage: Substantial.

When pilot attempted to lower gear for landing the nose gear would not extend.

The locating lugs of the upper cam of steering gear centering assembly were sheared.

Following this the nose gear was cocked to the left and jammed against the lower longitudinal nose wheel well beam (scheduled domestic—passenger carrying).

Date: August 31, 1948.

Location: Louisville, Ky.

Operator: American.

Injury: None.

Damage: Substantial.

After a normal touchdown the nosewheel gear collapsed allowing propellers, nosewheel doors, and nose to strike runway. The failure was due to a defective brazed joint in the hydraulic retracting cylinder (scheduled domestic—passenger carrying).

Date: November 13, 1948.

Location: St. Louis, Mo.

Operator: American.

Injury: Minor.

Damage: Substantial.

After arriving at ramp and opening loading door, the landing gear collapsed. Three green lights had shown when gear was extended and pressure was up. But tests showed that handle could be moved to a position $\frac{1}{2}$ inch above full down and still get the green lights. On landing, friction from the solenoid pin probably held the gear up for a time. Changes are being made which will make it impossible to get the green lights without the landing-gear primary lock being engaged (scheduled domestic—passenger carrying).

Date: November 19, 1948.

Location: New York, N. Y.

Operator: American.

Injury: None.

Damage: Substantial.

In landing through heavy rain and turbulent air the crew forgot to lower the gear. When the gear-warning horn sounded, both pilots mistook it for the stall warning and applied more power. The airplane made a belly landing (scheduled domestic—passenger carrying).

Date: March 18, 1948.

Location: Ardmore, Okla.

Operator: American.

Injury: None.

Damage: Substantial.

In practicing a low-visibility approach pull-out was started too late. Airplane hit in level position on all three wheels. The center section failed on both sides. The fire following the accident was extinguished (scheduled domestic—nonrevenue).

Date: July 24, 1948.

Location: Havana, Cuba.

Operator: Pan American Airways.

Injury: None.

Damage: Substantial.

Nose gear retracted after normal landing. A defective brazed joint in the nose wheel retracting cylinder was responsible (scheduled international—passenger carrying).

Date: December 9, 1948.

Location: Havana, Cuba.

Operator: Pan American Airways.

Injury: Minor.

Damage: Substantial.

Airplane failed to get off after a run of 2,500 feet and an unidentified vibration occurred. Pilot reduced power and attempted to stop. The airplane went off the end of the runway, struck a ditch taking off the left main and nose gears, the right wing and engine. A fire broke out in the wing which had separated. The brakes had been applied when nearly airborne. Two main tires were worn through and the two remaining could not stop the airplane. There was an engine malfunction and vibration due to failure of the water injection regulator vent line check valve to function upsetting the mixture (scheduled international—passenger carrying).

Date: January 22, 1949.

Location: Columbus, Ohio.

Operator: American.

Injury: None.

Damage: Substantial.

Hit a small duck in flight. Landed safely (scheduled domestic—passenger carrying).

Date: January 27, 1949.

Location: Denver, Colo.

Operator: Continental.

Injury: None.

Damage: Substantial.

Landing was normal except plane not exactly lined up with runway. It angled to left and hit an ice ridge $8\frac{1}{2}$ inches high damaging the gear and center section above it. One to 3 inches of snow on the runway contributed to the difficulty of maintaining a straight course (scheduled domestic—passenger carrying).

Date: June 22, 1949.

Location: Memphis, Tenn.

Operator: American.

Injury: Serious.

Damage: Destroyed.

Right engine failed during takeoff and propeller automatically feathered at 20 to 50 feet altitude. Gear was retracted and altitude gained slowly on left engine. Just before crossing a power line a slow retraction of flaps was started. Air speed dropped and pilot was unable to maintain altitude. Pilot made a wheels-up landing. Fire followed. Thirteen passengers and one crew member received serious injury. Twenty-eight passengers and two crew were uninjured. Engine failure resulted from failure of the impeller shaft thrust bearing (scheduled domestic—passenger carrying).

Date: August 11, 1949.

Location: Portland, Maine.

Operator: Northeast.

Injury: None.

Damage: Destroyed.

Approach was normal until throttles were closed at 20 to 25 feet over end of runway, when the propellers went into reverse. The airplane dropped hard, but continued forward 1,065 feet, spilling gasoline, which ignited. The passengers were all evacuated before the airplane burned up. The propellers had reversed because the solenoid-operated throttle reverse-circuit stops were in the up position with manual override control in out position when the throttles were retarded. This allowed the throttles to be retarded beyond the detent position, thus operating the propeller-reversing mechanism. Improper adjustment and residual magnetism resulted in the solenoid plunger jamming in the energized position (scheduled domestic—passenger carrying).

Date: September 5, 1949.

Location: Hutchinson, Kans.

Operator: Continental.

Injury: None.

Damage: Substantial.

Taxi strips were unlighted and there were no reflectors at the intersection. Pilot was using nose light, which has a narrow beam and is not adjustable from the cockpit. He missed a turn and bogged down in soft ground. The nose gear was pushed back into fuselage as it struck the edge of the taxi strip. (Reflectors have since been installed) (scheduled domestic—passenger carrying).

Date: December 15, 1949.

Location: Miami, Fla.

Operator: Pan American Airways.

Injury: None.

Damage: Substantial.

Landing-gear hydraulic line failed and pressure was lost. In returning to ramp the pilot failed to use air brakes and emergency procedure before colliding with ramp equipment (scheduled international—passenger carrying).

Date: February 20, 1950.

Location: New York, N. Y.

Operator: Northeast.

Injury: None.

Damage: Substantial.

Nose gear failed in taxiing (scheduled domestic—passenger carrying).

Date: June 18, 1950.

Location: Tulsa, Okla.

Operator: American.

Injury: None.

Damage: Substantial.

Aircraft was landed short of runway on sod and nose gear collapsed (scheduled domestic—passenger carrying).

Date: November 2, 1950.

Location: Near Trinidad, Colo.

Operator: Continental.

Injury: Serious.

Damage: None.

Aircraft encountered sudden, unexpected severe turbulence which caused several passengers to be thrown from their seats (scheduled domestic—passenger carrying).

Date: November 4, 1950.

Location: Near Baltimore, Md.

Operator: American.

Injury: Serious.

Damage: None.

Flight encountered sudden, severe turbulence without warning (scheduled domestic—passenger carrying).

Date: November 19, 1950.

Location: Tucson, Ariz.

Operator: American.

Injury: None.

Damage: Substantial.

Nose gear shock strut trunion ram failed, allowing gear to collapse and nose of aircraft to contact ramp surface (scheduled domestic—passenger carrying).

Date: December 7, 1950.

Location: Eugene, Oreg.

Operator: Western.

Injury: None.

Damage: Substantial.

A section of propeller blade, at tip, tore loose and penetrated fuselage damaging hydraulic lines and causing decompression. Pilot returned to Eugene and during approach found right gear failed to extend, necessitating a go-around. Left engine (right engine was feathered) lost power momentarily and pilot was forced to make a close-in approach. Aircraft angled off runway onto soft sod area and bogged down (scheduled domestic—passenger carrying).

Date: January 10, 1951.

Location: Springfield, Mo.

Operator: American.

Injury: Serious.

Damage: None.

Aircraft momentarily encountered severe turbulence and down drafts. Hostess was thrown to the floor and received a fractured ankle (scheduled domestic—passenger carrying).

Date: February 27, 1951.

Location: Tulsa, Okla.

Operator: Mid-Continent.

Injury: None.

Damage: Destroyed.

Shortly after take-off and following gear retraction at approximately 145 miles per hour, the left engine torque meter assembly failed causing propeller to automatically feather and to continue rotating. Pilot levelled off at approximately 150 feet, as air speed had started to drop, and then initiated a left turn to avoid flying over a building. The flaps were retracted at the start of the turn and air speed dropped to a point where aircraft failed to maintain altitude. Aircraft struck a grove of trees then slid on the ground and caught fire (scheduled domestic—passenger carrying).

Date: August 7, 1951.

Location: New York, N. Y.

Operator: American.

Injury: None.

Damage: Substantial.

Aircraft bounced on landing and stalled in hard (scheduled domestic—passenger carrying).

Date: August 25, 1951.

Location: Buffalo, N. Y.

Operator: American.

Injury: None.

Damage: Substantial.

Flight had established normal cruise when a slight vibration was noted and immediate check disclosed an intense fire in left engine. The engine was feathered and fire extinguished only after reserve bank of CO₂ had been discharged. Single engine flight conditions were established and flight returned to Buffalo, landing without further incident. Preliminary investigation indicates fire followed internal failure in engine (scheduled domestic—passenger carrying).

Date: March 25, 1951.

Location: Maturin, Venezuela.

Operator: P. A. A.

Injury: None.

Damage: Substantial.

When making prelanding check, flight found they had no hydraulic fluid and immediately set up emergency procedure for landing. Crew was unable to maintain directional control and aircraft veered off the runway hitting a pile of gravel. Investi-

gation disclosed failure of hydraulic line tube fitting as a result of improper installation (scheduled international—passenger carrying).

Date: September 2, 1951.

Location: Kingston, Jamaica.

Operator: P. A. W. A.

Injury: Minor.

Damage: Destroyed.

Flight was cleared to land on runway 14, and pilot requested a right turn in while a half mile west and south of the airport. Approach was made after dark with visibility restricted to approximately three-fourths mile in rain, and a 10-knot east-southeast wind. Aircraft struck the water during final approach, tearing off right wing, and submerged in 24 feet of water. All occupants were safely evacuated and were picked up by launch, in the immediate vicinity (scheduled international—passenger carrying) (preliminary).

Date: September 28, 1951.

Location: National Airport, Washington, D. C.

Operator: American.

Injury: None.

Damage: Substantial.

During takeoff, as aircraft was becoming airborne, the right engine backfired and fire was observed around it. Pilot immediately set up single engine procedure and initiated emergency fire procedure. However, fire was still burning as aircraft landed and was extinguished by ground fire-fighting equipment. Investigation disclosed piston and/or link rod in No. 9 cylinder had failed (scheduled domestic—passenger carrying).

Date: October 24, 1951.

Location: LaGuardia Field, New York, N. Y.

Operator: American.

Injury: None.

Damage: Substantial.

Fire occurred in No. 2 engine nacelle, while flight was holding over New Rochelle. Propeller was feathered and both banks CO₂ discharged. Severe fire damage in zone 2. Aircraft landed without incident (scheduled domestic—passenger carrying) (preliminary).

Date: December 6, 1951.

Location: Charleston, W. Va.

Operator: American.

Injury: None.

Damage: Substantial.

Aircraft bounced during landing in a gusty 20-30-miles-per-hour wind and dropped in hard resulting in failure of the nose gear (scheduled domestic—passenger carrying).

Date: January 14, 1952.

Location: New York, N. Y.

Operator: Northeast.

Injury: Serious.

Damage: Destroyed.

Flight was making an instrument approach to LaGuardia Field and crashed in the river a half mile from the airport. All occupants were rescued by boats in the river (scheduled domestic—passenger carrying) (preliminary).

Date: January 22, 1952.

Location: Elizabeth, N. J.

Operator: American.

Injury: Fatal.

Damage: Destroyed.

Flight was making an instrument approach, monitored by GCA, when aircraft crashed into buildings and burned (scheduled domestic—passenger carrying) (preliminary).

CIVIL AERONAUTICS BOARD,
BUREAU OF SAFETY INVESTIGATION,
ANALYSIS DIVISION.

HISTORY OF THE ESTABLISHMENT OF NEWARK INSTRUMENT RUNWAY

(Furnished by the Civil Aeronautics Administration)

A CAA low-frequency loop-type range was installed on the site of the present Newark LF range prior to 1933. Instrument ap-

proaches using this facility were conducted by the air carriers landing at Newark Airport during the period following 1933. However, the instrument approach technique on the low-frequency range at that time did not require the establishment of an instrument runway as such, due to the fact that the minimum ceilings for such approaches were predicated on the ability of the pilot to circle and make a contact approach after break-out, on the runway having the most favorable wind component.

In 1943, Newark Airport was expanded and developed by the United States Army in connection with its military operations. This included a lengthening of runway 6 (NE/SW). At the time this improvement was undertaken, the CAA was requested to make recommendations to the Air Force regarding the selection of a runway for ILS installation. This required the designation of a single runway as the instrument runway due to the characteristics of ILS approaches which require landing on the runway on which the ILS is oriented.

The initial study of the problem showed that the prevailing winds associated with instrument weather conditions in the Newark area are from the east and northeast. Consequently, major attention was given to the northeast-southwest and north-south runways. An additional factor requiring that these two runways be given primary consideration as instrument runways was the fact that of all of the runways at Newark Airport, these two had the most unobstructed approaches. Of the two, the north-south runway appeared impractical due to the fact that swampy terrain made the location of sites for the middle and outer markers difficult and, in addition, use of this runway would require relocation of a portion of a new highway. In addition, the north-south runway was only 5,000 feet in length while the northeast-southwest runway, as lengthened by the United States Army project, would be 7,000 feet.

At the conclusion of World War II, Newark Airport was returned to civil use and the permanent ILS was installed on runway 6 (NE/SW) in accordance with the studies made by CAA in conjunction with the United States Army during World War II. Further facts developed at that time confirmed the selection of this runway as proper for instrument operations. These are:

1. A northeast-southwest orientation of the instrument runway at Newark coincides generally with IFR traffic requirements of the New York area due to the fact that instrument operations into and out of LaGuardia, Floyd Bennett, and Idlewild are along this line of flight.

2. Instrument approaches from other directions could be extremely hazardous in view of the proximity of the high buildings in downtown Newark and New York City and, in addition, could create serious conflicts with the instrument approaches to the other airports mentioned in 1 above due to a conflict in traffic flow.

3. The flow of air traffic into the New York area (principally Boston-New York, Washington-New York, and Chicago-New York) is northeast-southwest, along the orientation of the instrument runway at Newark.

THE BENEFICIAL EFFECT OF THE PROPOSED NEW INSTRUMENT RUNWAY AT THE NEWARK AIRPORT

(Prepared by Civil Aeronautics Administration)

The direction of the proposed relocation of the Newark ILS runway is in accordance with the recommendations made in a study entitled "Air Traffic Capacity and Flow Direction Analysis of the New York Metropolitan Area," prepared cooperatively by the Civil Aeronautics Administration, first region, and the Port of New York Authority.

This study indicates that the most favorable instrument approach for the New York area, based on weather data, is a northeast-southwest direction. If the northeast and southwest approaches are implemented with navigational aids for straight-in instrument approaches during straight-in instrument conditions, these two directions will permit an average of 98-percent operations, since the cross-wind component exceeds 25 miles per hour less than 10 hours per year for either direction. Under present IFR circling minimums, circling of the airport can be almost completely eliminated for this reason.

A new runway system is now under construction at the Newark airport, which is part of a master plan proposing two parallel northeast-southwest runways, aligned 40°-220° magnetic (in contrast to the 60-240 alignment of the present runway). This layout conforms to the recommendation made previously in this study for the most advantageous instrument-runway direction. The lateral separation of 4,000 feet between these parallel runways is beyond the 3,000-foot limit felt necessary to permit take-offs on a single runway and landings on a parallel runway simultaneously in IFR weather. Runway 4R-22L, which will accommodate landings from the southwest and northeast, is under construction.

To achieve maximum airport capacity and bidirectional IFR operation, the study further recommends that runway 4R-22L should be completed and equipped for instrument approaches from the northeast, and runway 4L-22R should be constructed and equipped for instrument approaches from the southwest. However, the initial 4R-22L runway will accommodate bidirectional approaches until the traffic volume warrants the construction of the parallel instrument runway 4L-22R.

Relocation of the instrument runway and realignment of the ILS localizer would permit the establishment of a holding pattern northeast of the Newark airport between the present New Rochelle holding pattern and the Patterson holding pattern, provided a fan marker or other suitable fix were provided.

Approaches from a southwest direction over the proposed aligned localizer would result in flights being conducted over less densely populated areas and would lie outside the Elizabeth business area. Approach clearance criteria will permit minimums equal to those presently utilized.

JANUARY 30, 1952.

Mr. E. C. SWEENEY,
Room 138-A, Senate Office,
Washington, D. C.

Following information supplied as per your request for Committee on Interstate and Foreign Commerce. Port authority assumed jurisdiction over Newark Airport in 50-year lease with city of Newark on October 22, 1947. Pursuant to terms of leasing, contract authority has acquired 800 additional acres of land and is constructing new runway system and new terminal building. Investment in airport prior to 1947 totaled \$23,000,000. Since 1947 port authority invested or committed \$20,000,000. Size of airport now totals 2,300 acres. Access taxiway costing \$175,000 to west end of runway 10-28 will be operational February 5, 1952. This will permit take-offs to the east over the ocean as priority one. New instrument runway in process of construction. Fill has been completed and surfacing will begin when settlement of fill permits. Port authority engineers estimate November 1, 1952, as date on which this runway will be operational. Present instrument runway 6-24 aligned toward Elizabeth will be closed on date new instrument runway opens. Alinement of new runway will permit take-offs and landings without necessity of flying over business center and congested residen-

tial part of Elizabeth as is now required under instrument conditions by runway 6-24.

Plane movements in 1951 at Newark totaled 100,177. In 1950, plane movements totaled 89,171. Passengers handled at Newark in 1951 totaled 1,189,612. Total in 1950 was 916,066.

FRED M. GLASS,
Director, Department of Airport Development,
the Port of New York Authority.

PREFERENTIAL USE OF CERTAIN RUNWAYS AT AIRPORTS UNDER WEATHER CONDITIONS WHEN LOCAL FLIGHT IS PRACTICABLE BY VISUAL REFERENCE TO THE GROUND
(Furnished by Civil Aeronautics Administration)

The CAA has given serious consideration to the preferential use of those airport runways permitting flight over the least populated areas surrounding the airport whenever wind and weather conditions would permit such use without hazard to aircraft operation. A number of locations have been studied from this standpoint, and where it has been found practical to adopt such an arrangement, immediate favorable reaction has been the rule. Among the cities where some form of this principle has been applied have been: Washington, D. C.; Miami, Fla.; Newark, N. J. (as well as other airports in the New York City area); and, to a lesser extent, at Los Angeles and smaller airports in that vicinity.

At Newark, the control tower, on October 22, 1951, adopted a preferential runway use procedure with the cooperation of the airline pilots and companies and the Port of New York Authority, which provides for the use of the runways for take-off in the following order: 6-24-28-10 (pending completion of a taxiway serving runway 10, at which time it will become first preference). This preference order was established to allow flight over less populated areas when operating conditions permit. In working on this problem, first priority was given to take-offs, since public reaction to aircraft noise indicated that corrective measures in this phase of airport operation were most imperative.

Continuing study is being given to the preferential use of runways for landings. However, several problems have arisen in this field. First, there is not as much flexibility in selecting a runway for landing as for take-off. Present procedures require that the tower controller select the runway most nearly aligned with the wind whenever the wind velocity is 6 miles per hour or greater. Below this wind speed, he may direct traffic to any runway without a tailwind component. Greater flexibility in landing-runway assignment is dependent upon the operating characteristics of each different type of aircraft in general use today.

In connection with requiring adherence to preferential use of runways selected by CAA, it should be pointed out that we believe that the Administration has the necessary legal authority to effectuate this policy. This is derived from section 60.19 of the Civil Air Regulations issued by the Civil Aeronautics Board, which provides:

"No person shall operate an aircraft contrary to air traffic control instructions in areas where air traffic control is exercised."

Under this provision of the Civil Air Regulations, the controller may require a pilot, if he lands at an airport, to land on the runway selected by the tower unless an emergency exists, in which case the pilot has authority under another section of the Civil Air Regulations (60.2) to deviate therefrom. However, in practice, the CAA does not arbitrarily exercise its authority and the pilot has the right to request the controller to authorize the use of another runway if the one designated by the controller is unsatisfactory to the pilot for any reason. This

consideration of the pilot's wishes is practical and necessary due to the fact that, for reasons unknown to the controller, use of a particular runway might be unsatisfactory and even unsafe under conditions known only to the pilot. Thus, while the CAA has the basic legal authority to require mandatory compliance with a runway selected under a preferential use procedure, this authority in practice is not exercised without careful consideration of the pilots' requests and estimates of safety conditions. We have not and do not expect to encounter any difficulty in achieving satisfactory results from preferential use of runways under this procedure since the pilots have cooperated in working out these arrangements and have not requested exceptions unless such exceptions appeared necessary.

RADAR DEPARTURE PROCEDURES
(Furnished by Civil Aeronautics Administration)

The inauguration of radar departure procedures at Newark Airport would aid considerably in improving the over-all air traffic problem in IFR weather.

Our current experience with radar departure procedures at LaGuardia and with the more expanded radar traffic control at Washington, indicates clearly that air traffic congestion in the area would be greatly alleviated. The greatest gains would be in the handling of departing aircraft, elimination of delays on the ground awaiting a departure clearance and in greater flexibility and simplification of departure routings. In addition, and of particular interest to the Newark problems, the use of radar departures relieves the present situation where departing aircraft are confined to paths defined by radio courses, and permits the flexible use of more desirable flight paths which, in many cases, can be so laid out as to avoid the more congested and heavily populated areas.

The wartime GCA radar now in use at Newark was not designed for continuous operation but has been operated almost six times the normal "life" of such equipment, and despite frequent overhaul and excellent maintenance, the surveillance radar element is not considered sufficiently reliable, nor are the radar data available to the controller in the tower in such a manner as to permit inauguration of radar departure procedures. The first unit of the new ASR-2 General Electric radar is presently being installed at Newark tower. This is the first model off the assembly line and must undergo extensive acceptance testing and any necessary redesign by the manufacturer prior to being available. We do not anticipate that the new radar will be completed and commissioned in time to be of use this winter season.

COMMENTS ON BANKING AIRCRAFT AFTER TAKE-OFF
(Furnished by Civil Aeronautics Administration)

In accordance with your request for comments on the legal aspects involved in ordering or permitting pilots to make turns after take-offs at altitudes of less than 500 feet to avoid flying over congested areas, with particular reference to the effect of such a requirement on operations conducted at the Newark Airport, the following is submitted.

Prior to August 27, 1948, Civil Air Regulation 61.7209, "Banking after take-off," pertaining to scheduled air carriers, provided that: "So far as practicable, the aircraft shall not be banked immediately after take-off until at least a minimum altitude of 500 feet has been attained." Special Civil Air Regulation, Serial No. 398, effective August 25, 1947, provided exceptions to this section for LaGuardia Field and Newark Airport.

On August 27, 1948, the Civil Aeronautics Board, by Civil Air Regulations Amendment 61-2, copy attached, rescinded section 61.7209 and Special Civil Air Regulation, Serial No. 398.

This amendment was designed to permit the establishment of better traffic patterns to control the flight paths of aircraft both taking off and landing and, by permitting aircraft to bank before reaching any specific altitude on take-off, enabled flights over congested areas in many instances to be effectively avoided. This amendment does not require the pilot to make turns at lower altitudes than the safe operation of his aircraft warrants nor does it deprive him of exercising good judgment.

The Civil Aeronautics Board is authorized pursuant to title 6 of the Civil Aeronautics Act of 1938, as amended, to promulgate rules of safe flight of aircraft. Section 61.7209 and Special Civil Air Regulation 398 were promulgated pursuant to this statutory authority. Civil Air Regulations Amendment 61-2 rescinding these regulations eliminated prohibitions against banking scheduled air carrier aircraft until a specific altitude had been attained and enabled establishment of traffic patterns at Newark without the limitations imposed by such a requirement.

Rescission of these regulations better enables pilots to avoid congested areas in the vicinity of the Newark Airport following take-offs, and does not appear to have had any adverse effect on safety.

COMMENTS ON BANKING AIRCRAFT AFTER TAKE-OFF

(Furnished by Civil Aeronautics Administration)

UNITED STATES OF AMERICA, CIVIL AERONAUTICS BOARD, WASHINGTON, D. C.—CIVIL AIR REGULATIONS AMENDMENT 61-2, EFFECTIVE AUGUST 27, 1948; ADOPTED AUGUST 27, 1948

Banking after take-off

Section 61.7209 of the Civil Air Regulations, in effect, forbids the banking of air carrier aircraft immediately after take-off until a minimum altitude of 500 feet has been attained. This regulation prohibits the changing of the aircraft's course until this altitude has been reached which in some instances results in flight at a low altitude directly over highly congested areas. It is desirable to avoid such flights wherever possible, and the rescissions of this regulation will permit the establishment of better traffic patterns which will accomplish this purpose. Since other provisions of the Civil Air Regulations establish adequate safeguards against unnecessary and unsafe maneuvering of aircraft at low altitudes and section 60.108 (c) requires aircraft to conform to traffic patterns prescribed for individual airports, this regulation may be rescinded without an adverse effect on safety.

Special Civil Air Regulations, Serial Nos. 188 and 398 provide exceptions to section 61.7209 and, therefore, may be terminated upon rescission of this rule.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing the Civil Aeronautics Board hereby amends the Civil Air Regulations (14 CFR, pt. 61, as amended), effective August 27, 1948:

1. By rescinding section 61.7209.
 2. By rescinding Special Civil Air Regulations Serial, Nos. 188 and 398.
- (Secs. 205 (a), 601-610, 52 Stat. 984, 1007-1012; 49 U. S. C. 425 (a), 551-560)

By the Civil Aeronautics Board:

[SEAL]

FRED A. TOOMBS,
Acting Secretary.

ARMED SERVICES PAY INCREASE

Mr. MORSE. Mr. President, I wish to comment briefly on an editorial and also a reader's letter, which appeared in this morning's Washington Post, after which I shall ask unanimous consent to have both the editorial and the letter inserted in the RECORD. I shall ask to have the editorial printed in the RECORD without including its title, because I want to be very careful not in any way to insert in the RECORD material which might be in violation of the rules of the Senate. The title might be such, but the body of the editorial is not.

The PRESIDING OFFICER. Without objection, the editorial may be printed in the RECORD, omitting its title.

Mr. SPARKMAN. Mr. President, will the Senator yield for a simple unanimous-consent request?

Mr. MORSE. Yes. However, I will be through in less than a minute.

Mr. SPARKMAN. In that case I withdraw the request.

Mr. MORSE. I am pleased to note that the Senator from Alabama is pleasantly surprised at that comment; but I shall be through very shortly.

Mr. SPARKMAN. No; I was simply trying to protect myself in connection with a committee meeting.

Mr. MORSE. I am willing to yield.

Mr. SPARKMAN. No; I have several minutes, so will the Senator kindly proceed?

Mr. MORSE. Mr. President, the editorial to which I have referred and the reader's letter deal with the question of an increase in pay for officers in the armed services. I am somewhat disturbed over what I am afraid is the trend of the thinking of a great many persons in the Congress and in the Nation to the effect that this is somewhat an open hunting season, politically speaking, for officers of the armed services. Many persons believe that officers should not receive any increase in pay. I consider that to be most unfair. We should take cognizance of the fact that we need the highest type of men wearing officers' uniforms, and I believe that in the armed services today we have such men. In my opinion, the 150,000,000 or more American people are greatly indebted to them for the tremendous sacrifices they are making through the military service they are performing.

Let me make it very clear that I think we must be exceedingly cautious and conservative in regard to spending money in this session of Congress, but I repeat, we can never justify a false economy, nor can we justify taking advantage of men when they are at a disadvantage. I submit that the men wearing officers' uniforms in our armed services today are at a tremendous disadvantage when it comes to the matter of obtaining a deserved increase in connection with a cost-of-living pay increase.

I have not made any final commitment, and, as a member of the Committee on Armed Services, I do not intend to, as to exactly what that pay increase should be, but I do want to make it clear that I do not accept the premise that

an officer should not receive any increase at all or that he should receive but a small increase which does not take care of the increase in the cost of living.

Mr. President, the morale of our armed services is of the utmost importance to the American people, and I believe the people owe a great debt to the men in uniform, from the lowest rank to the highest rank. I sincerely hope that we shall not go on a political hunt in connection with the matter of increase in army pay simply because many in our population these days seem to be of the opinion that any cut in the budget is desirable, whether it is a true or a false economy cut. I make a plea this afternoon for doing justice to the men who are in officers' uniforms as well as those who are in uniforms of lesser rank in our military establishment. I am satisfied that an increase in pay is due officers as well as those in lower ranks in the armed services.

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

Prof. Robert Amory, Jr., in his cogent letter elsewhere on this page, explodes some of the distorted arguments made in the Senate on the Armed Forces pay increase. A sort of misguided egalitarianism has led some Senators to suggest that high-ranking officers be excluded from the raise or that the increase accorded generals be limited to a smaller percentage than that voted lower grades. Few moves could be more unfair or disruptive of morale.

The case for an across-the-board 10-percent pay increase has nothing to do with what some legislators have termed the problem of "too many chiefs and too few Indians." If high-ranking officers are worth keeping, they are worth paying commensurately with their responsibility; living costs have gone up for them, too. To limit the raise given top officers would be to reduce further the gradation between ranks. This problem already has become acute with civilians in the Government because of the congressional practice of short-suiting the top grades in pay legislation. It has been by no means a rarity for a subordinate to be making more than his superior.

There is a more compelling reason for the Senate to vote the same percentage raise to top ranks as it does for the lower grades. High-ranking officers are career men who have devoted their lives to their profession; they are now being held in service and would not be released, even if they so desired, to take another job. To discriminate against them would be to discriminate against the men in whom the Government has the greatest investment. It is no disrespect to the privates and corporals to recognize the vastly greater responsibility of the top officers charged, under a strict code, with protecting thousands of lives and millions of dollars worth of equipment. Surely the work of General Van Fleet in Korea is as valuable, percentage-wise, as that of a man who serves under him.

I wish to protest against the wave of injustice and demagoguery that seems to be rampant among Senators considering the armed services pay increase. Doubtless much of this is caused by unfamiliarity with the essential facts.

In 1941 as a private I received \$21 per month; under the pending act a private would get \$82.50—an increase over 10 years of 300 percent. In 1941 a lieutenant colonel received \$291 base pay and \$153 allowances. Under the proposed legislation he would get

\$390 base pay and \$170 allowances—an aggregate boost of barely 26 percent. Yet it is strenuously urged that the lieutenant colonel and other field officers be excluded from the House approved 10 percent increase.

On any job analysis the discriminatory suggestion is even more shocking. A typical "light" colonel is in his late thirties, commanding an armored battalion with 70 tanks worth \$150,000 apiece, or \$10,000,000, to say nothing of his trucks and other arms worth a few million more. He is charged with life and death responsibility 24 hours a day over nearly 1,000 men. He is expected to and does expose himself in combat so as to compile the gristliest casualty rates of any rank. And in recognition of all this we now pay him a measly \$20 a day—say \$2 an hour (nearer \$1 if he is in combat)—less than any semiskilled worker in a nice, safe factory without an iota of responsibility beyond his bench.

If such ridiculous egalitarian nonsense isn't checked before too late, it will be a miracle if we can continue to retain the services of the able and devoted men who command our battalions and regiments, our destroyers and subs and our fighter squadrons and VLR bombers.

ROBERT AMORY, Jr.,
Professor of law, Harvard University.
CAMBRIDGE, MASS.

**MIGRATION RESETTLEMENT AGENCY—
SPECIAL COMMITTEE TO STUDY PROBLEM
OF OVERPOPULATION IN WESTERN
EUROPE AND PROGRAM OF ASSISTANCE
TO REFUGEES FROM COMMUNIST TYR-
ANNY**

Mr. McCARRAN. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill and to submit a Senate resolution, and to make a statement in explanation thereof.

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Is there objection to the request of the Senator from Nevada? The Chair hears none, and the Senator from Nevada may proceed.

Mr. McCARRAN. The purpose of the bill which I will introduce is to establish an independent agency in the executive branch of the Government to be known as the Migration Resettlement Agency, the function of which will be to develop and promote migration of surplus workers from certain European countries to areas of the world in need of additional manpower.

The purpose of the resolution which I have just introduced is to establish a special committee of the Senate to study the problem of overpopulation in Western Europe and programs of assistance to refugees from Communist tyranny.

Mr. President, one of the most serious problems which is facing the free world today is the problem of the surplus population of the free countries of Western Europe. It is a problem which is becoming increasingly more acute because of the additions to the Western European populations caused every month by thousands upon thousands of refugees from behind the iron curtain. Although it is principally a humanitarian problem, it is likewise an economic and political problem which has a direct bearing on our efforts to strengthen the free world against Communist encroachment.

The Mutual Security Act of 1951, which was enacted in the first session of

this Congress, provided the sum of \$10,000,000 to encourage immigration from countries with surplus manpower to underdeveloped areas where such manpower can be effectively utilized. I strongly supported this provision of the Mutual Security Act, because I am firmly convinced that a program of planned international migration of the surplus manpower of Western Europe to underdeveloped areas, if such program is soundly conceived and properly administered, will not only assist in solving the social and economic problems of the Western European countries, but will develop pockets of strength against Communist encroachment in the underdeveloped areas. At the same time this program will relieve the pressure on the immigration system of the United States, which is at this moment threatened with collapse under the besieging of millions.

I am firmly convinced, furthermore, that if this Government is to take the lead in formulating a program of international migration from the European countries to the underdeveloped areas of the world, it is essential that, first, such program be based upon facts which we ourselves develop after careful study and investigation, and, second, the program be administered by an agency established by and responsible to the United States Government.

After the enactment of the Mutual Security Act of 1951 a conference was called of 32 governments, including the United States, at Brussels, Belgium, on November 26, 1951, at which time a temporary organization was established in order to take over the fleet of ships which had been operated by the International Refugee Organization so that the outstanding programs of international migrations would not be suspended.

There are those, Mr. President, who advocate the establishment of some kind of permanent international organization to develop an international migration program. It is obvious to me that this would only mean the perpetuation of the international refugee organization which, at the insistence of the member governments, is going out of existence. In my opinion it would be disastrous to the security of this Nation and the Western Hemisphere if any large scale international migration program were to be administered by an international agency in which our Government had only a minority voice. Instead, pursuant to the provisions of the bill which I have just introduced, we would have an agency of the Government of the United States which would be operating on standards specified by the Congress, and which would enter into agreements with the countries of emigration and countries of immigration to facilitate an international migration program. This plan of operation would mean that the United States of America would be in a position to protect our vital interests in the type of people who would be moved to the underdeveloped areas of the Western Hemisphere. It would mean that the Congress, through its appropriate committees, could exercise a continuing surveillance over the migration program, and would be given periodic reports on its progress.

I propose that if the bill is enacted, the new agency be established on a very modest basis, and proceed to develop plans for an international migration program on the basis of the findings and recommendations of the Senate committee which would be established pursuant to the resolution which I have just submitted. In this way, Mr. President, we can undertake to solve a major problem of the world on a sound basis consistent with the best interests of the United States.

I send forward the bill and the resolution.

The PRESIDING OFFICER. The bill and resolution will be received and appropriately referred.

The bill (S. 2567) to facilitate immigration to areas of the world in need of additional manpower for economic development from certain European countries having surplus manpower, introduced by Mr. McCARRAN, was read twice by its title and referred to the Committee on the Judiciary.

The resolution (S. Res. 270), submitted by Mr. McCARRAN, was referred to the Committee on the Judiciary, as follows:

Whereas there exists a problem of overpopulation in certain Western European countries as a result of World War II and events growing out of that conflict; and

Whereas such overpopulation serves as a serious obstacle to the restoration of economic, social, and political stability in Free Europe; and

Whereas the agents of the Kremlin are taking every advantage of this situation to foment unrest, distrust, and despair among large segments of the people of Western Europe; and

Whereas large numbers of refugees from behind the iron curtain have escaped to Western Europe, and constitute a potentiality of valuable citizenry in the free world; and

Whereas there exist unlimited possibilities for deterring and weakening Soviet power in vast areas now under its domination by the encouragement of disaffectors and escapees; and

Whereas the countries of Western Europe which by virtue of their geographical location afford ready asylum to the escapees from communism are already overpopulated, and therefore not adequately equipped to care for these escapees indefinitely; and

Whereas a genuine interest in the lives and future welfare of these unfortunate fellow members of the human race has been manifested by the United States; and

Whereas free peoples should encourage and promote the preservation and enjoyment of the God-given rights of men to live in freedom from tyranny; and

Whereas vast areas of the free world are underpopulated and would greatly benefit from immigration in a manner which would increase the resources and productive capacity of the free world; Now, therefore, be it

Resolved, That (A) there is hereby established a special committee to be known as the Special Committee to Investigate the Problem of Overpopulation in Western Europe and Programs of Assistance to Refugees From Communist Tyranny (hereinafter referred to as the "Committee"), to be composed of nine Members of the Senate. The Committee shall be composed as follows: three Members from the Committee on the Judiciary, one of whom shall serve as chairman of the Committee, three Members from the Committee on Foreign Relations, and three Members from the Committee on

Armed Services. Any vacancy occurring in the membership of the Committee shall be filled in the manner in which the original appointment was made. The Committee is authorized and directed to conduct a thorough and complete study, survey, and investigation of the problem of overpopulation in certain western European nations, the relationship this problem has to the ability of these nations to develop a self-sustaining economic, social, and political system which can defend itself against the penetrations of communism, the problems created by the flow of escapees and refugees from Communist tyranny to the Western European nations, and to make recommendations on—

(1) The methods most likely to relieve the problems brought about by overpopulation in Western Europe which at the same time will increase the productive capacity of the free world and further strengthen its defenses against the penetrations and encroachments of communism;

(2) The ways and means of assisting worthy refugees who have escaped from Communist tyranny, and the methods best suited to encourage future disaffection and escape so as to strengthen the forces seeking affiliation with the free world;

(3) The manner of coordinating the activities and programs of the various agencies of Government having responsibilities with respect to (a) United States participation in intergovernmental programs seeking to relieve the problems of overpopulation in certain Western European nations, (b) the care, rehabilitation, education, utilization, and emigration of refugees from communism, and (c) the integrating of such refugees into the forces of the democratic nations.

(B) The committee shall report to the Senate from time to time the results of its study, survey, and investigation, together with such recommendations as it deems appropriate to the accomplishment of the purposes of this resolution.

(C) For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings in or outside of the continental United States; to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate during the Eighty-second Congress; to employ such experts and clerical, stenographic, and other assistants, without regard to the civil service rules and regulations and the Classification Act of 1949; to request such information from any department or agency of the Government; to require by subpoena or otherwise the attendance of witnesses and the production of books, papers, and documents; to administer such oaths, and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report the hearings of the committee shall not be in excess of 25 cents per 100 words. The expenses of the committee, which shall not exceed \$_____, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(D) All authority conferred by this resolution shall terminate on _____.

NOMINATION OF HOWLAND SARGEANT AND RETIREMENT OF ASSISTANT SECRETARY OF STATE BARRETT

Mr. BENTON. Mr. President, I wish to express my pleasure at the news that the President has nominated Howland Sargeant, of Rhode Island, as the new Assistant Secretary of State for Public Affairs succeeding Assistant Secretary Barrett who has resigned.

Howland Sargeant served as my deputy when I served as Assistant Secretary

to Mr. Byrnes and General Marshall, so I am in a position to know what a splendid choice he is for the job. Indeed, it was I who brought him into the Department 5 or 6 years ago.

Mr. Sargeant has served the Government faithfully and with distinction for nearly 15 years. He came into Government service at the age of 24 after having been graduated from Dartmouth College with the highest honors and having studied at Oxford for 3 years on a Rhodes scholarship. He has ably filled positions of importance and responsibility with the Federal home-loan bank, the National Academy of Sciences, the Division of Patent Administration for the Office of Alien Property Custodian, and, of course, the State Department. His earliest work in the State Department was as my vice chairman of the old Interdepartmental Committee on Scientific and Cultural Cooperation, which, in fact, is the earliest former predecessor in the United States Government of the now famous point 4 program.

Secretary of the Army Pace awarded Mr. Sargeant the Army's certificate of appreciation for his work as chairman of the technical industrial intelligence committee of the United States Joint Chiefs of Staff during the war.

In 1949 Secretary of State Acheson presented Mr. Sargeant with the Department's award for superior service. This award was given to him for his work as the steering member of reorganization task force No. 2 in the spring of 1949, whose recommendations provided part of the basis for the present organization of the Department of State.

Howland Sargeant has been a tower of strength to Assistant Secretary Barrett and has done a noteworthy job representing the United States in its relations with the United Nations Educational, Scientific, and Cultural Organization. He acted as chairman of the United States delegation to the fifth general conference of UNESCO in Florence in 1950. The following year, in addition to serving as chairman of the American delegation, he was appointed president of the conference which was held in Paris. As a delegate myself to previous conferences, I attest to the fact that this was a great personal tribute from the delegates of other countries, and it was a tribute as well to his wife, who is known to millions as Myrna Loy, but who is known to delegates at UNESCO conferences for her faithful and tireless work in the promotion of international understanding through the mass media.

Nor can I speak highly enough of Assistant Secretary Barrett, of my State of Connecticut, who has done a great and permanently outstanding public service in a sensitive and trying spot. He has worked night and day the past 2 years to increase the stature and the scope of the United States information and educational exchange program.

Before pouring his energy and talent into this program, Mr. Barrett had been editorial director of Newsweek magazine. During the war he had been one of the key men with the Office of War Information, finally ending up as director of the Overseas Branch, OWI. When I inherited the OWI, I tried to persuade him

to stay in Government service, and one of my first acts as a United States Senator was most enthusiastically to urge his appointment as Assistant Secretary.

Writing to Ed Barrett last week, the President said:

I know the tremendous time and effort you have given to the direction of the international information and education exchange program, and I think the results speak for themselves. In the past 2 years the program has been so improved and expanded that you must have a great sense of personal satisfaction in the contribution you have made in heading up this immensely important work.

Under your leadership, the "campaign of truth" has played an indispensable part in the struggle for freedom and peace. The honorable intentions of the United States have been made clear to more and more people throughout the world. Even behind the iron curtain millions of people have been given renewed hope and courage through our broadcasts and other forms of communication. The work you have carried forward so ably must be continued and expanded.

The Government is now losing one of its most valuable servants with Ed Barrett's resignation. If we followed British practices, we would now put him on the "honors list" and acclaim him as Sir Edward, or, if he preferred, as Lord C.W.I.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, informed the Senate that pursuant to the provisions of section 13, Public Law 233, Eighty-second Congress, Mr. MURRAY of Tennessee, Mr. MORRISON, and Mr. REES of Kansas had been appointed members of the Joint Committee on Postal Service.

SUSPENSION OF IMPORT DUTIES ON LEAD

The Senate resumed the consideration of the bill (H. R. 4948) to suspend certain import duties on lead.

Mr. GEORGE. Mr. President, the hour of 2 o'clock having arrived, I hope we may now proceed to consider the unfinished and pending business. I do not care to make any remarks regarding the bill beyond the brief statement that it merely proposes to suspend until March 31, 1953, practically a year, the duty on lead.

The suspension is made necessary by the fact that lead imports are needed in the United States for defense purposes, and the duty now provided for in the law, though small, tends to restrict imports of lead. It is believed by the authorities who are charged with the responsibility in this field that the suspension of the duty for the 12 months beginning March 31, 1952, will result in an increase in the imports of lead into the United States.

The bill specifically provides that in the event the price of lead falls below a certain point, 18 cents a pound, and that condition continues for any one calendar month within the period of the suspension, the act itself shall become ineffective, and the duty shall be restored. That, briefly, is what the bill provides.

So far as the principle of suspending the duty for the 12 months from March 31 this year to March 31 next year is concerned, perhaps there is no disagreement. There may be a disagreement as to how the duties fixed in the Tariff Act of 1930 and under the Canadian Tariff Agreement should go back into effect.

The duties fixed in the Tariff Act of 1930 were cut by 50 percent in the treaty with Mexico. On the cancellation of that treaty, the duties fixed in the act of 1930 went back into full effect. Subsequently, however, a trade agreement was entered into with Canada, and the duty was cut 50 percent under the 1930 figures.

Mr. President, the whole purpose of the bill is to undertake to induce larger imports of lead into the United States. Lead is now needed. The general world market price for lead is above that paid in the United States at this time, I understand.

The PRESIDING OFFICER. The clerk will state the first amendment of the Committee on Finance.

The CHIEF CLERK. On page 2, line 6, after the word "below", it is proposed to strike out "16 $\frac{3}{8}$ " and insert "18."

Mr. GEORGE. Regarding that amendment, I may say that between the time the House passed the bill and the time the bill came to the Committee on Finance, the Price Administrator had fixed a higher price for lead, and it was thought appropriate to amend the bill by increasing the amount to 18 cents, in lieu of the price fixed under the bill as it passed the House.

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

The amendment was agreed to.

PROPOSED EMERGENCY FREE TRADE ON LEAD

Mr. MALONE. Mr. President, the amendment I am about to offer to H. R. 4948, to remove the tariff from lead for the period of the emergency, would correct a vital defect in this proposed legislation. Senator GEORGE has just said that the reason for changing the price per pound fixed by the House at which point the tariff would be reinstated is that the price has fluctuated to that extent since the passage of the bill by that body.

Mr. President, if we now freeze the price at 18 cents a pound, then within a very short time the 18-cent per pound price will mean no more than the lower price previously prescribed by the House, since inflation will throw it out of gear.

INFLATION AND CURRENCY MANIPULATION

There is in the bill no provision at this time which can take into account either continuing inflation in this country or manipulation of their exchange currencies by the foreign nations.

My amendment is offered to cure the vital defect which would develop through fixing a price now, adjourn, as we hope, in July, and then have the price frozen during the ensuing 9 months or a year, regardless of any change in the purchasing power of our dollar or the ma-

nipulation of their currencies by foreign nations.

THE SENATE FINANCE COMMITTEE REPORT

The language of the report submitted by the Committee on Finance is very clear and to the point. It says, in recommending the amendment:

The bill as adopted by the House contained a proviso whereby the President should revoke the suspension of duties when for any one calendar month the average market price of common lead for that month, delivered at New York, had been below 16 $\frac{3}{8}$ cents per pound.

The ceiling price as fixed by the Economic Stabilization Agency was 17 cents per pound at the time the bill was passed by the House. The new ceiling price established by that Agency on October 2, 1951, was 19 cents per pound.

In other words, Mr. President, because of inflation and changed conditions, the Economic Stabilization Agency found it necessary to raise the price 2 cents during that short period, in order that the price might mean anything.

WHY 18 CENTS PER POUND?

The report continues:

In conformity with the spirit of the House bill your committee amended it to provide for a restoration of the duty if the price of lead fell below 18 cents per pound.

To mean anything, it must be that this is an attempt to reinstate the duty when the foreign price falls below a price which would be competitive with foreign low-cost labor-produced lead on a basis of fair and reasonable competition with the domestic market.

If it does not mean that, of course, it is simply a method of fooling the public. However, if that is the meaning, then I suggest that the amendment which the junior Senator from Nevada is about to offer will answer that particular question.

THE AMENDMENT

Mr. President, I offer the amendment, which I send to the desk, to provide for a flexible regulation of the price at which the duty would be reinstated.

THE TARIFF COMMISSION VERSUS FIXED PRICE

The price at which such duty would be reinstated would be set by the Tariff Commission of the United States, laying down definite conditions and factors which would be considered by the Tariff Commission in fixing the price, instead of permitting Congress to freeze the price and go home, with the probability that within 60 or 90 days the price would mean nothing. I ask that the amendment be read.

The PRESIDING OFFICER. The Chair was about to ask the Senator if he wished to have the amendment read or simply printed in the RECORD.

Mr. MALONE. It should be printed in the RECORD. However, the vote will probably be taken within an hour or half an hour, so it also should be read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, line 3, it is proposed to strike out all after the colon, down through line 21, and insert in lieu thereof the following:

Provided, That (a) whenever the Tariff Commission determines that any foreign

article described in such paragraphs 391 or 392 is not furnishing fair and reasonable competition with like or similar domestic articles, the Tariff Commission shall so advise the President and the President shall, by proclamation, not later than 20 days after he has been so advised by the Tariff Commission, revoke such suspension of the duties imposed on such article under paragraphs 391 or 392 of the Tariff Act of 1930, such revocation to be effective with respect to articles entered for consumption or withdrawn from warehouse for consumption after the date of such proclamation. A foreign article shall be considered as providing fair and reasonable competition to United States producers of a like or similar article if the Tariff Commission finds as a fact that the landed duty paid price of the foreign article in the principal market or markets in the United States is a fair price, including a reasonable profit to the importers, and is not substantially below the price, including a reasonable profit for the domestic producers, at which the like or similar domestic articles can be offered to consumers of the same class by the domestic industry in the principal market or markets in the United States.

(b) In determining whether the landed duty paid price of a foreign article, including a fair profit for the importers, is, and may continue to be, a fair price under subdivision (a), the Tariff Commission shall take into consideration, insofar as it finds it practicable—

(1) The lowest, highest, average, and median landed duty paid price of the article from foreign countries offering substantial competition;

(2) Any change that may occur or may reasonably be expected in the exchange rates of foreign countries either by reason of devaluation or because of a serious unbalance of international payments;

(3) The policy of foreign countries designed substantially to increase exports to the United States by selling at unreasonably low and uneconomic prices to secure additional dollar credits;

(4) Increases or decreases of domestic production and of imports on the basis of both unit volume of articles produced and articles imported, and the respective percentages of each;

(5) The actual and potential future ratio of volume and value of imports to volume and value of production, respectively;

(6) The probable extent and duration of changes in production costs and practices;

(7) The degree to which normal cost relationships may be affected by grants, subsidies, excises, export taxes, or other taxes, or otherwise, in the country of origin; and any other factors either in the United States or in other countries which appear likely to affect production costs and competitive relationships.

(c) For the purpose of this proviso—

(1) the term "domestic article" means an article wholly or in part the growth or product of the United States; and the term "foreign article" means an article wholly or in part the growth or product of a foreign country;

(2) the term "United States" includes the several States and Territories and the District of Columbia;

(3) the term "foreign country" means any empire, country, dominion, colony, or protectorate, or any subdivision or subdivisions thereof (other than the United States and its possessions);

(4) the term "landed duty paid price" means the price of any foreign article after payment of the applicable customs or import duties and other necessary charges, as represented by the acquisition cost to an importing consumer, dealer, retailer, or manufacturer, or the offering price to a consumer, dealer, retailer, or manufacturer, if imported by an agent.

(d) The Tariff Commission is authorized to make all needful rules and regulations for carrying out its functions under this proviso.

(e) The Tariff Commission shall make a report to the Congress at the end of each 3 months' period of its action taken under this proviso.

Mr. MALONE. Mr. President, the amendment which the clerk has just stated would remove the duty on the importation of lead through the period of the emergency, and fix a definite price per pound at which the duty would be reinstated.

The amendment would direct the Tariff Commission to fix the price per pound from time to time, at which such duty would be reinstated on the basis of fair and reasonable competition between the domestic and foreign producers as the criterion of such price.

Definite instructions to the Tariff Commission, together with the conditions and factors which it is to consider in arriving at such fair and reasonable competitive prices, are included in the amendment.

PRINCIPLE NOT CHANGED

The principle of the bill is not changed. Under my amendment the Tariff Commission would arrive at a price at which the duty would be reinstated, which would take into consideration the effect of inflation, the manipulation of foreign exchange for trade advantage, and other pertinent factors. There are many pertinent factors, none of which are considered in the bill as it is written.

There is no change in the provision of the bill that the tariff shall be removed as of the effective date of the legislation.

As the junior Senator from Nevada has said, the price at which the tariff would be reinstated would not be a frozen price, with Congress adjourned as is now provided in the bill, but would be in the hands of a commission regularly established by Congress, and which at one time was charged with the responsibility of fixing tariffs on the basis of fair and reasonable competition—not a high tariff or a low tariff, but a tariff based upon the differential in the living standard in this country and abroad.

The amendment continues, in the language of the bill:

The Tariff Commission shall so advise the President and the President shall, by proclamation, not later than 20 days after he has been so advised by the Tariff Commission, revoke such suspension of the duties imposed on such article under paragraphs 391 or 392 of the Tariff Act of 1930, such revocation to be effective with respect to articles entered for consumption or withdrawn from warehouse for consumption after the date of such proclamation. A foreign article shall be considered as providing fair and reasonable competition to United States producers of a like or similar article if the Tariff Commission finds as a fact the landed duty paid price of the foreign article in the principal market or markets in the United States is a fair price, including a reasonable profit to the importers, and is not substantially below the price, including a reasonable profit for the domestic producers, at which the like or similar domestic articles can be offered to consumers of the same class by the domestic industry in the principal market or markets in the United States.

Mr. President, the amendment takes into account the changes brought about by inflation, which has been caused by the policies adopted by the administration and approved by Congress. All that one need do is to pick up a daily newspaper and look at the Associated Press index on the cost of living and the index of retail prices, and the index of wholesale prices published by the Department of Labor.

COST OF LIVING INDICES

The three indices are kept up continuously, and they offer a very fair criterion of what is happening in this country to the purchasing power of the dollar.

In other words, Mr. President, the indices show that a dollar, which was worth 100 cents in 1939, is worth 53 cents today. Some of us believe that a dollar is worth much less than 53 cents. However, taking the administration's own figures, it is evident that a price fixed in 1939 would be just about 100 percent less today.

PRESIDENT'S BUDGET—DOLLAR VALUE

With the President's recommendations before us calling for an \$85,000,000,000 budget, and another increase in taxes, I leave it to anyone, judging the future by the past, as to what will happen to the purchasing power of the American dollar.

The amendment would require the price at which the tariff would be reinstated to be determined on some scientific basis, taking into consideration the principle of fair and reasonable competition, instead of using the shotgun method which the Price Stabilization Board is now using and freezing that price for 15 months.

FACTORS CONSIDERED

(b) In determining whether the landed duty paid price of a foreign article, including a fair profit for the importers, is, and may continue to be, a fair price under subdivision (a), the Tariff Commission shall take into consideration, insofar as it finds it practicable—

(1) The lowest, highest, average, and median landed duty paid price of the article from foreign countries offering substantial competition.

(2) Any change that may occur or may reasonably be expected in the exchange rates of foreign countries either by reason of devaluation or because of a serious unbalance of international payments.

Mr. President, those factors are present at all times. For Congress to freeze a price and blithely go home, without considering the domestic producers, is utter idiocy.

(3) The policy of foreign countries designed substantially to increase exports to the United States by selling at unreasonably low and uneconomic prices to secure additional dollar credits.

Let us take England, for example, since England largely dominates Europe. England subsidizes her food prices, has socialized medicine and other services paid for. Consequently the workmen of England are subsidized to what extent it is almost impossible to determine. Their standard of living, as everyone knows, is approximately one-third to one-half the standard of living in this country.

By further manipulation, through additional food subsidy, with the money which we are advancing as gift-loans, the 18 cents proposed in the bill could be offset almost immediately.

Mr. President, those are factors which Congress has almost entirely neglected in the past. I hope it will not entirely shift its responsibility in this important field.

STATE DEPARTMENT AGENT FOR FOREIGN GOVERNMENTS

Mr. President, the State Department is really an agent for the foreign governments in their attempt to divide the markets of this country with the nations of the world. All of the State Department's arguments, and the results of those arguments prove it to be a fact.

(4) Increases or decreases of domestic production and of imports on the basis of both unit volume of articles produced and articles imported, and the respective percentages of each.

Any changes in wages, brought about by inflation, as shown by the purchasing power index of the dollar, would immediately affect the price of 18 cents which is fixed in the bill.

No one will venture to say that such will not be the effect if the foolhardy policy of the administration continues, if higher taxes are levied, greater appropriations are made, and there is more wild spending and more money sent to other nations without any safeguards whatever. More money will have to be printed each year. The amount of money in circulation during the past 25 or 30 years has almost quadrupled.

All of these factors must be taken into consideration. No one can object to an increase in wages to cover the room rent and grocery bills as the dollar becomes less valuable.

(5) The actual and potential future ratio of volume and value of imports to volume and value of production, respectively.

(6) The probable extent and duration of changes in production costs and practices.

They are dependent upon many factors, but all the factors are affected by the manipulation of our own money values and by foreign exchange manipulation.

(7) The degree to which normal cost relationships may be affected by grants, subsidies, excises, export taxes, or other taxes, or otherwise, in the country of origin; and any other factors either in the United States or in other countries which appear likely to affect production costs and competitive relationships.

Mr. President, I have already covered to a large degree the factors, namely, subsidies, excises, export taxes, and other taxes that affect the price of lead if it is to be established upon a basis of fair and reasonable competition. It is a well-known fact that all the ECA countries manipulate their exchange, and in a large measure use our money to accomplish it.

DEMAND FOR LEAD

Since the outbreak of hostilities in Korea in June 1950, the demand for lead in the United States and in the world at large has been increased rapidly. As a result of this demand, domestic lead prices have risen from 11 cents per pound on June 28, 1950, to 17 cents per pound on January 1, 1951.

Mr. President, in the short period of 6 months the price of lead has risen from 11 cents a pound to 17 cents a pound.

The report further states:

The Economic Stabilization Agency froze the price of domestic lead at 17 cents per pound and of imported lead at 18½ cents per pound on January 26, 1951.

STRANGE ATTRACTION FOR FOREIGN PRODUCTS

Mr. President, we seem to have a strange attraction for foreign producers over domestic producers, when, as a matter of fact, the reverse should be the principle.

The domestic price of lead should be established by determining the differential between our wage-living standards and abroad.

Mr. President, a substantially higher price should be paid to the domestic producers, as compared with the price paid to the foreign producers. Instead, the reverse is true.

THE COMMITTEE REPORT

The committee's report further states:

The ceiling on both domestic and imported lead was frozen at 19 cents per pound on October 2, 1951.

Mr. President, in my opinion, this one statement convicts the committee of not thinking the matter through.

I point this out only in order to call the attention of the Members of the Senate—although they are familiar with this matter, if they have happened to glance at the record—to the fact that the price of lead has varied from 11 cents a pound in about the middle of 1950 to 19 cents a pound on October 2, 1951, a period of approximately 1 year and 3 months.

Mr. President, the committee blithely recommends that the United States freeze the price at 18 cents for more than a year—in fact, for 1 year and 3 months. But during the preceding period the price varied as much as 8 cents a pound.

FLEXIBLE METHOD NECESSARY

The committee's report makes plain why it is necessary to provide a flexible method of arriving at the domestic unit price, at which point the tariff would be reinstated if the tariff is to mean anything at all.

Of course, the tariff has been reduced over the years by the arbitrary action of the State Department, with the deliberate attempt to break down the domestic production and to transfer those jobs and investments to foreign soil.

That has been accomplished by virtue of the fact that they have lowered the tariff and import fee to a point below the differential between the wage-living standard in the United States and the wage-living standard abroad. Thus they have deliberately hamstringed all the effect of any tariff or import fee which is for the purpose of establishing competition on a fair and reasonable competitive basis. That action establishes their representation of the foreign countries and their interest in those foreign countries, as compared with the United States, and their work to lower the wage-living standard in the United States to the level of that of the other nations of the world.

Mr. President, today we are maintaining our standard of living by means of "shots in the arm," so to speak—by means of tax increases and deficit financing through bond sales to permit our country to buy the products from all the rest of the world, as well as to buy the products of our own country.

When a reason for that procedure disappears—and it could in the not-far-distant future—the economic blow will fall.

World smelter production of lead, by countries where smelted, 1943-49, in metric tons¹

[Compiled by Berenice B. Mitchell]

Country	1943	1944	1945	1946	1947	1948	1949
Argentina.....	23,800	19,100	21,159	16,190	17,800	17,830	15,000
Australia.....	192,322	157,026	158,353	139,665	161,093	162,057	185,300
Austria.....	12,043	10,123	1,272	4,476	3,795	9,350	9,841
Belgium ²	7,960	7,690	7,340	23,762	40,520	66,035	79,304
Burma.....						7,570	2,318
Canada.....	208,091	129,347	147,964	150,360	147,104	145,246	132,608
China.....	1,179	153	850	14	771	834	(³)
Czechoslovakia.....	(⁴)	(⁴)	645	2,800	4,460	5,770	(⁵)
France.....	12,428	1,923	2,765	32,010	36,623	34,702	54,450
French Indochina.....	16	51					
Germany: ⁶							
Federal Republic.....	157,200	139,900	(⁷)	27,659	24,356	49,382	99,372
Soviet Zone.....					(⁸)	(⁹)	(⁹)
Greece.....	1,150	600	700	1,127	948	1,166	1,706
Guatemala.....	114	136	115	131	110	(⁹)	68
Hungary.....	6,370	3,230	10	10	60	(⁹)	(⁹)
India.....					234	554	593
Italy.....	17,715	2,229	2,826	14,269	17,701	26,734	26,346
Japan.....	32,511	30,040	12,568	4,965	8,518	10,197	12,619
Korea:							
North.....							
South.....	18,467	21,200	2,548	2,000	250	(⁹)	(⁹)
Mexico.....	212,452	178,270	201,078	137,742	217,827	187,067	212,004
Northern Rhodesia.....	1,265	1,047	1,748	8,371	15,801	13,229	14,169
Norway.....			52	36	48		
Peru.....	43,171	38,906	40,001	36,478	32,810	34,297	36,027
Poland.....	15,506	15,833	7,000	10,915	12,761	16,874	17,000
Rumania.....	187	261	3,363	3,225	3,316	(⁹)	(⁹)
South-West Africa.....					64	82	
Spain.....	36,760	30,978	31,922	32,346	34,382	20,926	27,364
Sweden.....	2,193	10,553	12,501	11,223	9,229	6,228	10,757
Tunisia.....	1,867	5,335	7,023	7,498	9,891	18,060	19,498
U. S. S. R. ¹⁰	50,000	45,000	40,000	48,000	63,000	75,000	90,000
United Kingdom ¹¹	4,064	3,556	2,743	2,540	2,852	2,312	2,122
United States (refined) ¹⁰	425,903	421,538	402,304	306,717	400,018	363,092	431,692
Total (estimate).....	1,492,000	1,292,000	1,119,000	1,040,000	1,309,000	1,350,000	1,563,000

¹ Data derived in part from Monthly Bulletin of the United Nations, The Mineral Industry of the British Commonwealth and Foreign Countries Statistical Summary, and the Year Book of the American Bureau of Metal Statistics. Estimate for Yugoslavia included in total.
² Includes scrap.
³ Data not yet available; estimate by author of chapter included in total.
⁴ Included with Germany.
⁵ Exclusive of secondary material. Includes Upper Silesia and Sudetenland through 1944.
⁶ Estimate.
⁷ American and British zones only.
⁸ January to June, inclusive.
⁹ Data represent Trianon Hungary after October 1944.
¹⁰ Figures cover lead refined from domestic and foreign ores; refined lead produced from foreign base bullion not included.

Mr. MALONE. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a table showing the mine production of recoverable lead in the United States, by districts that produced

1,000 tons or more during any year, 1940 to 1944, average, and 1945 to 1949, in short tons. The VICE PRESIDENT. Without objection, it is so ordered. The table is as follows:

Mine production of recoverable lead in the United States, by districts that produced 1,000 tons or more during any year, 1940-44 (average) and 1945-49, in short tons

District	State	1940-44 (average)	1945	1946	1947	1948	1949
Southeastern Missouri region.....	Missouri.....	176,032	173,005	135,796	129,516	100,654	126,269
Coeur d'Alene region.....	Idaho.....	92,848	63,430	56,548	73,060	82,587	74,152
West Mountain (Bingham).....	Utah.....	35,794	22,723	12,343	26,163	30,672	32,600
Tri-State (Joplin region).....	Kansas, southwestern Missouri, Oklahoma.....	34,703	23,556	23,363	24,239	26,901	30,883
Warren (Bisbee).....	Arizona.....	1,337	9,400	10,889	13,422	11,253	13,865
Summit Valley (Butte).....	Montana.....	6,247	2,870	2,357	10,630	13,217	11,490
Park City region.....	Utah.....	16,361	8,916	8,373	10,987	12,670	8,683
Old Hat.....	Arizona.....	2,636	5,216	4,790	4,603	5,406	6,788
Tintic.....	Utah.....	7,943	4,930	4,239	6,166	5,970	6,676
Pioche.....	Nevada.....	4,421	2,987	3,493	3,487	5,613	6,330
Upper San Miguel.....	Colorado.....	1,584	1,986	2,376	2,559	3,804	5,285
California (Leadville).....	do.....	3,191	5,016	4,441	4,296	4,745	5,080
Coso (Darwin).....	California.....	1,173	5,214	7,708	6,551	6,078	4,928
Pima (Sierritas, Papago, Twin Buttes).....	Arizona.....	609	2,063	2,296	2,909	3,917	4,232

Mine production of recoverable lead in the United States, by districts that produced 1,000 tons or more during any year, 1940-44 (average) and 1945-49, in short tons—Continued

District	State	1940-44 (average)	1945	1946	1947	1948	1949
Metaline.....	Washington.....	4,145	3,506	2,224	3,450	4,297	4,030
Ten Mile.....	Colorado.....	204	680	810	1,167	4,177	3,671
Big Bug.....	Arizona.....	925	1,981	2,155	2,323	2,676	3,330
Austinville.....	Virginia.....	2,666	4,222	4,381	3,803	4,703	3,313
Rush Valley and Smelter (Tooele County).....	Utah.....	3,943	3,137	3,490	3,829	4,185	2,953
Animas.....	Colorado.....	2,507	2,613	3,207	2,241	1,886	2,935
Kentucky, southern Illinois.....	Kentucky, southern Illinois.....	2,238	2,649	3,687	1,889	2,965	2,822
Central.....	New Mexico.....	3,670	5,379	3,190	3,450	3,740	2,479
Warm Springs.....	Idaho.....	4,227	2,347	1,649	1,879	1,304	2,339
Heddlerton.....	Montana.....	1,619	3,175	2,648	2,087	1,946	2,335
Upper Mississippi Valley.....	Iowa, northern Illinois, Wisconsin.....	1,044	2,261	1,861	1,816	1,807	2,046
Bossburg.....	Washington.....	16	158	428	1,010	1,394	2,011
Red Cliff.....	Colorado.....	1,713	572	690	924	1,120	1,600
Harshaw.....	Arizona.....	4,392	1,066	692	1,393	1,999	1,546
Pioneer (Rico).....	Colorado.....	2,425	2,440	2,176	2,042	2,430	1,388
St. Lawrence County.....	New York.....	2,101	862	1,073	1,496	1,231	1,317
Battle Mountain.....	Nevada.....	70	33	45	39	234	1,290
Aravaipa.....	Arizona.....	112	291	467	794	1,142	1,271
Tomichi.....	Colorado.....	145	365	333	1,458	1,788	1,221
Magdalena.....	New Mexico.....	859	1,243	1,273	1,987	2,826	1,162
Creede.....	Colorado.....	431	303	246	329	451	1,162
Ophir.....	Utah.....	2,048	115	336	790	791	1,089
Bayhorse.....	Idaho.....	1,501	1,302	553	2,039	1,880	1,073
Sneffels.....	Colorado.....	321	442	(1)	(1)	756	1,064
Eagle.....	Montana.....	2,422	599	469	393	600	1,024
Modoc.....	California.....	21	862	279	139	1,061	729
Eureka.....	Colorado.....	41	59	300	630	1,107	578
Alder Creek.....	Idaho.....	37	38	136	1,103	776	442
Northport (Aladdin).....	Washington.....	144	28	39	508	1,426	342
Resting Springs ¹	California.....	(2)	(2)	(2)	(2)	(2)	(2)

¹ Not listed in order of output.
² Bureau of Mines not at liberty to publish figures.

Mr. MALONE. Mr. President, to show the manipulations of the tariff by the State Department, I now refer to page 15 of the report, under the heading "Foreign trade." This document is entitled "Lead," and is a preprint from the Bureau of Mines Mineral Yearbook, 1949.

On page 15, under the heading "Foreign trade" we find the following:

Tariff: The import duty set by the Tariff Act of 1930 on lead-bearing ores, blue dust, and mattes (lead content) was 1½ cents per pound, and on lead bullion, pigs, bars, scrap lead, antimonial lead, type metal, babbitt metal, solder, and alloys not specifically provided for, 2½ cents per pound. In accordance with the Mexican Trade Agreement of January 30, 1943, these rates were reduced to ¾ cent and 1½ cents per pound, respectively. In June 1948 the duties were suspended for 1 year by act of Congress. As the Congress took no action on a bill to extend the suspension beyond June 30, 1949, the expiration date of the original legislation, the import duty of 1½ cents a pound on pig lead and ¾ cent a pound on lead in ores and concentrates was reinstated automatically on July 1.

MEDDLING BY THE STATE DEPARTMENT AND CONGRESS

Mr. President, this table shows the effect of the manipulation of the tariffs by the State Department and of the continual meddling by the Congress.

GOVERNMENT VERSUS PRIVATE CAPITAL

Mr. President, if the Congress were to establish a principle of fair and reasonable competition as a basis of fixing import fees and tariffs and were to allow the tariff to be fixed in accordance with that principle rather than to be held down to the point for which the State Department has bargained, then I point out to you, Mr. President, that the private capital of this Nation would go into the mining business, into the lead-mining business,

into the zinc-mining business; and no longer would it be necessary to provide the short amortization periods of 4 to 5 years for the purpose of writing off the investment, deferring taxes, the cost of which fall on the remainder of the taxpayers; and no longer would it be necessary for the majority of the miners and others who are interested in the production of these commodities to go to the RFC or to some other Government agency and borrow money in order to go into the business. No longer would it be necessary, Mr. President, to have contracts let to these companies or individuals on the basis of fixing a definite unit price over a period of time sufficiently long to permit the return of the money to the Government. A large part of the taxes collected by the Government are necessary because of the free trade principle adopted in 1934.

Let me point out that no private money is going into these investments as long as the principle is retained—and as long as the Congress continually meddles with the duty. The taxpayers of the country are in business—why? Because of the very policies adopted by this administration and approved by the Senate of the United States. Because there is no stability, because there is no floor under the wages and investments. We have had a continual emergency for 19 years to keep our economy afloat. I see a build-up in the press every once in a while to the effect that an emergency is counted upon to exist for the next 25 years; but I think perhaps the people may remedy that situation next fall.

Mr. President, it is impossible for a private investor to invest in these industries by virtue of the fact that 25 cents a day the low cost of labor of Europe and Asia is in direct competition with our own high standard of living.

The American laborer knows that he is in direct competition with foreign low-cost labor. In other words, the American working man is in direct competition with the sweatshop labor of Europe and Asia. This condition sets him back 50 years, to say nothing of the investor, whose investment is also destroyed.

TARIFF MANIPULATION

In the Mineral Industry Surveys, United States Department of the Interior, dealing with lead in 1950, under the heading "Foreign trade," on page 6 of that pamphlet, there is this interesting comment:

Imports of lead in 1950 increased 36 percent over 1949 to total 541,864 tons, the largest annual quantity ever recorded. The rise was due largely to the abrogation in mid-1950 of the Mexican Trade Agreement effective January 1, 1951, restoring as of that date the full duty established by the Tariff Act of 1930. Extraordinarily large quantities of lead were thus imported in the late months of 1950 to avoid payment of the higher tariff rates.

There was apparently a rush to get the lead into the country before the tariff rates should become effective again. That, Mr. President, I point out is the inevitable effect of the continual tinkering with the tariffs and import fees by both the Congress of the United States and the State Department. Of course, in 1934 the Congress of the United States shed its constitutional responsibility with respect to the regulation of foreign trade through tariffs, and turned it over, lock, stock, and barrel, to a thoroughly discredited Secretary of State, who may trade off any industry he chooses, and build up any industry of his choice by merely agreeing to lower the tariffs here; and then the foreign countries, as the record shows, always uses quotas currency manipulation, and many other economic devices to prevent any imports from this country entering their borders.

Reading further from this report on the lead industry in 1950:

The greater part of the lead imported in 1950 was in the form of pigs and bars, 50 percent of which came from Mexico, 24 percent from Canada, 10 percent from Yugoslavia, 7 percent from Peru, 5 percent from Australia, and 4 percent from other countries. Imports of base bullion increased 47 percent over 1949 and came principally from Australia and Japan. Ore and concentrate imports, which had gained in each of the previous 4 years, dropped 29 percent in 1950, and came mostly from Africa, Peru, Bolivia, Australia, and Canada.

Mr. President, I desire to point out that through this manipulation, which is evident from the paragraphs I have read, the domestic producer or investor or workingman has no floor at all under his operations, his investment, or his wages; he has no protection whatever. He is standing in the open, exposed to all the machinations of the State Department and of the Congress of the United States and manipulation of their currencies by the foreign nations.

THE DOMESTIC USE OF LEAD

Mr. President, I ask unanimous consent to have printed in the RECORD at this point tables showing, in short tons, the consumption of lead in the United States in 1949 and in 1950. It shows the

use to which this listed consumption is put.

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

Consumption of lead in the United States in 1949-50, in short tons

	1949	1950
Metal products:		
Ammunition.....	24, 111	38, 438
Bearing metals.....	29, 189	38, 241
Brass and bronze.....	14, 946	21, 461
Cable covering.....	144, 340	131, 989
Calking lead.....	34, 944	53, 450
Casting metals.....	12, 672	19, 295
Collapsible tubes.....	8, 692	13, 386
Foil.....	2, 503	3, 941
Pipes, traps, and bends.....	29, 858	41, 361
Sheet lead.....	27, 144	30, 778
Solder.....	62, 104	94, 606
Storage batteries (antimonial lead).....	175, 308	212, 464
Storage batteries (oxides).....	138, 410	185, 945
Terne metal.....	3, 256	3, 805
Type metal.....	20, 695	24, 776
Total.....	728, 172	913, 936
Pigments:		
White lead.....	18, 400	36, 181
Red lead and litharge.....	70, 832	101, 974
Pigment colors.....	8, 400	13, 464
Other ¹	9, 515	14, 768
Total.....	107, 147	166, 387
Chemicals:		
Tetraethyl lead.....	94, 644	113, 846
Miscellaneous chemicals.....	4, 191	11, 680
Total.....	98, 835	125, 526
Miscellaneous uses:		
Annealing.....	4, 935	6, 456
Galvanizing.....	1, 228	2, 426
Lead plating.....	997	1, 521
Weights and ballast.....	4, 627	6, 870
Total.....	11, 787	17, 273
Other uses unclassified.....	11, 733	14, 859
Total consumed.....	957, 674	1, 237, 981

¹ Includes lead content of leaded zinc oxide production.

Lead consumption in the United States in 1950, by class of products and type of material, in short tons

	Soft and anti-monial lead	Scrap, percentage metal, drosses, etc.	Total
Metal products.....	779, 440	134, 496	913, 936
Pigments.....	151, 680	40	151, 720
Chemicals.....	125, 526	-----	125, 526
Miscellaneous.....	16, 344	929	17, 273
Unclassified.....	13, 822	1, 037	14, 859
Total.....	1, 086, 812	136, 502	1, 223, 314

¹ Excludes 14,667 tons of lead contained in leaded zinc oxide.

THIRTY-SEVEN BILLION DOLLARS OF GIFT LOANS—TO COMPETE WITH US

Mr. MALONE. Mr. President, since World War II we have furnished to foreign countries approximately \$37,000,000,000, for which we may expect no return. I refer to the so-called gift loans. Much of this money is used for the purpose of bidding against us in the foreign markets for the strategic and critical minerals and materials which we need and is largely responsible for the shortage of such materials about which we now complain. They use our money to pay fantastic prices, up to 50 or 60 cents a pound for copper, and 30 to 35 cents a pound for zinc and lead. We set a ceiling price on lead and zinc, giving the

foreign nations the money to outbid us in the foreign market.

Mr. President, we set a ceiling price on our own products beyond which we cannot go. The price is nearly always below and sometimes as much as 10 or 12 cents a pound under the foreign price.

Of course, it is a silly, asinine method, but we have adopted it.

THE E. J. SCHRADER LETTER—RENO, NEV.

I now wish to read from a letter received from Mr. E. J. Schrader, a mining engineer of distinction, located in Reno, Nev. He is well known and his work is accepted all over the United States by important mining people. He says:

Concerning the continual efforts by the administration to reduce the tariffs on various metals, the following quotes from a letter from an American mining engineer of standing who is temporarily in Chile, may be of interest to you:

"All the mines here are getting unheard-of profits. They are getting 52 cents to 54 cents for copper, 28 cents for zinc and about 25 cents for lead. Gold is about 55 percent above United States price."

Mr. President, where are they getting 52 to 54 cents to pay for copper? They are getting it from Uncle Sam, and we are getting ready to give them another sizable chunk out of the President's proposed \$85,000,000,000 budget in order that they may continue to outbid us and to cause us in the long run to do the very things that will bring about the destruction of our economic system.

Quoting further from the letter of Mr. E. J. Schrader:

One mine was developed and put into operation last year for \$270,000 and this year (1951) has made \$300,000 profit and on this they pay a flat tax of 19 percent.

The January issue of the Engineering and Mining Journal stated that a new smelter in Chile had just made a contract to sell 2,000 tons of copper bullion to Europe at 55 cents a pound.

LEAD AND ZINC COMPARED TO COPPER

Mr. President, why are these contracts and prices of copper interesting here? The junior Senator from Nevada made the same argument on the Senate floor last year on the copper ceiling price of 24½ cents a pound that he is making today relative to lead and zinc. We are now discussing the lead bill, but the zinc bill contains exactly the same principle; and the same thing in regard to lead and zinc will happen that the junior Senator from Nevada stated at that time would happen in regard to copper, that within 60 days they would be paying as much as 3 cents more for foreign copper than they paid for domestic copper.

I missed it by about 50 days, because in approximately 10 days or 2 weeks it happened.

They are outbidding us in the market for those very materials from which we now say they must take the tariff in order to secure them for this country.

Quoting further from Mr. Schrader's letter:

It seems obvious that none of these South American mines with their lower costs and much lower income taxes, need any tariff relief from us at the expense of our taxpayers.

A prominent and well-known engineer here this summer and now in the Orient had just

returned from Europe and said that when he was in Belgium and Holland he was informed that the United States was selling copper to the governments of those countries for 24½ cents a pound and the governments in turn were selling to their people at 50 cents a pound up, putting the profit in their pockets.

Mr. President, this is not the first action of this kind that the junior Senator from Nevada has brought to the attention of the Senate during the past 5 years, and the situation is getting worse; instead of better and it is being aggregated by congressional actions such as proposed in the free trade lead and zinc bills offered today.

Continuing reading from Mr. Schrader's letter:

No wonder foreigners think we are a bunch of saps. How right they are.

EDWARD SNYDER, GENERAL MANAGER, COMBINED METALS CO.

Mr. President, I have a letter from Edward H. Snyder, who is general manager of the Combined Metals Reduction Co. at Salt Lake City, Utah.

Mr. Snyder is probably one of the finest operators in the zinc and lead field in the United States or in the world, and he knows whereof he speaks. He is interested in companies producing lead in Mexico and in companies producing lead and zinc in Canada as well as in this country—the States of Nevada, Utah, and Idaho.

A letter from Mr. Snyder, dated January 8, 1952, says:

Confirming our last phone conversation, I am mailing you an additional copy of my letter of April 28, 1951, to Senator GEORGE.

On account of the body blow—

Note what he says, Mr. President—

On account of the body blow that has been dealt our zinc consumers by price controls and allocations that have greatly restricted their metal supply, it is essential that immediate action be had to get more foreign metal and concentrates into our market before the smaller consumers are squeezed out of business or forced to turn to substitutes. Their present welfare may spell the difference between prosperity and closed-down mines for us in the future.

Mr. President, I wish to say something else about Mr. Snyder. In southeastern Nevada 25 years ago there was a great body of zinc and lead ores of little value, known for many years to mining engineers throughout the Nation. They were of little value because those ores were known as complex ores. They were deposited with other metals and foreign substance which were almost impossible to economically separate in order to save the lead and zinc. The expense of separating these metals was simply too great.

Mr. Snyder worked for many years, spending his time and money and his stockholders' time and money in experiments and laboratory work to develop a method by which these ores could be economically produced. He finally developed a process by which that could be done.

Then there was built a 150-mile power-transmission line from Boulder, now Hoover Dam, into the area. Many said it could not be done, but it was done. It was done by a man who knew his busi-

ness and did not know how to quit, and it reduced the cost of power so that the operation was feasible. We now find one of the greatest lead and zinc mining operations that exists in the United States today. A reduction plant is now about to be constructed at Hoover Dam. I have said this to show the caliber of Mr. Snyder and to indicate that he knows what he is talking about when he condemns the juggernaut of the Fabian-Marxist-Socialist government now operating in Washington.

I continue to read from his letter:

I recognize the fact that unsound price controls and donations of taxpayer's money to foreigners with which to outbid us for the metals we need are primarily responsible for our metal shortages. However, there is little hope that those steering the juggernaut—

He is referring to the great bureaucracy controlling our destiny in this city, in which nine-tenths of the employees would not know the difference between a mine and a textile mill; who think that all that is necessary is to save our metals by not developing the prospects.

SAVE ON MINERALS—BUY FOREIGN MINERALS

Mr. President, we have heard that said for 19 years. It was started by Mr. Ickes, who said we must import foreign metals and save our own metals, although we do not even know where our own are located, unless we can profitably produce them.

We cannot save a thing unless we know where it is; and the only way to find them is to allow producers a price so they can pay decent wages under our standard of living, and continue to mine and develop this ground. That is the way we have always developed new supplies of these metals and the principle will not change.

If the present Office of Price Administration had been in office 50 years ago, the original mines would never have been found. All initiative would have been squelched.

BUCKBOARD AND A HAY KNIFE

Many of these people think that all that is necessary is to wait until the morning the metal is desired, hook a couple of broncos to a buckboard and then drive up the mountain with a hay knife, slice the ore off and bring it down to the mill.

As a matter of fact, what is necessary is to give these people an opportunity to make money. Few can make it under present conditions.

PROSPECTING A DISEASE

Prospecting by mining men, as in the case of oil is a kind of disease. These men never quit as long as they can eat. That is the reason for continuing to encourage another generation of these people to go ahead as the oldtimers did in the past. It is in that way that new deposits of minerals are discovered. Then when we need them, they will be available.

More tungsten is blocked out now, ready for mining, even under present conditions, than was known to exist in the entire United States when Mr. Ickes 18 years ago, before World War II, said that we had to save what we had—in spite of his blundering opposition.

We have mined hundreds of thousands of tons of metal since that time and now have more of each of these metals in sight than ever before, due to the persistence of men like Ed Snyder.

He says further in his letter:

However, there is little hope that those steering the juggernaut have any intention of changing their course, or that they can be made to do so. In the meantime the victims require first aid, and I strongly urge you carefully analyze the proposed legislation offered by Senator GEORGE to remove the tariffs on lead and zinc as long as market prices are equal to ceilings, as I believe the removal of the duties on lead and zinc at this time would immediately increase the flow of badly needed concentrates and metal to our markets with advantage and not injury to the domestic-mining industry.

Please note the present tariffs on lead and zinc are entirely inadequate to protect our domestic mining industry.

Mr. President, that is exactly what the amendment is intended to do.

The RECORD shows that under the bill reported by the Senator from Georgia that the price so set would be ineffective due to the inflation and this changing factor. However, under my amendment, the Tariff Commission could continually establish the price based upon fair and reasonable competition at which the tariff should be reimposed instead of freezing a price that we know will be ineffective within a few months, with Congress adjourning and leaving it for a year.

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

Mr. MALONE. I am happy to yield to the Senator from Idaho.

Mr. WELKER. Will the Senator from Nevada please explain what the effect upon the economy of Idaho and Nevada would be, to take those two States as examples, if the lead and zinc mines of those States were to be closed by reason of enormous imports of foreign-mined lead and zinc? Will the Senator tell us in his own words what the effect would be?

Mr. MALONE. Mr. President, I would say to the distinguished junior Senator from Idaho that we have already experienced the effect, but we could expect it to be worse, of course, if we insist upon freezing the price at which the tariff would be reimposed, with no provision for readjustment. For 19 long years we have fought with this administration to allow some kind of floor under investments, so that private capital could be induced to go into these businesses; but for 19 years we have been subjected to a pattern of Fabian-Marxist socialism, including free trade, deficit financing, raises in taxes to siphon off raises in wages and investments to stop inflation, and to the fatal effects of managed currency.

Seventy-five percent of the mines in this Nation have been closed since World War II until recently, when an attempt has been made to reopen them with taxpayers' money since private money will not move into the field where the floor under wages and investments has been removed.

Seventy-five percent of the jobs in Nevada and Idaho have been transferred

to foreign countries by the very policies established 19 years ago as just outlined.

The people have now become sold on the idea that taxpayers' money must be used for investment in the mines, textiles, crockery, and other industries of this Nation. It is now easy enough to sell them the second step, namely, to take money from the United States Treasury and put it into the development of mines—their own money. That is the principal reason for the \$85,000,000,000 budget. What is the procedure?

TAXPAYERS' MONEY IN BUSINESS

There are provided short amortization periods of \$10,000,000,000. Up to last October, \$10,000,000,000 of investments with short amortization periods, with no taxes until mostly repaid.

Why? They had to have an amortization period short enough to allow the cost to be written off during the present emergency.

After they obtained short amortization periods and paid no taxes during that period, the burden fell upon the folks at home, just ordinary folks, down to the \$40-a-week stenographer. She pays in taxes \$8 a week, which meant \$36 a month for a \$170- or \$180-a-month stenographer.

TAXPAYERS IN BUSINESS BUT NO PROFIT

Her money is going into the business, but she does not stand a chance to profit. There was a time when she could have put her \$8 a week, or \$36 a month, into a private company; and, if successful, not only got her money back but had a chance of becoming independent. Now she can lose, but cannot win. Money is then borrowed from the RFC or some other trick Government department to finance the investment. Then there is a guaranty of the unit price over a period of years sufficient to return the amount of the investment.

All that the men of the industry furnish is the know-how. I may say to the junior Senator from Idaho that the actual producers mostly are using taxpayers' money. That is the story of the \$85,000,000,000 budget—we will change it if we have any gumption at all.

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

Mr. MALONE. I am happy to yield.

Mr. WELKER. I enjoy the remarks of my distinguished colleague from Nevada, whom I have repeatedly classified as one of the leading experts in the Senate. I have enjoyed his remarks with respect to what has happened in connection with the economy of Idaho and Nevada, by virtue of the silly mining policy.

Mr. MALONE. It is not confined to Idaho and Nevada.

Mr. WELKER. I am referring to all the mineral-producing States.

Mr. MALONE. The same situation applies to textiles, crockery, precision instruments, and in fact almost every other product.

Mr. WELKER. I may state for the information of the Senator from Nevada that many of the mining people of my State have made long trips to Washington to talk with the learned men adherence to whose philosophy is

resulting in cutting off ore, to get them to help in the development of some of our natural resources, including of course the mineral resources of the Northwest. It is very discouraging indeed to have them tell me that those learned gentlemen do not even know what they are talking about in connection with the development of mines and mining in our area. I will say to the Senator from Nevada that he is hitting the nail on the head. The people of the mineral-producing areas are earnestly waiting for the time when we in the Congress pay some attention to the mineral-producing economy of the great Northwest which is gradually being dissipated.

THE HAND-RAISED ECONOMISTS AND ENGINEERING MISFITS

Mr. MALONE. The junior Senator from Idaho is exactly correct. It is difficult to find words to describe the hand-raised economic theorists and the engineering misfits, who have never operated a mine, have never conducted a business, have never met a payroll.

They read in books about the successful mines and the successful businesses, and they think that all are successful, and that all they have to do is to harass the men who operate them to establish a reputation.

Let me say to the distinguished Senator from Idaho that the successful businesses and the successful mines represent only a very small percentage of the capital originally invested in such enterprises.

As an example, I take one particular mine, at Virginia City, which produced more than \$1,000,000,000 in gold and silver. Some even maintain that that was the reason why the State of Nevada was taken into the Union so readily in 1864—because the Government needed gold and silver at that time to finance the War Between the States. However that may be, my State furnished much of the hard money to do the job.

THOUSANDS WHO DIED BROKE

However, those who only read books about the great buildings and industries of San Francisco, which were constructed with money which flowed out of Virginia City, probably never read about the thousands upon thousands of little men who went in with the same hopes and aspirations and did as much work as did the successful ones.

They honeycombed the entire mountainous area in that part of the State. When one looks at the side of the mountain in that region it looks like a pin-cushion. There are thousands of holes out of which nothing came but hard country rock. Many of those men are buried in Boot Hill Cemetery. They died broke. Many of them returned to their homes broke. We never see their names in the news or headlines. We should perhaps write a book telling about the money invested and lost in mines and other business ventures. We might find that much more money was lost than was ever made in Virginia City or any other mining camp.

But no one would read such a book; besides, it might shock the amateur monopoly price fixers.

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

Mr. MALONE. I yield.

Mr. WELKER. I am glad the Senator from Nevada has cited the example of Virginia City. I could take him to my State of Idaho—to Warren, Elk City, Idaho City, Pierce, Silver City, Lucile, Buffalo Hump, Riggins, Mineral, Bonanza, Heath, Big Creek, Custer, and many other famous camps of the early days.

As I recall when the mining camps of Virginia City, Warren, Elk City, Lucile, and the others I have mentioned were operating there were no smart, long-haired gentlemen in Washington to impress others with their brilliance and knowledge of geology—men who run their fingers through their hair and tell how easy it is to acquire ore and to finance mining operations. Is it not a fact that all the development in Virginia City, Elk City, Idaho City, and other famous mining camps resulted from the spirit of free enterprise? Those engaged in mining operations invested their own hard-earned capital, and 95 percent of them went broke.

Mr. MALONE. Not only did 95 percent of them go broke, but they invested their work and many of them their health as well as their money.

The successful 5 percent are the ones you read about. They simply happened to strike it rich. There is a large element of luck in the mining business. The champion is always famous, but what makes him famous? It is the competition with the unsuccessful competitors. We can judge by comparison only.

In practically every mining community more money has been lost than was made. And that loss is represented by hard, back-breaking work.

REPEALED THE LAW OF SUPPLY AND DEMAND

In the early 1930's, the learned administration repealed the law of supply and demand. It repealed every law known to economics—laws which we learned at school or while engaged in private competitive business.

We are now following the policy of free trade—the theory that the more goods we import into this country from the product of the sweatshop labor of Europe and Asia the more jobs we create, and the more we safeguard our investments in this country. They lose me in that argument, but the country accepted it, at least for a while.

THE MORE YOU OWE, THE WEALTHIER YOU ARE

The country also accepted the policy, at least temporarily, sold to us when apparently the administration was sagging a little in the thirties, and something was needed to bolster it and to convince us that the spending policies of the administration should be continued.

Lord Keynes came over from England and sold us the idea that the more we owed the wealthier we would be.

If we could only owe enough money, everything would be all right. It fol-

lowed that we were to give that money, in substance, to England and other foreign nations, mostly in Europe.

Mr. President, I tried that theory on a banker 30 years ago, and he cured me permanently.

DIFFERENCE BETWEEN INDIVIDUAL AND GOVERNMENT

There is no difference between an individual and his unbusinesslike policies and a government that has gone completely crazy, except that an individual is through with his meandering when his bank quits him. He is certainly through when his friends, for his own good, stop lending him money.

However, a government is not through until the money it prints has no value. That is the direction in which we are now headed, and a subservient Congress would do well to stop, look, and listen before it is too late.

Reading further from Mr. Snyder's letter of January 8:

Please note the present tariffs on lead and zinc are entirely inadequate to protect our domestic mining industry during a period of normal metal consumption, but the small concession made in the proposed legislation to automatically restore the tariffs with a drop in market prices shows a little recognition of the sound tariff theory which you have long advocated.

Mr. President, of course it is an academic argument. If we approve the amendment to the bill, the only thing we can restore is the slight tariff which is left after the State Department has for 19 years traded the workers and investors in this field down the river for some fancied advantage from a European country through a reduction in our tariffs. The original tariff fixed in 1930 would not be effective now. It would have to be a flexible tariff to do any good, because, as inflation came along, following 1934, our dollar became worth only about 40 cents in terms of 1952. Even the administration admits that it is worth only 53 cents, based upon 1939.

TARIFF HEADED WRONG WAY

Therefore, the tariff to be effective, would have to be tripled or quadrupled what it was in 1930. Instead of that, Mr. President, it has been divided by three. It shows the clear-cut policy of the administration to divide the markets of this country with the nations of the world.

DIVISION OF MARKETS—TRADE BALANCE DEFICITS

As pointed out many times on the floor of the Senate by the junior Senator from Nevada, from 1948 to the present time, we had a three-way deal, until we could divide our markets with the lowest labor nations of the world through slashing the tariff and import fees at random, under no system whatever, and until we could bring about that division of such markets, so that there would be no trade-balance deficit in any foreign nation. We would, through gifts of money to those nations, make up the trade-balance deficits.

That is exactly the argument which the distinguished Senator from Idaho [Mr. WELKER] will find in the debates periodically from March 1948, as the

Marshall plan, ECA, point 4, and the other trick organizations came before the Senate. They are all excuses, Mr. President. They are excuses for what? To divide the wealth of the United States—

Mr. DWORSHAK. With someone else.

Mr. MALONE. Not only with someone else, but with all the nations of the world. Karl Marx would turn over in his grave to see us following his creed of division of our wealth. He advocated the system only for one nation. He advocated that a nation tax its people on the basis of ability to pay and give to its people according to need. He only advocated the system for one nation. We are doing it with the entire world. We are doing it with 60 or 70 nations.

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

Mr. MALONE. I am very happy to yield to the Senator from Washington.

Mr. CAIN. If the distinguished Senator from Nevada believes it is a proper question at this point, I would appreciate his answering it. Will the Senator from Nevada provide us with the basic differences between H. R. 4948 and the amendment to the bill which has been offered by him?

Mr. MALONE. I shall be very happy to review for the benefit of the junior Senator from Washington. In the bill H. R. 4948 the price of 18 cents per pound for lead is frozen.

It is set down in the bill and frozen at that point with no opportunity for adjustment as the economic factors affect the price. That is to say, if we pass the bill and go home, the price of 18 cents a pound is frozen. That means that the United States Government cannot pay any more for zinc than the price set in the bill, regardless of the changing conditions including inflation and the manipulation of foreign exchange for trade advantage.

The junior Senator from Nevada has read part of the report of the Committee on Finance, showing that there had been three different prices in 12 months, set by the price control governmental agency, by the Department headed by Mr. DiSalle, who would likely not know a pound of zinc from a piece of country rock if they were brought inside the door together.

The amendment provides a method for adjustment of the price at which the tariff would be reimposed by the Tariff Commission, which has facilities to fix a price, which price would be based on fair and reasonable competition as between the wage standard of living of this country and abroad. In my amendment I would turn the matter over to the Tariff Commission and let the tariff be adjusted on that basis. The Tariff Commission would adjust such price considering the factors set down in my amendment—the Tariff Commission would then set a unit price on the basis of fair and reasonable competition, which would be the point at which the tariff would be restored.

The unit price would be adjusted instead of setting down an ironclad frozen

price. It would be flexible. The Tariff Commission could set an adjusted price from time to time based on fair and reasonable competition.

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

Mr. MALONE. I am happy to yield further to the Senator from Washington.

Mr. CAIN. I should like to express my gratitude for the Senator's answer. I want to be very clear in my own mind about the intent of the Senator's amendment. As I understand from what the Senator from Nevada has just stated, he believes it would be much more advantageous and proper to have a determination of the tariff rate made by the Tariff Commission, rather than by the Office of Price Administration. Am I correct in my conclusion?

Mr. MALONE. That is the proper conclusion, but it is based on two counts. First, Mr. President, in the opinion of the junior Senator from Nevada there has been no proper study made as to whether the 18-cent price is a correct price. However, let us assume that there had been such a study made. Second; in a short time, with inflation continuing and with the manipulation of the price of foreign currency for trade advantages and with the subsidies for workers in foreign countries continually manipulated—paid for, by the way, with our money, the price set would very soon be ineffective.

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

Mr. MALONE. I am happy to yield to the Senator from Washington.

Mr. CAIN. Am I clear in my understanding that the Senator from Nevada believes that the tariff rate, whatever it may be, should be determined by the Tariff Commission, as opposed to any other governmental body?

Mr. MALONE. I do so believe. I also believe it should be flexible. In other words, we should not freeze part of our economy, with the rest of the machinery continuing in gear, changing every day, and perhaps in 24 hours, a month, or 2 months, leave us with one item of our economy frozen and entirely out of line with other factors.

Mr. CAIN. The Senator from Nevada has answered my second and naturally my next question, if my understanding is that the Senator from Nevada does not believe in a rigid tariff rate, but believes that any tariff rate, to be realistic, must be based on all the competitive factors.

Mr. MALONE. That is true.

Mr. CAIN. I thank the Senator.

FOREIGN PRICE FROM 6 TO 17 CENTS ABOVE
DOMESTIC PRICE

Mr. President, in considering further the foreign price and the domestic price, and in comparing them, let me say that slab zinc has been selling on foreign markets for from 32 to 35 cents a pound, and within the last 30 days the price has been lowered to 24 cents a pound. The authority for that statement is the Non-ferrous Metals Office of the International Trade, Department of Commerce.

DOMESTIC PRICE HELD TO CONTROLLED PRICE

Slab zinc quotations at both New York and East St. Louis were 19 and 19½ cents

a pound. This is the ceiling or very near the ceiling set by our own price-fixing organization.

The Port of Mexico quotation is 24 cents a pound, showing conclusively that the ceiling price in the United States, to which our domestic producers are limited, has no relation whatever to the price of zinc elsewhere.

REMOVING FLOOR UNDER WAGES AND INVESTMENTS

So, Mr. President, what we have been doing or what we are doing here is removing the last vestige of a floor under wages and investments, with no method whatever of readjusting that frozen or fixed price, which is frozen in the bill as brought to the floor of the Senate by the Senate Finance Committee.

Of course it has been clearly shown that at this time, when we are in the midst of inflation, and when we are continually printing additional money, and when there are new taxes and continued additional sales of Government bonds, any price which is fixed on a commodity will, within a very short time, have no relation to any practical aspect of the problem.

Mr. McCARTHY. Mr. President, will the Senator from Nevada yield to me at this time?

Mr. MALONE. I yield.

Mr. McCARTHY. Before returning to the committee hearings being conducted by the Senator from Nevada [Mr. McCARRAN], I should like to impose for a moment or two on the time of the Senator from Nevada, in order to compliment him on the fact that he has become one of the outstanding authorities on tariffs and reciprocal trade agreements. I feel that whenever he rises in the Senate to discuss that subject, he is performing a tremendously valuable service for the country and for the Senate, and I think Nevada should be congratulated.

Mr. MALONE. I thank the distinguished Senator from Wisconsin.

MUST DECIDE THE SIDE WE ARE TO TAKE

I would say to him that it is merely a matter of what side we are on as to what policy we want adopted. If we wish to divide the markets of the United States and level our standard of living with that of the rest of the world and divide our wealth with the rest of the world, then certainly the State Department has made a very good start—and their policies could not well be improved.

However, if Senators wish to be on the side of the United States and wish to maintain our standard of living and also wish to help other countries to the best of our ability to reach our standard of living, then the State Department policies need a drastic overhauling.

I wish to say that it is utterly futile to blame a President of the United States or a Secretary of State or a past President of the United States for something the Senate itself continues to support. If Senators favor free trade, deficit financing, tax increases to siphon off wages and invested profits, as has become the announced policy, and if they favor a managed currency, then let us stop blaming someone else.

LOOK AT THE RECORD

In that connection, Mr. President, let us look at the record. In that way we can determine what the Senate actually favors. Either Senators do not understand what the State Department is doing or they approve that Department's policy when they support it. The State Department's policy leads to a division of our markets and wealth with the nations of the world.

Under the so-called Reciprocal Trade Act foreign trade has been regulated, and the administration has ignored entirely the only purpose of an import fee or tariff, which can only be to balance the differential between the wage living standard of this country and abroad. If the rate of duty is even a small percentage, 5 percent or 10 percent, and that differential, it is no longer effective. In such circumstances the producer of any commodity in order to continue in business must lower his wages and write his investments down to the costs of the foreign competitor, or go out of business. So there can be only one effect, and that is the lowering of the living standards of this country.

Of course, it is asserted by those who have foisted these policies upon the people of the country that what they are going to do is to raise the living standards in foreign countries up to ours, and not to affect ours at all.

Mr. President, I at one time took a look at most of the countries of Asia—all except Russia—and all the countries of Europe, and I have in my office a map which shows all those countries; and when I have a tendency to countenance that line of chatter, I take another look at this map. I mentally compare the size of the United States with the rest of the world. I mentally compare 150,000,000 people with 2,250,000,000 people. Believing that we would bring all peoples' living standard up to ours by dividing our markets with them would be analogous to a person trying to average the level of the water in his glass of water with the level of the water in the city reservoir, that he would do so by pouring his little glass of water into the reservoir. Mr. President, his glass would be emptied very quickly, and it would not in the least affect the level of the water in the reservoir.

That is analogous to that of raising the standard of living in the rest of the world to our level through a division of our own wealth.

But, Mr. President, we could and should act upon the theory or principle of promoting foreign trade upon a fair and reasonable competitive basis, and let the Tariff Commission set the tariff rates to conform.

The Congress has voted for the free-trade policy on the Senate floor. So long as the Congress votes for the policy let it take the blame.

RESULT OF THE POLICY

As a result of this policy which the Senate and Congress of the United States have continued to approve, what has happened? Just what the junior Senator from Nevada said a little earlier in his remarks, that now, in order to increase production it is necessary to allow

a short amortization period without taxes; it is necessary to let industries borrow money from a department of the Government at a lower interest rate than would otherwise be required; so that, if the money is lost, the taxpayer loses it. It is necessary to guarantee a unit price which will let them out on their investment within a reasonable time, probably estimated to be the length of the emergency, or less than that. So every taxpayer in the United States of America, from the \$40 a week stenographer up to the man from whose income the Government takes from 80 to 90 percent, is in the business, whether he likes it or not.

Mr. President, a dispatch in the Wall Street Journal of January 31, 1952, apropos of the changing prices, that is to say, the changing costs with the same effective prices, reads as follows:

Almost any day you pick up this newspaper you will find that some new economic record has been reached. A company's, or an industry's, business is at a new high. A wage level has hit a new peak. Tax revenues have surpassed all past collections. The national income has happily climbed to new pinnacles of prosperity.

Yet, ironically, while we revel in these new records no one has the slightest idea what they mean.

Take another record which is promised us this year. A survey by this newspaper, published yesterday, indicates that industry plans to spend more dollars this year for capital investment in plant expansion than ever before. Even more than the new record established in 1951 when industry spent some \$23,000,000,000 for new plants and equipment.

But how much will this really amount to as an increase in the total productive capacity of the Nation? Dollar-wise it is, of course, more than four times what was spent in 1939 and we may assume that what is bought will be more than in 1939. But obviously spending four times as many dollars won't get us four times as much of plants and equipment as we got in 1939 because today's dollars are worth less. Three times as much, perhaps? The same amount? Or maybe actually less?

Nobody can give you an exact answer. In spite of all manner of comparative statistics, indices, and the other mathematical paraphernalia, the economists can give you only a guess as to what a 1952 dollar will buy as compared to a 1939 dollar. Compare wage purchasing power, you get one figure; compare wholesale goods, another; retail goods, still another. And even with this, you are only beginning to flounder because you don't know what these dollar bills are going to buy tomorrow.

Mr. President, this is an editorial from one of the principal financial newspapers of the Nation. Another paragraph says:

The harsh truth of the matter is that once we destroy money as a unit of measure we are left to flounder without compass. We can only sail by guess and by instinct.

This may be a harsh truth but it is not a harsh conclusion. For it is simply another way of saying the real solution is in the problem itself; restore the measuring standard and it disappears.

INFLATION THROUGH INCREASED CURRENCY

That is just another way of saying that when we freeze a price, as is done in the bill, it is without meaning in a few months.

Mr. President, here is an interesting comparison. The amount of currency in circulation on October 31, 1920, was

\$5,698,000,000. Ten years later, on June 30, it was \$4,522,000,000. On June 30, 1935, it was \$5,567,000,000. It was at a low ebb in 1930, and started to climb in approximately 1933. On June 30, 1940, it was \$7,847,000,000.

On June 30, 1945, there was \$26,746,000,000 in circulation, and on December 31, 1951, just a month ago, the figure was \$29,206,000,000.

Mr. President, I do not know how many of the citizens of the United States have read the editorial which appeared today in one of the leading financial newspapers of the Nation with reference to the printing and circulation of more currency. There is nearly five and one-half times more currency in circulation at this moment than there was in 1920. There is nearly four times as much currency in circulation as there was on June 30, 1940, and yet we have the unmitigated gall to say we are increasing the wealth of the country through the increase in figures.

Those figures speak for themselves, Mr. President. The junior Senator from Nevada has said that the effect on an individual of his unbusinesslike practices is that he is finished when his bank quits him, while a nation is not finished until that nation's money has no value.

I wish to point out that in 1951 we had a \$275,000,000,000 income, and on a 53-cent dollar as compared with the dollar in 1939, which even the administration admits, the income would be approximately \$145,750,000,000. In 1946 we had an income of \$180,000,000,000. In 1941 we had an income of \$104,000,000,000. It will be understood, Mr. President, that it takes time for currency to hit its level in purchasing value. It does not do it tomorrow or the next day; it takes a little time. On June 30, 1940, there was \$7,847,000,000 in circulation. In December 1951 there was \$29,250,000,000 in circulation, roughly, three and one-half times as much money in circulation as there was on June 30, 1940.

Mr. President, on the basis of the 1941 income, \$104,000,000,000, there should be now an income of approximately \$400,000,000,000, and we are probably headed toward that goal, although the amount of money in circulation is only one factor in the commodity price effect.

BLOWING ON THE THERMOMETER TO WARM THE ROOM

We cannot lie to ourselves when we look at the index of living costs. It is like looking in the mirror. The way academic engineers and economists promote the growth of wealth in this country is merely by printing more money. It is like blowing on the thermometer to warm the room. We read the rising thermometer and we may feel warmer, from the physiological effect.

TAXES AND INVESTMENTS

We hear that taxes should be reduced. How is that to be done when the very principles adopted on the Senate floor prevent it? Senators vote for the very things which ruin the economic structure. They vote for free trade, they vote for deficit financing, they vote for raising taxes each year, they vote for a managed currency, and then say they are going to lower taxes. That is a silly

and asinine conclusion to reach, after they vote for everything that causes the condition about which they complain.

ADMINISTRATION DESTROYING THE DOMESTIC MINING INDUSTRY

The tendency of the whole Government is to destroy the very thing the administration says it is trying to save. In other words, they destroyed the mining industry by the free trade idea put into effect from 1934 and continued to the present time. Seventy-five percent of the mines closed down following World War II, for no reason except that the domestic producers could not compete with foreign producers on their wage standard of living. After saying for 19 long years, "We are for the workingman," they undertook to bring about a condition under which he could not survive and keep up his standard of living.

The advocates of the policies now in vogue say we must purchase foreign products and save our own. They say that we must raise the standards of living in the foreign countries by purchasing their products and leaving our own in the ground. They say that we should allow every nation to produce what it can produce at a lower competitive cost. What is meant by that? It means that those nations can produce the commodities with sweatshop labor at a lower cost—then we should buy from them and close our own industry. Explain that to the workingmen of America.

Mr. President, in many cases the total wages paid in Europe and Asia—do not equal what the American employer and employee pays into the employment insurance fund, social security, and industrial insurance.

There is no employment insurance, industrial insurance, or social security in most of the foreign competitive areas and with whom we are dividing the markets of this country and destroying our own economic system.

CONGRESS RESPONSIBILITY

Mr. President, Congress is charged by the Constitution of the United States with the responsibility of regulating foreign commerce. Yet it has shifted the responsibility to the Executive, and put it directly into the hands of a thoroughly discredited State Department, whose objectives are entirely different from the expressed objectives of most of the Members of the Senate; I hope they are different from the real objectives of the Members of this body.

Of course, Mr. President, since Congress has no policy of its own except a sharpshooting policy, then private investors can have no dependence upon any part of its actions.

WIRE FROM THE HUMBOLDT MINING ASSOCIATION

I wish to read a telegram from Robert H. Raring, of Humboldt, Nev., who is the head of the Humboldt Mining Association of that area. It is dated January 21, at Battle Mountain, Nev., is addressed to the junior Senator from Nevada, and reads:

BATTLE MOUNTAIN, NEV., January 21, 1952.
HON. GEORGE W. MALONE,
Senate Office Building,
Washington, D. C.:

This association, representing independent mine operators of central Nevada, vigorously

opposes lifting inadequate tariffs on lead and zinc. Removal will not stimulate imports, as claimed, but will only act to discourage exploration and development of domestic mines.

Respectfully solicit your continued effort against misguided elements of Congress, who, by removing tariffs, equate American miner with foreign peon.

HUMBOLDT MINING ASSOCIATION,
ROBERT H. RARING.

Mr. President, I thoroughly agree with Mr. Robert Raring, who is head of the Humboldt Mining Association in his area. Of course, the entire tendency of the whole policy, this 19-year-old pattern, has been to reduce the American workingman to the level of the foreign peon and the low-cost labor of Europe and Asia.

GOVERNMENT DOES NOT PAY TARIFF

Mr. President, I wish to point out a fact which is apparently entirely overlooked. It is said that it is necessary to remove the tariff in order to obtain certain metals. I point out that when the Government stockpiles metals, or, in fact, purchases any strategic or critical mineral or material, it does not pay the tariff. I call attention to a dispatch from the Wall Street Journal of January 28, '952, headed "U. S. may resume buying of lead for stockpile after 2-year lapse."

As a matter of fact, it does buy spasmodically for the stockpile, and should have continued buying for the stockpile through periods when the demand for lead was not as great, so as to build up a stockpile without disturbing the market.

It is suspected by many that the market is deliberately disturbed. There are a few persons who know when the market is to be disturbed, with the effect that profits can be made in the market.

Even though the Government did not have the gumption to build up a stockpile when the demand for such products was low, with the resumption of buying I call attention to the fact that the Government does not pay the tariff in any case.

Mr. President, I call attention to an appropriation act for the Navy Department, approved June 30, 1914. I now read from page 20 of the hearings before the Senate Committee on Finance on House Joint Resolution 502, to suspend certain import taxes on copper, on July 27, 1950, from my own statement before the Senate Finance Committee at that time:

PROVISION EXEMPTING FEDERAL GOVERNMENT FROM TARIFF PAYMENTS

Mr. Chairman, an appropriation act for the Navy Department approved June 30, 1914, contained the following provision. This is the provision that the Senator from Ohio referred to.

"The Secretary of the Navy is authorized to make emergency purchases of war material abroad: *Provided*, That when such purchases are made abroad, this material shall be admitted free of duty (U. S. C. title 34, sec. 568)."

By Executive Order 9177, dated May 30, 1942, the President, under the authority of the title I of the First War Powers Act, 1941, approved December 18, 1941, Public Law 354, Seventy-seventh Congress, extended to the Secretary of War, the Secretary of the Treasury, the Secretary of Agriculture, and the Reconstruction Finance Corporation the au-

thority possessed by the Secretary of the Navy under the above-quoted provision of the act of June 30, 1914. Purchases by the United States Maritime Commission were included in exemption by Executive Order 9495 of October 30, 1944, purchases by the Secretary of Commerce by Executive Order 9768 of August 9, 1946, and purchases by the United States Atomic Energy Commission by Executive Order 9829 dated February 21, 1947.

Mr. Chairman, it is abundantly clear that the tariff has nothing to do with the Government purchases for stockpile or for any purpose whatsoever.

Section 12 of Public Law 413, Eightieth Congress, Armed Services Procurement Act of 1947, granted the Secretary of the Army and the Secretary of the Air Force the same authority with respect to the emergency purchases of war materials abroad as the Secretary of the Navy has in respect to such purchases under the above-mentioned act of June 30, 1914.

Mr. Chairman, further, by Executive Order 9903 of November 12, 1947, the President terminated the authority of the Secretary of Agriculture and the Reconstruction Finance Corporation to import materials free of duty under Executive Order 9177, and the United States Maritime Commission under Executive Order 9495, and of the Secretary of Commerce under Executive Order 9768. Accordingly, at present only the Secretary of the Treasury and the United States Atomic Energy Commission are authorized to import duty-free emergency purchases of war materials by virtue of Executive order, but the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force are granted such authority by law. The authority of the Secretary of the Treasury and the United States Atomic Energy Commission under the Executive order will expire 6 months after the termination of World War II and may be sooner terminated by congressional or Presidential action.

Mr. Chairman, section 502 (d) (6) of Public Law 152, Eighty-first Congress, Federal Property and Administrative Services Act of 1949, provides that any imported materials which the authorized procurement agency shall certify to the Commissioner of Customs to be strategic and critical materials procured under the Critical Materials Stockpiling Act (60 Stat. 596), may be entered free of duty. Under this authority the Bureau of Federal Supply, General Services Administration, may import duty-free strategic and critical materials for stockpiling purposes.

Under the temporary exemptions from import duties, I go on to say, scrap iron, scrap steel, relaying and rolling rails and non-ferrous metal scrap were exempt from duty by Public Law 497, Seventy-seventh Congress. Exemption was originally scheduled to run from March 14, 1942, until the termination of the unlimited national emergency, but by Public Law 384, Eightieth Congress, the exemption was made terminable at the close of June 30, 1949. Duties have been assessed on such scrap since July 1, 1949, except for copper scrap, the import tax on which remained under suspension under the copper tax legislation referred to below.

Lead: Public Law 725, Eightieth Congress, provided for the duty-free entry of lead during the period June 20, 1948, to the close of June 30, 1949. This exemption was not extended.

So the basic law still obtains, that the Government does not pay the duty at all.

Let us suppose that the duty is not removed, and a private company or individual purchases these materials abroad and brings them in for the purpose of manufacturing national defense products.

The manufacturer pays the duty when the metals are brought in, and he charges the duty to the Government as an added cost when he delivers the goods. It is an exchange from one pocket to the other.

GIFT LOANS TO FOREIGN NATIONS

The junior Senator from Nevada has already pointed out the confusion and apparent lack of understanding of the whole situation with respect to furnishing money to foreign countries to bid against us in the market for these goods, while a ceiling is fixed in our own country, beyond which we cannot go. It is an established fact that the ceiling on domestic copper is 24½ cents, while we are paying 27 or 27½ cents for foreign copper imported into this country. We are giving the money to foreign countries to bid in the market up to 52 or 54 cents a pound, and complaining that we do not get copper.

I think we should start examining our program of furnishing money to foreign countries, and establishing price ceilings in this country.

The dispatch from the Wall Street Journal of January 28 reads in part, as follows:

Zinc trade members are puzzled by recent developments in Washington affecting their industry. They have to do with statements from a Government agency concerning a reported agreement with Canada for larger zinc supplies, and reports defense authorities are planning restrictions on the use of zinc, and at the same time releasing some metal from the stockpile.

A well-informed United States zinc trade source asserted the agreement with Canada was totally unnecessary. "The Canadian zinc would come here anyway," he said. The trade also questioned whether the total expected imports did not include zinc ores and concentrates from Canada normally shipped here for processing on a toll basis for re-export to the United Kingdom.

ONE AND ONE-HALF MILLION TONS OF STEEL TO ENGLAND

Mr. President, we have no hesitancy in sending 1,500,000 tons of steel to Great Britain.

I wish to say now, as I have said many times in the past, that I am a great admirer of Winston Churchill. If we could develop one or two like him in this country, it would be very helpful.

FINANCED BY AMERICAN TAXPAYERS' MONEY

Mr. Churchill will allow us, on the basis of sending him 1,500,000 tons of steel, to buy a small amount of aluminum in Canada, produced by the plant which was financed by American taxpayers' money.

He will also, providing we will defend the British colonial slavery interests in the Malayan states and help them hold tight to colonial slavery in that area, so that they can continue to be the middle man without producing anything, and take the profit off the top price, to buy a part of the tin and rubber produced there.

Apparently it would be the part that Russia did not immediately need. The

British have made definite contracts with Russia in recent months to sell to Russia definite amounts of tin and rubber. The British and the other European countries are furnishing the materials Russia needs to fight us in World War III and to hold and consolidate their gains in Eastern Europe.

England is not the only offender. She is only probably the worst one. Of course, Mr. President, England says she can not live without trading with Russia and the satellite countries. I say we can not live if she does. That is the choice we have to make.

Mr. President, I am for this country like Mr. Churchill is for England. And I am for England like Mr. Churchill is for America. If we could get on that basis perhaps we could make a deal with him and preserve our own economic system.

Mr. President, I want to point out that when we ship a million and a half tons of steel or any other material to Europe or elsewhere out of this country, we ship a great amount of strategic and critical minerals and materials along with it, if it happens to be in the field of metals.

For example, one and a half million tons of steel, with an average of 14 pounds of manganese in each ton of steel, amounts to about 21,000,000 pounds of manganese, a commodity which is in very short supply indeed in this country.

Of course, it is a side issue, and I mention it in passing because we are complaining about our lack of production of strategic and critical minerals and materials, and the fact that our national defense is threatened because we have not produced the number of airplanes and tanks and various other munitions of war that are necessary.

We now have the spectacle of the head of our Air Force going around the country making speeches to the effect that Russia is now ahead of us in production of aircraft and that we cannot protect

Korea if the Russians were to start an all-out war.

If that is a fact all I have to say is that we have had time to get ready to fight anyone, since the close of World War II. However, due to this idiotic, prolonged peace conference, in which we have given away everything, and promised everything so we will be worse off if they accept our offer of peace than before we started, I point out that if the enemy does actually have air superiority, then every man in a responsible position in the Government who is responsible for the situation should be fired or impeached. It is probably true, because everything has been done to bring it about through our own economic world-minded State Department.

Mr. President, I ask unanimous consent to insert in the RECORD at this point in my remarks a table which shows the total world supply of lead and zinc, including scrap, the United States "take," and the percentage of the total amount that is utilized by this country.

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

	Lead			Zinc		
	1925	1939	1949	1925	1939	1949
Total world supply including scrap, in thousand short tons.....	2,082	2,338	2,161	1,471	1,962	1,977
United States "take," in thousand short tons.....	930	668	1,206	626	701	919
Percentage.....	45	29	56	43	36	46

Mr. MALONE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table showing the United States lead supply and consumption from 1935 to 1952, in thousand short tons.

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

United States lead supply and consumption, 1935-52

[Thousand short tons]

Year	United States mine production	United States scrap recovery	Total domestic output	Imports	Total supply	United States consumption
1952 (estimated).....	420.0	460.0	880.0	300.0	1,180.0	1,180.0
1951 (estimated).....	395.0	475.0	870.0	250.0	1,120.0	1,175.0
1950.....	429.9	482.3	912.2	517.9	1,430.1	1,230.0
1949.....	410.0	412.2	822.2	383.9	1,206.1	957.7
1948.....	390.5	500.1	890.6	317.7	1,208.3	1,133.9
1947.....	384.2	512.0	896.2	210.3	1,106.5	1,172.0
1946.....	335.5	393.6	729.1	159.2	888.3	956.5
1945.....	390.8	382.1	772.9	285.7	1,058.6	1,051.6
1944.....	416.9	351.4	768.3	300.9	1,069.2	1,118.6
1943.....	453.3	363.0	816.3	305.2	1,121.5	1,113.0
1942.....	496.2	323.0	819.2	483.9	1,303.1	1,090.0
1941.....	461.4	397.4	858.8	366.6	1,225.4	1,050.0
1940.....	457.4	260.3	717.7	233.4	951.1	782.0
1939.....	414.0	241.5	655.5	12.4	667.9	667.0
1938.....	369.7	224.9	594.6	18.0	612.6	546.0
1937.....	464.9	275.1	740.0	20.7	760.7	678.7
1936.....	372.9	262.9	635.8	5.3	641.1	633.6
1935.....	331.1	270.4	601.5	17.0	618.5	538.9

Mr. MALONE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a table showing the United States zinc

supply and consumption from 1935 to 1952.

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

United States zinc supply and consumption, 1935-52

[Thousand short tons]

Year	United States mine production	United States scrap recovery	Total domestic output	Imports	Total supply	United States consumption
1952 (estimated)	727.0	50.0	777.0	315.0	1,092.0	1,100.0
1951 (estimated)	680.0	50.0	730.0	305.0	1,035.0	1,050.0
1950	623.4	62.1	685.5	373.8	1,059.3	1,134.0
1949	593.2	55.0	648.2	270.5	918.7	835.0
1948	630.0	62.3	692.3	249.3	941.6	985.0
1947	637.6	59.5	697.1	217.7	914.8	960.0
1946	574.8	44.5	619.3	288.7	908.0	970.0
1945	614.4	49.2	663.6	413.7	1,077.3	1,020.0
1944	718.6	49.0	767.6	401.3	1,168.9	1,030.0
1943	744.2	48.2	792.4	417.0	1,209.4	940.0
1942	768.0	53.2	821.2	215.6	1,036.8	842.0
1941	749.1	59.5	808.6	191.1	999.7	970.0
1940	665.1	48.9	714.0	90.7	804.7	823.4
1939	583.8	50.4	634.2	67.1	701.3	719.4
1938	516.7	31.6	548.3	23.0	571.3	496.5
1937	626.4	51.6	678.0	44.5	722.5	718.0
1936	575.6	42.2	617.8	11.9	629.7	676.0
1935	517.9	28.6	546.5	11.7	558.2	554.4

OBJECTIVE OF AMENDMENT

Mr. MALONE. Mr. President, in closing I wish to say that the objective of my amendment is a mild attempt to make some sense out of the removal of the only protection which the producer and working men in the industry can possibly have in the United States of America.

The bill now provides that we freeze the price at 18 cents merely because Mr. DiSalle, the head of the price-fixing organization, has fixed it at that price.

The record shows that in the preceding few months he had changed it three times. He has finally fixed the price at 19 cents. In the bill the price would be frozen at 18 cents. All of us hope—at least I hope—that we will have adjourned early in July. If so, it will mean that in the succeeding 9 months, inflation, which is the natural result of the policies adopted by the administration, will make ineffective any fixed price.

I wish to point out that even if the administration could stop inflation—which it is not trying to do—through their managed currency, a manipulation of the currency exchanges of the foreign nations producing the metal could offset the fixed price in 30 days.

Instead of freezing the price at an arbitrary level, at which point the tariff would be reinstated, we would put it in the hands of the Tariff Commission, which is trained to determine a fair and reasonable competitive price per pound for lead or zinc, as the case may be.

The two bills are almost exactly alike in dealing with the two commodities. The Tariff Commission would determine at what point the tariff would be reinstated.

As we all know, the tariff has been mutilated by the State Department to the point, under the so-called Reciprocal Trade Agreements Act, where the State Department now is paramount, and that Congress no longer has anything to say about the tariff adjustments.

It has even been disputed that we could take back our constitutional responsibility. They have become that arrogant, Mr. President. At least we did not approve the International Trade Or-

ganization, which would have made it permanent and put us forever in the hands of our trade enemies.

Mr. President, most of the wars we have had throughout history have been trade wars. Some nations are smarter than others, and the smarter nations make their coalitions and surround other nations economically.

Finally, there appears only one way out for the nations which have been surrounded and that is war; and then we have a war.

Of course, under the Atlantic trade pact we have guaranteed the integrity of the colonial system, and that means that we have guaranteed to hold the middlemen, who are the colonial empire nations, in their position as supervisors of the colonial slave areas.

I only hope, Mr. President, that we wake up in time.

Mr. President, we would simply substitute a businesslike flexible import fee principle and method for using whatever is left of the mutilated tariffs and import fees on these two metals, to safeguard to that extent, at least, the principle of fair and reasonable competition, the protection of the workingmen and investors of America.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). The question is on agreeing to the amendment of the Senator from Nevada [Mr. MALONE].

Mr. GEORGE. Mr. President, I do not care to discuss the amendment at length.

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

The PRESIDING OFFICER. The Senator from Georgia has the floor. Does he yield for the purpose of the suggestion of the absence of a quorum?

Mr. GEORGE. Yes, Mr. President, I yield for that purpose. I shall not need more than 2 minutes to speak on the amendment.

The PRESIDING OFFICER. The absence of a quorum has been suggested, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BRIDGES. Mr. President, with the permission of Senators who were in-

terested in the quorum call, I ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be suspended.

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

Mr. GEORGE. Mr. President, I do not desire to discuss the amendment at any great length. I call attention to the fact that the distinguished Senator from Nevada is not opposing the bill as reported by the Finance Committee, but is merely offering an amendment to it. The amendment proposes to strike a portion of the bill and to insert a permissive provision for a finding by the Tariff Commission. It provides that when the Tariff Commission determines that any foreign article described in certain paragraphs of the bill is not furnishing fair and reasonable competition with like or similar domestic articles, then the Commission shall advise the President, and the President shall repeal the repealer, so to speak, and allow the tariff rates to apply.

Mr. President, if a tariff were being written, over a long period of time, there might be much virtue in a flexible tariff provision; but in a bill which is to run only from March 31, 1952, to March 31, 1953, in any event, and a shorter time if the national emergency should be ended, nothing can be effected by this amendment. In fact, the amendment would not be so good as the original bill.

The original bill is approved by the Mining Congress. It is approved by people who are directly interested in the matter. It specifies that if the price of lead falls below 18 cents, the President shall—it is not permissive, but mandatory—the President shall restore the tariff rates on lead now in effect. The provision proposed by the Senator from Nevada is merely permissive. Anyone who has had any experience with the Tariff Commission knows that the Tariff Commission requires more than a year in order to make any finding and report, so that the adoption of the amendment would really work a great disservice to the lead industry.

As I have said, there may be merit in the general theory of the Senator from Nevada respecting a flexible tariff over a long period of time, but not in a strictly limited period such as the one contemplated by the bill. There is no doubt, I presume, that lead is in short supply. We need to increase the imports of it if we can. This bill may not have that result, but all the defense authorities, including Mr. Wilson, think it will, and all of them have urged it. As I have indicated, Mr. Young, who heads the National Mining Congress at this time, expressly approves this bill, and says it will not be hurtful either to the lead or the zinc industry.

I certainly hope that the amendment offered by the distinguished Senator will not be adopted.

NOT A PERMISSIVE AMENDMENT

Mr. MALONE. Mr. President, I would say to the distinguished Senator from Georgia that, in the first place, it is not a permissive amendment.

The Tariff Commission's job is to determine, under this amendment, at what point the tariff should be reinstated, in order to provide fair and reasonable competition; and, when so determined, the Commission shall notify the President, who shall then cause it to be reinstated.

DOMESTIC AND FOREIGN MINES

Now, as to the question of approval, it is true that certain producers have approved this amendment. Most of them are producers who are interested in both domestic and foreign mines.

The junior Senator from Nevada has already shown that foreign nations are outbidding us in the foreign market. We know that we are furnishing the money for that purpose. The Congress surely did not intend that it should be used for that purpose, but it is being used for that purpose, and copper, on which we have a ceiling price of 24½ cents, is now selling in foreign markets for prices as high as from 52 to 55 cents.

USING OUR MONEY TO OUTBID US

Where are the foreign purchasers getting that kind of money, Mr. President? They are getting it from the United States Treasury. When we have a ceiling of 24½ cents we ourselves are paying 3 cents more for foreign copper than we are for our domestic product.

The same argument was made on the floor of the Senate by the Junior Senator from Nevada at the time the Congress adopted the free-trade course for copper.

FROZEN PRICE VERSUS ADJUSTABLE PRICE

The argument against the freezing of a price of 18 cents or any other number of cents is simply that, in the first place, the price means nothing at the moment.

The report of the senior Senator from Georgia, from the committee of which he is chairman, shows that the price has been changed three times in the past few months, simply to keep up with inflation and other factors which are continually changing.

Therefore, in order to keep up with those prices and to know when the tariff should be reinstated, at all times it is necessary to have some responsible body, which could only be the Tariff Commission, determine the matter for us and not leave it to an executive and a Secretary of State who we know are against protection of any industry at any time in this country.

INTERESTED IN PRODUCERS AND POTENTIAL PRODUCERS

So I say to the distinguished Senator from Georgia that I am interested in two bodies of men. I am interested in the present producers, even those who have become producers in foreign countries, but I am also interested in the citizens of this country who are potential producers and who need private financing to explore and prospect for new and further supplies.

That is impossible when the Congress of the United States lays down no principle upon which it bases its action. Sharpshooting the changes in tariffs and import fees, which are the only protection there is from the competition of a lower-standard-of-living nation is a ruinous procedure—and the people have no confidence in such a Congress.

REASON FOR THE AMENDMENT

That, Mr. President, is the reason why the junior Senator from Nevada offers the amendment. Of course, the Department of State has ruined any protection it might have afforded in the beginning by a continual arbitrary lowering of such duties, but the principle was there, and the amendment restores that principle.

The PRESIDING OFFICER (Mr. HOEY in the chair). The question is on agreeing to the amendment offered by the Senator from Nevada.

The amendment was not agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, 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 was read the third time and passed.

AMERICAN LITHOFOLD CORP., WILLIAM M. BOYLE, JR., GUY GEORGE GABRIELSON

During the delivery of Mr. MALONE'S speech,

Mr. HOEY. Mr. President, will the Senator from Nevada yield to me for a minute or two?

Mr. MALONE. I am very glad to yield to the distinguished Senator from North Carolina, with the understanding that his remarks interrupting my remarks appear in the RECORD at the end of this debate, and with the further understanding that I shall retain the floor.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Is there objection? Without objection, it is so ordered.

Mr. HOEY. Mr. President, from the Committee on Expenditures in the Executive Departments, I submit, pursuant to Senate Resolution 156, an interim report (No. 1142) on the American Lithofold Corp., William M. Boyle, Jr., and Guy George Gabrielson. The report is unanimous in the sense that all members of the subcommittee have agreed to the filing of the report. One member of the subcommittee did not agree with all the conclusions of the report.

At this time I am submitting the report after the subcommittee has examined some 32 witnesses and has taken approximately 1,000 pages of testimony.

The subcommittee sought to deal with the matter fairly and impartially. The report is approved by six of the seven members of the subcommittee.

I shall not take time now to discuss the report. It speaks for itself.

The PRESIDING OFFICER. The report will be received and printed.

Mr. McCARTHY. Mr. President, will the Senator from Nevada yield to me at this time?

Mr. MALONE. Yes, Mr. President, if it is understood that I may yield under the same conditions under which I yielded to the Senator from North Carolina.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, I ask unanimous consent that the brief remarks which I shall make at this time may be printed in connection with the report of the committee majority, if the chairman has no objection.

Mr. HOEY. Certainly not.

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

Mr. McCARTHY. Mr. President, 99 percent of the report is well written and factually accurate. However, in my opinion, a number of errors were made, and they precluded my signing the report.

For example, the report assumes that Boyle received money, after he became chairman of the Democratic National Committee, for influence to get an RFC loan for Lithofold, whose application for a loan had previously been turned down by the RFC on the ground that Lithofold was not entitled to such a loan. However, there is no evidence in the record that Boyle received any money on this deal after he became chairman. For that reason, I believe the conclusion that he received money is unjustified. Mr. President, I believe that we must stick strictly to the facts as proved, and that we must not indulge in suppositions.

After concluding that Boyle, as National Chairman, was paid to use his influence, the report states that he did nothing morally wrong. I cannot agree with this reasoning.

The report condemns Gabrielson for not having told the press that he contacted the RFC on routine servicing of the loan, although no claim has ever been made by anyone that it was at all improper for him to make such contacts. The unquestioned facts are that the original loan was made before Gabrielson became chairman of the Republican National Committee, but that after he became chairman, he contacted the RFC and applied for a deferment of the first payment until the plant was in operation, as originally contemplated when the loan was made. There is no evidence of pressure being applied on the RFC by Gabrielson—just the usual banker-businessman relationship. His request, which appeared to be reasonable, and which normally would have been granted by the average banker, was turned down, which shows that he definitely had no influence with RFC.

The report says that this application by Gabrielson, as president and attorney for his company, was wrong. However, the report is not clear as to whether it was thought that he should have quit his job as president and attorney, which job furnished his livelihood, or that it would have been proper if he had kept the job and had hired someone else to represent his company before the RFC. Certainly,

it must be conceded that while Gabrielson held the position as president and attorney, he would have been derelict in his duty to the stockholders if he did not himself, or have someone for him, contact the RFC for the purpose of having the loan properly serviced and to obtain the extensions contemplated when the loan was made.

Perhaps it should be noted in passing that when the Government is letting contracts totaling upward of \$80,000,000 a year practically every businessman in the country will be doing some business with the Government. Therefore, unless the Republican Party pays its national chairman a salary, as the Democratic Party now does for its national chairman, it will be practically impossible to get a chairman who is not doing business with the Government, and, therefore, of necessity, either contacting Government agencies or having someone contact Government agencies for him.

In conclusion, I should like to make it clear that while I differ with the majority of the committee in regard to the above matters, I think the committee as a whole did an excellent job and kept on a very high, fact-finding plane a hearing which could easily have degenerated into a political squabble.

PROTOCOL TO THE NORTH ATLANTIC TREATY ON THE ACCESSION OF GREECE AND TURKEY

During the delivery of Mr. MALONE'S speech,

Mr. WATKINS. Mr. President, on Tuesday, January 29, 1952, the Senate ratified the protocol to the North Atlantic Pact on the accession of Greece and Turkey. Press reports, which were confirmed through a check by myself, show that there were only about six Members of the Senate on the floor at the time of protocol was ratified. The resolution of ratification was immediately sent to the President of the United States for signature. It is not known now whether a motion to reconsider the action of the Senate will be effective to restrain the President from signing the resolution.

I also call the attention of the Senate to the fact that there was no quorum call immediately before the consideration of this important treaty. I am calling the attention of the Senate to the matter now, for the reason that the protocol is one of the most important questions to come before the Senate at this session. It was disposed of as a result of no real consideration by Members of the Senate, aside from the members of the Foreign Relations Committee.

Personally, I had been on the floor that afternoon listening to the very able speech of the senior Senator from New Jersey [Mr. SMITH]. I was informed that following the speech of the Senator from New Jersey, the Senate would recess. Acting on this information, I left for my office.

Mr. President, you can imagine my surprise when I read in the newspapers the next day that the Senate had ratified the protocol to the North Atlantic Treaty.

Some time ago I announced publicly that I intended to study some possible reservations to be offered to the protocol. I also had certain questions to ask members of the committee with respect to its interpretation; that is, whether at this time the members of the Foreign Relations Committee interpreted the treaty, which was being expanded to take in the new members, as they had interpreted it originally when we were considering and discussing the North Atlantic Treaty in the Senate. I recall that there was an assurance at that time that no steps would be taken to send troops outside this country to any of the North Atlantic Pact countries without authorization by the Congress; that all such matters would be determined according to our constitutional processes, which meant by the action of the Congress, and that we would not enter a war without first a declaration of war by Congress, because that was according to our constitutional process, notwithstanding the provision of article V of the treaty. With that understanding, and with those matters in mind, I intended to ask for the present interpretation of the treaty to which Turkey and Greece were being made parties.

Mr. President, I hope the President of the United States will return the protocol to the Senate for further consideration by this body; and I likewise hope that the motion to reconsider, proposed by the junior Senator from Iowa [Mr. GILLETTE], will be considered and adopted. Even though the protocol be finally ratified, there certainly should be some discussion of it—a discussion of its meaning, its interpretation, and the interpretation of the treaty as of today—for the benefit of the people of the United States. It certainly should not be adopted by the vote of only six Members of the Senate.

If it is legally possible to have reservations to the protocol considered, I intend to offer them, and it is for that purpose that I am now serving notice that all Members of the Senate are not satisfied with the protocol as it was reported by the Committee on Foreign Relations.

This is far too important a matter to be treated so lightly. The American people deserve better of their representatives than to allow such an important treaty to become the law of the land, binding for a long time to come, without careful scrutiny by all Members of the Senate.

Mr. President, I hope the Members of the Senate will support the motion of the junior Senator from Iowa to reconsider the action ratifying the protocol.

ADDITIONAL FEDERAL REVENUES FROM SPECIAL SERVICES

Mr. McCLELLAN. Mr. President, I believe it would be to the interest of the Senate to know that as the result of a program instigated by the Senate Committee on Expenditures in the Executive Departments in February of 1950 the Bureau of the Budget has reported to the Congress that additional Federal revenues amounting to approximately \$48,000,000 annually from special services performed by the Government will be

obtained, beginning with the fiscal year 1953.

This additional revenue is expected to result from the revision of fees charged by the Government for special services and products, rendered in many instances to special beneficiaries in order to make these services self-sustaining where appropriate. In the past many of these services have been performed free or at a charge which did not make them self-sustaining, a great part of their cost therefore being at the taxpayers' expense. The additional revenue to the Treasury expected to be obtained upon completion of this fee-revision program, therefore, should amount to a comparable reduction in expenditures by Federal agencies for performing these services.

I today am releasing a brief statement summarizing the Bureau of the Budget report upon this matter, for which I ask unanimous consent to have inserted in the body of the RECORD.

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

STATEMENT BY SENATOR JOHN L. McCLELLAN,
CHAIRMAN OF THE SENATE COMMITTEE ON
EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

FORTY-EIGHT MILLION DOLLARS ADDITIONAL
FEDERAL REVENUE

As a result of a program initiated by the Senate Committee on Expenditures in the Executive Departments in the Eighty-first Congress, the Bureau of the Budget reported yesterday that additional annual revenues from special services performed by the Government amounting to approximately \$48,000,000 will accrue (when the program becomes fully effectuated), beginning with fiscal year 1953.

In the past many of these special services has been performed free or at a charge which did not make them self-sustaining, a great part of their cost therefore being at the taxpayers' expense. The additional revenue to the Treasury expected to be obtained upon completion of the fee-revision program, therefore, should amount in a reduction in expenditures by Federal agencies for performing these services of a comparable amount.

Budget Director Frederick J. Lawton submitted a report to Congress, dated January 28, 1952, on the Bureau of the Budget's examination of charges presently made for Government services and products, and upon services rendered to special beneficiaries without charge, which followed a preliminary survey by the staff of the Committee on Expenditures in the Executive Departments, as directed by the Committee on February 15, 1950.

Mr. Lawton stated that actions already taken were estimated in the 1953 budget to produce more than \$22,500,000 per year in additional revenue collections from a variety of special services. The 1953 budget also estimated that another \$15,000,000 would be realized annually if new legislation now in preparation is enacted to increase present fees or impose new fees, which cannot be administratively altered. In addition to this annual savings of \$37,000,000, an estimated \$9,000,000 a year in increased revenues will be derived from revisions of rentals and service charges for quarters furnished by the Government to civilian Federal employees, the report stated. Another \$2,000,000 is anticipated from increases in fees from various other special services where detailed income estimates are not presently available. Mr. Lawton also stated that work in progress on the revision of transportation

fees may result in even larger increased revenues in addition to the foregoing.

The Bureau of the Budget report estimated that increased revenues to the Treasury as a result of the revisions already made in special services fees amounting to approximately \$8,000,000 would accrue by the end of the present fiscal year, June 30, 1952.

The over-all purpose of the project is to obtain for the Government adequate compensation for Government services and products; where appropriate, reimbursement for services rendered to special beneficiaries; and to establish policies that provide equitable and uniform public treatment for services rendered by the departments and agencies.

The Bureau of the Budget undertook its comprehensive survey throughout the Government, following the action by the Senate Committee on Expenditures in the Executive Departments in February 1950, which authorized a staff analysis of fees charged for special services, the results of which were reported in Senate Report No. 2120, Eighty-first Congress, dated July 24, 1950. Action taken pursuant to this survey has resulted in changes in special services charges through administrative action already reported, and the report contemplates, that, through continued administrative and legislative action, further rearrangement where equitable of user charges made by various Federal departments, commissions, and agencies, will produce additional savings and revenues.

Following submission of Senate Report No. 2120 to all Committees of Congress for consideration, the House Committee on Ways and Means, on December 30, 1950, approved the program and authorized the Bureau of the Budget to proceed with the aforesaid analysis. The House Committee on Appropriations in House Report No. 384, Eighty-second Congress, April 27, 1951, endorsed the program in reporting favorably on Public Law 137, Eighty-second Congress, the Independent Offices Appropriation Act of 1952.

Title V of that act authorized the head of each Federal agency to prescribe fair, equitable fees to make special services where appropriate self-sustaining to the full extent possible by determining, in case none exists, or redetermining, in case a charge exists, equitable fees for such services.

Fees upon which charges are presently made include charges for reports, documents, publications, franchises, certificates, registrations, licenses, rentals, inspections, grading services, passports, naturalization services, grazing on Government land, special censuses, weather bulletins, sale of maps, airport landing fees, airmen's certificates, revenue stamps, etc.

(The report is on file with the committee.)

TEMPORARY FREE IMPORTATION OF ZINC

Mr. GEORGE. Mr. President, I should like to call up for consideration Calendar 1000, House bill 5448.

The PRESIDING OFFICER. The clerk will read the bill by title.

The CHIEF CLERK. A bill (H. R. 5448) to provide for the temporary free importation of zinc.

Mr. MILLIKIN. Mr. President, has the Dirksen amendment been offered?

Mr. GEORGE. The Dirksen amendment is offered to House bill 5448, and I propose to accept it.

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. 5448) to provide for the temporary free importation of zinc, which had been re-

ported from the Committee on Finance.

Mr. GEORGE. Mr. President, the distinguished Senator from Illinois [Mr. DIRKSEN] offered an amendment to this bill restricting the import of zinc-bearing ore specifically described as zinc in blocks, pigs, and slabs.

The Senate Finance Committee considered the amendment and believes it is meritorious. On behalf of the committee, and by permission, I offer that amendment for the Senator from Illinois.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 1, beginning with line 3, it is proposed to strike out down to and including the word "apply" in line 5, and insert in lieu thereof "That the import duties on zinc-bearing ores imposed under paragraph 393 of title I of the Tariff Act of 1930, as amended, and on zinc in blocks, pigs, and slabs imposed under paragraph 394 of such title of such act shall be suspended."

On page 2, beginning with the word "such" in line 8, it is proposed to strike out down to and including "1930" in line 9 and to insert in lieu thereof the words "the suspension of duties made by this act."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia on behalf of the Senator from Illinois.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MALONE. Mr. President, I send to the desk and ask to have made a part of the record an amendment to the bill. It is similar to the amendment offered to the lead bill and is for the same purpose.

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

TO PROVIDE FOR THE TEMPORARY FREE IMPORTATION OF ZINC

Page 1, line 11, strike out all after the colon down through line 18 on page 2 and insert in lieu thereof the following: "Provided, That (a) whenever the Tariff Commission determines that any foreign article described in such paragraphs 77, 393, or 394 is not furnishing fair and reasonable competition with like or similar domestic articles, the Tariff Commission shall so advise the President and the President shall, by proclamation, not later than 20 days after he has been so advised by the Tariff Commission, revoke such suspension of the duties imposed on such article under paragraphs 77, 393, and 394 of the Tariff Act of 1930, such revocation to be effective with respect to articles entered for consumption or withdrawn from a warehouse for consumption after the date of such proclamation. A foreign article shall be considered as providing fair and reasonable competition to the United States producers of a like or similar article if the Tariff Commission finds as a fact that the landed duty paid price of the foreign article in the principal market or markets in the United States is a fair price, including a reasonable profit to the importers, and is not substantially below the price, including a reasonable profit for the domestic producers, at which the like or similar domestic articles can be offered to consumers of the same class by the domestic industry in the

principal market or markets in the United States.

"(b) In determining whether the landed duty paid price of a foreign article, including a fair profit for the importers, is, and may continue to be, a fair price under subdivision (a), the Tariff Commission shall take into consideration, insofar as it finds it practicable—

"(1) The lowest, highest, average, and median landed duty paid price of the article from foreign countries offering substantial competition;

"(2) Any change that may occur or may reasonably be expected in the exchange rates of foreign countries either by reason of devaluation or because of a serious unbalance of international payments;

"(3) The policy of foreign countries designed substantially to increase exports to the United States by selling at unreasonably low and uneconomic prices to secure additional dollar credits;

"(4) Increases or decreases of domestic production and of imports on the basis of both unit volume of articles produced and articles imported, and the respective percentage of each;

"(5) The actual and potential future ratio of volume and value of imports to volume and value of production, respectively;

"(6) The probable extent and duration of changes in production costs and practices;

"(7) The degree to which normal cost relationships may be affected by grants, subsidies, excises, export taxes, or other taxes, or otherwise, in the country of origin; and any other factors either in the United States or in other countries which appear likely to affect production costs and competitive relationships.

"(c) For the purpose of this proviso—

"(1) the term 'domestic article' means an article wholly or in part the growth or product of the United States; and the term 'foreign article' means an article wholly or in part the growth or product of a foreign country;

"(2) the term 'United States' includes the several States and Territories and the District of Columbia;

"(3) the term 'foreign country' means any empire, country, dominion, colony, or protectorate, or any subdivision or subdivisions thereof (other than the United States and its possessions);

"(4) the term 'landed duty paid price' means the price of any foreign article after payment of the applicable customs or import duties and other necessary charges, as represented by the acquisition cost to an importing consumer, dealer, retailer, or manufacturer, or the offering price to a consumer, dealer, retailer, or manufacturer, if imported by an agent.

"(d) The Tariff Commission is authorized to make all needful rules and regulations for carrying out its functions under this proviso.

"(e) The Tariff Commission shall make a report to the Congress at the end of each 3 months' period of its action taken under this proviso."

Mr. MALONE. Mr. President, the bill freezes the price of zinc at a certain point for a year and 3 months, while the amendment offered by the junior Senator from Nevada would provide for a flexible method of fixing the price through the Tariff Commission which would determine at what point the tariff would be reimposed, instead of the shotgun guess that has been made by the price-control board.

Mr. President, I ask unanimous consent to have inserted in the Record at this point page 2, a table appearing in

A Review of the Zinc Industry in 1951, by Ernest V. Gent, executive vice president, American Zinc Institute, Inc.

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

Total slab zinc smelter output (all grades) 1938-51

[Tons of 2,000 pounds]

	Stock beginning	Production	Shipments				Stock at end	Unfilled orders at end	Daily average production
			Domes-tic	Export and draw-back	Government account	Total			
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1938.....	65,333	456,990	395,534	20		395,554	126,769	40,829	1,252
1939.....	120,769	538,198	508,972			508,972	65,995	53,751	1,475
1940.....	74,262	796,100	674,615	88,165		762,780	17,582	125,132	1,929
1941.....	17,582	863,955	751,276	106,195		857,471	24,066	87,066	2,367
1942.....	24,066	929,770	733,310	151,650		885,568	68,268	52,752	2,547
1943.....	89,275	971,873	831,430	56,208		887,638	173,510	44,914	2,663
1944.....	173,510	901,332	830,334	6,988		837,322	237,520	21,332	2,463
1945.....	237,520	799,520	762,925	9,422	5,392	777,649	259,391	27,092	2,190
1946.....	259,391	759,346	714,292	66,638	62,007	842,937	175,800	58,057	2,080
1947.....	175,800	848,027	698,281	117,305	140,230	955,816	68,011	59,705	2,323
1948.....	68,647	850,105	770,396	69,910	57,598	897,904	20,848	51,318	2,323
1949.....	20,848	870,113	648,285	56,929	91,526	796,740	94,221	42,625	2,38
1950									
January.....	94,221	69,948	69,020	402	12,710	82,132	82,037	52,941	2,256
February.....	82,037	69,639	72,843	768	10,646	84,257	67,419	45,131	2,487
March.....	67,419	77,946	74,700	627	10,202	85,589	59,776	55,433	2,514
April.....	59,776	75,877	73,389	397	9,347	83,133	52,520	50,304	2,529
May.....	52,520	79,645	71,101	209	19,036	90,346	41,819	66,430	2,569
June.....	41,819	75,766	68,214	422	22,284	90,920	26,665	65,361	2,526
July.....	26,665	77,868	67,119	371	16,626	84,116	20,417	67,463	2,512
August.....	20,417	73,399	69,073	2,893	7,399	79,365	14,451	76,947	2,368
September.....	14,451	71,057	70,656	2,580	2,005	75,241	10,267	69,062	2,399
October.....	10,267	79,997	71,596	4,277	5,283	81,156	9,108	64,436	2,581
November.....	9,108	79,226	69,202	3,702	6,175	79,079	9,255	60,799	2,640
December.....	9,255	79,986	72,333	1,541	6,483	80,357	8,884	74,795	2,580
Total.....		910,354	849,246	18,189	128,256	995,691			
Monthly average.....		75,863	70,770	1,516	10,688	82,974			1,2494
1951									
January.....	8,884	80,937	72,068	3,156	4,385	79,609	10,212	72,770	2,611
February.....	10,212	70,285	64,784	2,316	2,280	69,380	11,117	76,446	2,510
March.....	11,117	80,450	70,845	5,916	3,701	80,462	11,105	80,769	2,595
April.....	11,105	77,862	69,125	2,473	2,821	74,419	14,548	77,293	2,595
May.....	14,548	80,430	73,093	1,434	3,040	77,567	17,411	73,942	2,595
June.....	17,411	77,679	74,149	1,911	3,259	79,299	15,791	73,304	2,589
July.....	15,791	78,955	76,461	3,020	3,865	83,546	11,400	62,412	2,547
August.....	11,400	74,035	65,696	3,200	5,295	74,191	11,244	62,867	2,397
September.....	11,244	70,623	58,426	3,144	3,052	64,632	17,235	66,828	2,354
October.....	17,235	79,432	68,365	2,167	3,051	73,583	23,084	66,203	2,562
November.....	23,084	79,376	70,084	4,517	2,818	77,419	25,041	67,268	2,646
December.....	25,041	81,769	72,814	8,813	3,282	84,909	21,901	50,509	2,638
Total.....		931,833	835,920	42,067	40,829	918,816			
Monthly average.....		77,653	69,643	3,506	3,402	76,568			1,2553

¹ Daily average.

Mr. MALONE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point table IV appearing on page 10 of the same document.

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

TABLE IV.—Tariff rates

	Tariff Act of 1930	Canada agreement Jan 1, 1939	Geneva agreement Jan. 1, 1945	Tor-quay agreement June 6, 1951
	(1)	(2)	(3)	(4)
	Cents per pound	Cents per pound	Cents per pound	Cents per pound
Zinc-bearing ores, except pyrites containing not more than 3 percent zinc (rates apply on zinc content)	1.50	1.20	0.75	.60
Zinc in blocks or slabs and zinc dust.....	1.75	1.40	.87½	.70
Zinc sheets.....	2.00	X	1.00	X
Zinc sheets coated or plated.....	2.25	X	1.12½	X
Old and worn-out zinc, fit only to be remanufactured.....	1.50	X	1.75	X

¹ Duty suspended to June 30, 1952.

TABLE IV. Tariff rates—Continued

	Tariff Act of 1930	Canada agreement Jan 1, 1939	Geneva agreement Jan 1, 1945	Tor-quay agreement June 6, 1951
	(1)	(2)	(3)	(4)
	Cents per pound	Cents per pound	Cents per pound	Cents per pound
Zinc oxide and leaded zinc oxides containing not more than 25 percent lead:				
In any form of dry powder.....	1.75	X	.60	X
Ground in or mixed with oil or water.....	2.25	X	1.00	X
Lithopone:				
Less than 30 percent zinc sulfide.....	1.75	² 1.50	.87½	X
30 percent or more zinc sulfide.....	³ 1.75	X	⁴ .87½	X
Zinc chloride.....	1.30	X	.75	X
Zinc sulfate.....	.75	X	X	.30
Zinc sulfide.....	3.00	X	X	X

² Reduced by Netherlands agreement Feb. 1, 1936.
³ Plus 15 percent.
⁴ Plus 7½ percent.

Mr. MALONE. Mr. President, as the junior Senator from Nevada has previously said, the very fact that the Con-

gress is continually tinkering with tariffs, continually tinkering and playing with the livelihood of American workers and our investors, instills a lack of confidence in zinc and lead investments in the industries, or any other strategic or critical material.

In this case the Tariff Commission would not determine the amount of tariff necessary to make up the difference, but would determine the price per pound at which the remaining tariff would be reinstated. The price per pound would be set at a fair and competitive price, a price reasonably competitive with that of foreign nations.

Mr. President, the very fact that Congress and the State Department are continually tampering with tariffs or import fees endangers the floor under wages and investments, and prevents the flow of venture capital into the business stream of the Nation even in time of emergency, since investors know that when the emergency is over the investment is destroyed through competition from foreign sweatshop labor.

Mr. President, the haphazard lowering of the floor under wages and investments represented by the tariffs and import fees destroys the American working man, and shifts his job to foreign soil. As a result of such a policy our mines, mills, and factories were closed following World War II, our fuel production was curtailed, and farm production was saved only by subsidies.

The principle included in these amendments is simply the principle of fair and reasonable competition. We are not attempting to abrogate any agreement the State Department has made; it has made these agreements with the permission of Congress. If we would retain the principle of regulating our foreign trade, and do it on the basis of fair and reasonable competition, we could give the foreign labor credit for any improvement in their wage and living standards which would be recognized by an automatic reduction in the tariff by the Tariff Commission.

Under the flexible import-fee principle, as laid down in the 1930 Tariff Act, and as offered in this amendment, there is, of course, no consideration of a high tariff or a low tariff, but there is consideration by the Tariff Commission determining the fair and reasonable competitive point instead of freezing the price over a period of months.

Mr. President, I wish again to call attention, as I have before on the floor of the Senate, to the remarks of Karl Marx, the outstanding Communist revolutionist of all times. More than 104 years ago, on January 9, 1848, before the Democratic Club of Brussels, Belgium, he made a very significant address on the subject of free trade. He said at that time, and I quote Ricardo, the leading economist of his time:

In his celebrated work upon political economy, he (Ricardo) says: "If instead of growing our own corn * * * we discover a new market from which we can supply ourselves * * * at a cheaper price, wages will fall and profits rise. The fall in the price of agricultural produce reduces the wages, not

only of the laborer employed in cultivating the soil, but also of all those employed in commerce or manufacture."

Mr. Marx continues in his own statement saying:

Besides this, the protective system helps to develop free competition within a nation. Hence we see that in countries where the bourgeoisie is beginning to make itself felt as a class, in Germany for example, it makes great efforts to obtain protective duties. They serve the bourgeoisie as weapons against feudalism and absolute monarchy, as a means for the concentration of its own powers for the realization of free trade within the country.

But, generally speaking, the protective system in these days is conservative, while the free-trade system works destructively. It breaks up old nationalities and carries antagonism of proletariat and bourgeoisie to the uttermost point. In a word, the free-trade system hastens the social revolution. In this revolutionary sense alone, gentlemen, I am in favor of free trade.

FREE TRADE DESTROYS THE WORKINGMAN AND INVESTOR

The principle has not changed, Mr. President, in 104 years, since Mr. Marx, the outstanding Communist of all time, said in effect that free trade destroys the workingman, and now, since the investment in industry has risen from a few dollars per employed man to an average of approximately \$10,000, the investor is an equal victim.

Mr. President, I have a communication from George J. Burger, vice president of the National Federation of Independent Business, Inc., of Washington, D. C. On January 30, the federation released a statement which I should like to have printed in the RECORD at this point.

The PRESIDING OFFICER. Is there objection?

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

C. W. Harder, president, National Federation of Independent Business, today called on President Truman to curtail foreign aid exports of critical materials in short supply, until the domestic needs of small business are met.

The federation president's request was based on results of a recently completed Nation-wide poll of small business and professional men. In this poll, 81 percent of the federation's members sent signed ballots to their Congressmen calling for immediate curbs on such export programs under existing circumstances.

Mr. Harder warned President Truman that under existing shortage conditions, these export programs are a triple threat to the national welfare. He said they weaken the small, independent business backbone of our economy, curtail the traditional American freedom of economic opportunity, and injure the interests of all consumers.

Here is the text of Mr. Harder's message: "By vote of our Nation-wide small business and professional man membership, we protest any and all agreements to export critical materials in short supply for any and all purposes, including foreign aid. Such agreements only tend further to deprive small independent firms, already in a precarious position because of lack of materials for normal production and because of inability to secure defense contracts, of opportunity to survive the mobilization period.

"These agreements, atop present conditions, carry a triple threat to our country. They weaken the small business backbone of

our economy. In so doing, they seriously curtail traditional American freedom of economic opportunity. And in so doing, they deprive consumers now of the competitive factor in industry, furnished by independent small business, which tends to keep prices in line and which, more often than not, compels improvements in manufacturing and marketing. In the vote mentioned above, 81 percent of our members sent signed ballots to their Congressmen stating their feelings against such export agreements at the present time. We urge you and your advisers to heed their warning, lest in trying to save the world we lost our own Nation."

Mr. MALONE. Mr. President, in the Washington Times-Herald of January 22, 1952, there appeared an advertisement signed by C. Wilson Harder, president of the National Federation of Independent Business. I ask unanimous consent to have the advertisement printed in the RECORD.

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

AN OPEN LETTER TO WINSTON CHURCHILL, PRIME MINISTER OF GREAT BRITAIN

DEAR MR. PRIME MINISTER: Independent business and professional people in the United States welcome your recent visit to our shores. They listened intently to your expressions with regard to building a safe and constructive alliance between the United States and Great Britain. Your comments about uniting for mutual protection against war and communism are very well taken.

We are very conscious of the fact that we have paid extra billions of dollars in taxes for Britain's benefit. We also understand that you want more American dollars. Frankly, we insist that some definite permanent good be derived from our dollars so freely given you.

LET'S OUTLAW MONOPOLY

However, during your visit, and to the best of our knowledge in your addresses to the people of your nation, you made absolutely no mention of establishing antitrust laws in your nation and outlawing monopolies and cartels to give your people greater opportunity to help themselves through free competition in your market place.

Mr. Churchill, the time has arrived when our small, independent business people and many other citizens vigorously will oppose more expenditures of our assets with no more security than friendship and threadbare tradition promotions. We greatly admire your open and plain statement that you "do not intend to liquidate the British Empire." It must be just as plainly understood that independent business people of the United States do not intend that you shall liquidate the United States of America. Furthermore, we do not intend to have your influence-peddling-machinery build up within our shores, and elsewhere, a result that our Nation come within the category of the best colony that Great Britain has. We consider that fact definitely established in 1776 and again in 1812.

FREE COMPETITION MEANS PROGRESS

Mr. Churchill, you must keep in mind that citizens of our Nation fought and struggled mightily hard and made great sacrifices to build this Nation. Our antitrust laws, unfortunately, have not been as strictly enforced as they should have been. Yet without them we would never have been able to build our great Nation. We set up antitrust laws to give more people an opportunity in our market places. Open and free competition in past years has been a great contributor to our national welfare. You well know that we never followed a policy of living off what other nations of the world had accu-

mulated. We purchased a great part of our land; we did not build an empire by conquering other nations at the point of a sword. Most of our citizens fully intend to protect the heritage handed down by our forefathers.

Please understand the above constructive and factual statements are mentioned only so we can get the record straight. They in no way imply that Great Britain cannot play a very important part in promoting better world conditions. We want you as an ally. We want to do all possible to assist you in restoring a sound economy and defeat communism. But to succeed in these endeavors you must give the people of your nation a better opportunity to help themselves. You must cease your stubborn insistence on monopoly control over industry. It drove your people toward socialism before and it will do it again if changes are not made. It could result in your successor being titled "Commissar."

A FALSE ROAD TO SECURITY

You certainly must be aware of the fact that all of the burdens of assistance are borne most heavily by those in our Nation identified with small business. Small business is our largest employer and pays a great portion of our tax burden. History has shown that every nation losing its freedom of enterprise found itself drifting toward stagnation. In some instances they bailed themselves out temporarily by the use of the sword in conquering other nations and using them as pawns for their monopoly enterprises. Mr. Churchill, a survey will quickly show you that every nation going Communist did not have any antitrust laws. Communist Lenin's teachings disclose that the greatest obstacle in the promotion of communism is the large number of small businesses in any nation.

Mr. Churchill, you must know very well the great part the promotion of monopoly has played in the shrinking or dwindling of the British Empire. In your Christmas message to your people you warned them of the hardships and sacrifices ahead of them, yet you gave them absolutely no assurance there would be increased freedom of competition in their market places. You claim you do not intend to liquidate the British Empire. Mr. Churchill, in our book on successful business economy, you are simply doing that very thing. You will continue doing so just so long as you continue to legalize monopolies and cartels. You are wasting your time, as far as the future security of England is concerned, in coming to our shores or going elsewhere and promoting agreements that build monopolies and cartels.

MONOPOLY BREEDS COMMUNISM

The day has long passed when England will have a virtual monopoly on the raw materials of many nations—to be shipped to England on English ships then returned for consumption at prices dictated by monopoly tactics. The day has long passed when 40 percent of the people on the British Isles can depend upon the colonies for a livelihood. It is true, Mr. Churchill, that you didn't need antitrust laws so long as that system worked.

Mr. Churchill, over here in the United States, we of small business fully realize that communism is not spawned in the slums of a community nor by those who parade with clenched fists on May Day. Instead, communism is created within the walnut-paneled walls of rooms where monopoly is created. This fact tells you very plainly what antitrust laws will help you accomplish in England.

We fully realize the great assistance antitrust laws would lend to the citizens of other nations who express a desire to develop a sound economy. Evidence of this fact is that this organization, the National Federation of Independent Business, has taken a poll of

its membership (which is the largest individual membership of any business organization in our Nation and, we believe, yours). The signed ballots have been placed in the hands of our Members of Congress. The overwhelming vote stipulates and instructs the Congress to greatly reduce further economic aid to any nation until antitrust laws have been established.

ANTITRUST LAWS MADE US STRONG

Mr. Churchill, we had to learn through bitter experience. As you know, the Pilgrims, when founding our Nation, tried a socialistic form of government by having all products brought to the colony and distributed among all the members. The system created great dissension and failed. Some of the Pilgrims returned to England. The colony did not flourish until people were permitted to own property under their own right and retain the fruits of their labor.

During more than 100 years our Nation took definite form and continued to prosper under the free-enterprise system. Soon it became obvious that antitrust laws were necessary. The Sherman Act became law; then the Clayton Act—later the Robinson-Patman Act. Just recently we found it necessary to plug loopholes in the Clayton Act with an antimonopoly bill known as the O'Mahoney-Kefauver-Celler, bill which was enacted into law. We set up the Federal Trade Commission, also an Antitrust Division in the Department of Justice as policing and enforcing bodies.

Mr. Churchill, it has been a long time since a leading nation restored a man to power with an opportunity to correct serious evils and never, in our estimation, such an able statesman as yourself. Certainly the people in England recognize the changes which time has made necessary in their business system. The all-important question—will you and your members of Parliament help your people help themselves? Help them fortify themselves against communism?

YOUR OPPORTUNITY IS GREAT

Remember, monopolies and cartels breed communism. The American small business and professional people cannot be expected to finance, feed, and clothe such promotions. Also, the English people are certainly entitled to an opportunity to build a sound business system with antitrust law protection.

Mr. Churchill, you created a most reverent feeling in the hearts of millions for your great effort during the dark days of war. Today you are in the midst of a greater war. The actual fate of civilization is at stake. You can play a major part in winning the greatest victory of all time. The small traders of the United States (as you term us) have given you a proven pattern you can use to prepare your mold.

Let's not waste valuable time concocting alliances that will only be broken as monopoly systems breed war. Certainly the small business and professional people of the United States are opposed to having their future ruined by demands to pay for such fallacious ventures.

We vigorously oppose European politicians and monopolists, and your own politicians and give-away programs, with little benefit to their people. Let the politicians in the British Isles and Europe get down to facts and give their people a sound economic program based upon strong antitrust laws. Then, and then only, can your nation grow in the right direction—and in so doing set a pattern for other nations to follow.

Sincerely yours,

C. WILSON HARDER,
President, National Federation of
Independent Business.

Mr. MALONE. Mr. President, by now it should be understood by the people

of America that the policy established by the administration during the last 19 years has been a pattern designed to destroy our economic system and to divide our wealth with the foreign nations of the world.

It is masquerading as reciprocal trade. The phrase "reciprocal trade" does not occur in the legislation of 1934, it simply transfers the constitutional responsibility of the Congress to a thoroughly discredited Secretary of State—to do what? To determine what industries in America should survive and what industries should be destroyed or traded to foreign countries; what jobs in this country should be transferred to the soil of foreign countries and what investments in America should be destroyed. That purpose has been accomplished to a large extent. The end is not yet.

Mr. President, there is only one objective in the entire four-point program, which includes making up trade balance deficits to foreign nations in cash each year, while we divide our markets with the foreign nations of the world through free trade. This bill is only one item of the attack.

Mr. President, my amendment is to protect a principle. The bill is just another attack on the system which for 75 years has meant the protection of the standard of living in this country. It is a relatively small part of the economy, but it is indicative of the actions of the Secretary of State and of the Congress.

In closing, I offer this amendment to the zinc bill. It is similar to the amendment which I offered to the free-trade lead bill.

The purpose is to provide a sensible and businesslike manner of determining the point, in terms of the cost per pound, at which the tariff shall be reinstated, on the basis of fair and reasonable competition between domestic and foreign industry.

My amendment would avoid starting with a "shotgun opinion."

Everyone who has watched the price index climb for the past 10 or 15 years, or even for the past 5 years, knows that in a few months the level of the tariff will be thrown out of gear.

Long before the end of the period set in the bill, it would no longer represent the correct price on the basis of fair and reasonable competition.

Everyone who has studied the situation knows that the manipulation of currencies for trade advantage on the exchange markets of the world by foreign countries can throw the frozen price out of gear in 30 days.

The purpose of my amendment is to correct that situation, so that a Tariff Commission of long experience can take all the factors into consideration and fix the point at which the small remaining tariff shall be reinstated.

The tariff has already been manipulated by the State Department to the point where it has no effect. However, the principle would be retained. Under this bill the Senate is sharpshooting, just as the Secretary of State is doing under the reciprocal trade agreement.

The PRESIDING OFFICER. The question is on agreeing to the amend-

ment offered by the Senator from Nevada [Mr. MALONE].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, 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 was read the third time and passed.

STATEHOOD FOR ALASKA

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 295, Senate bill 50.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 50) to provide for the admission of Alaska into the Union.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 50) to provide for the admission of Alaska into the Union, which had been reported from the Committee on Interior and Insular Affairs with amendments.

EXECUTIVE SESSION

Mr. McFARLAND. 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 REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. McMAHON, on behalf of the Senate members of the Joint Committee on Atomic Energy:

Eugene M. Zuckert, of Connecticut, to be a member of the Atomic Energy Commission, vice Sumner T. Pike, resigned.

The PRESIDING OFFICER. If there be no further reports of committees, the nominations on the executive calendar will be stated.

DEPARTMENT OF STATE

The legislative clerk read the nomination of John M. Allison to be an Assistant Secretary of State.

Mr. BRIDGES. Mr. President, is the majority leader informed whether the report of the nomination represents the unanimous decision of the Committee on Foreign Relations?

Mr. GREEN. Mr. President, will the majority leader yield so that I may answer on behalf of the chairman of the Committee on Foreign Relations?

Mr. McFARLAND. Certainly.

Mr. GREEN. Yes; the nomination was reported unanimously.

Mr. BRIDGES. Were hearings held and were his qualifications looked into by the Committee on Foreign Relations?

Mr. GREEN. To which nomination does the Senator from New Hampshire refer?

Mr. BRIDGES. I refer to the nomination of John M. Allison to be an Assistant Secretary of State.

Mr. GREEN. Yes; it was brought before the committee and a report was made.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

INTERNATIONAL DEVELOPMENT ADVISORY BOARD

The legislative clerk read the nomination of Eric A. Johnston to be Chairman, International Development Advisory Board.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

ECONOMIC STABILIZATION ADMINISTRATION

The legislative clerk read the nomination of Roger L. Putnam to be Economic Stabilization Administrator.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

ARMY OF THE UNITED STATES

The legislative clerk proceeded to read sundry nominations in the Army of the United States.

The PRESIDING OFFICER. Without objection, the nominations in the Army of the United States are confirmed en bloc.

UNITED STATES MARINE CORPS

The legislative clerk read the nomination of Maj. Gen. William P. T. Hill, U. S. M. C., to be Quartermaster General of the Marine Corps with the rank of major general, for a period of 2 years from February 1, 1952.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. McFARLAND. Mr. President, I ask unanimous consent that the President be immediately notified of all nominations this day confirmed.

The PRESIDING OFFICER. Without objection, it is so ordered, and the President will be immediately notified.

PROTOCOL TO THE NORTH ATLANTIC TREATY ON THE ACCESSION OF GREECE AND TURKEY—REQUEST FOR RETURN OF RESOLUTION OF RATIFICATION

Mr. McFARLAND. Mr. President, some question has been raised regarding the ratification of the protocol to the North Atlantic Treaty on the accession of Greece and Turkey.

There has been much discussion about the number of Senators who were on the floor when the Senate agreed to the resolution of ratification. I should like to state that the only reason a record vote was not taken on the resolution of ratification was because no Senator had

registered any protest against the ratification of the protocol.

It is believed that at the time action was taken practically every Senator was then, and is now, in favor of ratification. However, in order that the voice of the Senate may be perfectly clear in this matter, I believe it is advisable that the Senate request the President to return the resolution of ratification to the Senate so that the Senate may act on the motion to reconsider the resolution.

I desire it to be distinctly understood that in submitting the resolution for the return of the resolution of ratification my only purpose is to give the Senate an opportunity to show that it is overwhelmingly in favor of ratification. For this reason, and for no other reason, I send to the desk a resolution and ask for its immediate consideration and I shall move its adoption.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The resolution was read, as follows:

Resolved, That the President of the United States be respectfully requested to return to the Senate the resolution of the Senate, agreed to on January 29, 1952, advising and consenting to the ratification of Executive E, Eighty-second Congress, second session, a protocol to the North Atlantic Treaty on the accession of Greece and Turkey, which was opened for signature at London on October 17, 1951, and has been signed on behalf of the United States of America and the other parties to the North Atlantic Treaty.

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

There being no objection, the Senate proceeded to consider the resolution.

Mr. KNOWLAND. Mr. President, before action is taken I should like to say that I have no particular desire to object to the procedure suggested by the distinguished majority leader. I favor ratification of the protocol. I agree with the able majority leader that the treaty would have been overwhelmingly ratified by the Senate if a yea-and-nay vote had been had on it, unless I misjudge the situation.

However, I was wondering whether thought had been given, if this process is adopted, and the request is made of the President to return the resolution of ratification, that it may also be subject to misinterpretation. If in the future it is to be the policy of the majority leadership and the minority leadership that a quorum call be had and that we have a yea-and-nay vote on treaties, I have no objection to the adoption of the resolution which is now before the Senate. However, unless that is to be understood, namely, that we will follow the same procedure in the future—and I believe it is a desirable procedure to be followed—I wonder whether thought was given to a possible misinterpretation of our act.

Mr. McFARLAND. I wish to say to my distinguished friend from California that that was the reason I made my statement regarding the resolution. I would not wish to bind myself for all time with respect to the procedure to be followed on these matters, because

the circumstance may not call for the same action in every case.

However, because of the comment regarding the small number of Senators who were on the floor when the Senate agreed to the resolution of ratification, I believe that in this instance it would be advisable to request the President of the United States to return the resolution of ratification so that a greater number of Senators may have a voice in the ratification. In view of the explanation made by the distinguished Senator from California, and of the statement made by me, I hope no one will misinterpret or misunderstand the intention of the Senate in asking for the return of the resolution of ratification. It is simply to avoid any misunderstanding that may have occurred by reason of the comment made on the small number of Senators who were on the floor at the time the protocol was ratified.

Mr. KNOWLAND. If that is the considered judgment of the majority leadership with respect to its responsibility on that side of the aisle, I shall not object. I wish to serve notice, however, that in the future I shall, either personally or by request of the minority leadership on this side of the aisle, ask that when a treaty is brought forward for consideration by the Senate and ratification, we follow the rule hereafter that a quorum call be had, because otherwise we may find ourselves in a very embarrassing situation, which was not intended, in having to ask the President to return a treaty to the Senate.

Therefore, while I agree with the Senator from Arizona, the distinguished majority leader, that he is not bound by what I have said, I merely wish to serve notice that I shall request a quorum call prior to the ratification of treaties.

Mr. McFARLAND. Does not the Senator from California believe that an announcement of the intention to consider a treaty would be more effective than a quorum call? I had intended to give notice with respect to this treaty. I had told the distinguished chairman of the Committee on Foreign Relations that I would be willing to have it considered at any time he wanted it acted upon, if he would advise me. I am not being critical of the fact that no notice was given, but I had intended to give notice a day in advance of the intention to consider the treaty. The important thing, it seems to me, is to give notice that a treaty will be brought before the Senate.

Mr. KNOWLAND. I believe that notice should be given. I also feel—and I say it very sincerely to the Senator from Arizona—that while the treaty-making powers rest entirely with the Executive, the power to ratify a treaty rests exclusively with the Senate, and that there is no higher responsibility of the Senate than the ratification of treaties.

Therefore, in addition to giving notice, which I think is excellent, before any of these treaties come before the Senate, so far as I am concerned, I believe it would be wise to have a quorum call had before the consideration of any treaty.

Mr. McFARLAND. I agree with the Senator from California, that a quorum call could be desirable when a treaty of

more than minor importance is being considered.

Mr. LEHMAN. Mr. President, reserving the right to object, I merely wish to associate myself with the views expressed by the distinguished Senator from California. The Senate has imposed upon it no duty higher than that of considering treaties and ultimately ratifying them, if it be the will of the Senate to ratify them. Not only do I think notice should be given, but in connection with any important treaty I think there should be a quorum call, so that all Senators will be on notice.

I do not intend to object—

Mr. McFARLAND. I did not request unanimous consent; I made a motion.

Mr. LEHMAN. At any rate, unanimous consent is required for the immediate consideration of the resolution, I believe.

I do not intend to object, but I should like to ask a question of the Senator from Arizona. Of course, it is quite possible that he has already answered the question, in the course of the remarks he made when I was out of the Chamber. However, this is the question: Is it the intention to take up the treaty again at a very early date? I ask this question because, so far as I am concerned, I favor ratification of the treaty, and I do not think it should be laid aside for any substantial length of time.

The PRESIDING OFFICER. The question is on agreeing to the resolution requesting the President to return the resolution of ratification.

Mr. LEHMAN. Mr. President, I have asked a question, and I should like to have it answered before I decide whether to object to the request for immediate consideration.

The PRESIDING OFFICER. The matter before the Senate is not now subject to objection.

Mr. McFARLAND. Mr. President, in answer to the question asked by the Senator from New York, I may say that I am hopeful we can have the treaty reconsidered and can vote on the question of its ratification at some time on Monday. I shall confer with the chairman of the committee; and if we cannot act on the treaty on Monday, I hope we shall be able to act on it on Tuesday.

However, I give notice now that the Senate may consider the treaty at some time on Monday. Of course, I say to my distinguished friend, the Senator from California, that if it is then considered, we shall have a quorum call before a vote is taken on the treaty.

Mr. BRIDGES. Mr. President, I wish to associate myself with the remarks which have been made by the distinguished Senator from California [Mr. KNOWLAND]. In my opinion, he has raised a very pertinent point. I think it is regrettable that the procedure which has been referred to has been followed.

Of course, ratification of treaties by the Senate is one of the most important powers and functions it has, for a treaty certainly has a pronounced effect on the country as a whole. After all, although a particular treaty may be regarded as of minor importance at the time when it is acted upon, in later years it may be

found to be of momentous importance; and of course it will be binding, once it is ratified.

For that reason, Mr. President, I am glad the majority leader has said that hereafter in the case of any treaty, regardless of what it may be, he will give prior notice of the prospective consideration of the treaty.

So far as I am concerned, and speaking for those whom I represent, I wish to say that we shall ask for a quorum call before a vote is taken on a treaty or before the Senate acts on any treaty, because a treaty which might be considered by some to be of minor importance might be considered by others to be of major importance.

So I am glad the majority leader has acted as he has, and I am glad the Senator from California has spoken as he has and has raised this point. I wish to supplement his remarks by saying that a quorum should be called before action is taken on any treaty.

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

The resolution was agreed to.

PROVISION FOR PRESIDENTIAL PRIMARIES

The Senate resumed the consideration of legislative business.

Mr. McFARLAND. Mr. President, if there is nothing further to come before the Senate—

Mr. DOUGLAS. Mr. President, before the Senator from Arizona makes a motion to recess, I wonder whether he would yield to me for a minute or two.

Mr. McFARLAND. I yield.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DOUGLAS. Mr. President, today Representative CHARLES E. BENNETT, of Florida, one of the finest men in Congress, introduced in the House of Representatives, and a number of Senators, including myself, have introduced in the Senate, a bill to provide for preferential presidential primaries.

The junior Senator from Florida [Mr. SMATHERS] has a proposal for a constitutional amendment to provide for compulsory presidential primaries. However, it would take so much time to put that proposal into effect that it could not be compiled within the present year.

The proposal we have made is that the Attorney General may enter into co-operative relationships with such States as wish to accept, and that the Federal Government will pay the cost of a presidential primary, up to a ceiling of 20 cents per voter. These primaries would not be binding upon the party conventions, which would continue; but it is presumed that the primaries would have a very strong psychological effect upon the conventions.

At present the candidates for President are selected by both parties by conventions, the members of which are chosen largely by the party bosses in the various States. The party leaders get together in the congressional districts, name candidates who are unpledged, and the voters then vote for those men in many

cases without knowing for what candidates for the Presidency they really are voting; and then come the national conventions, where the politicians, and not the people, make the choice, and thereby determine the destinies of this Nation and perhaps of the world. We remember certain conventions in the past, when the real desires of the people have been balked by the professional politicians. There are strong signs that this may happen again this year and that we may have nominated by both conventions candidates who do not represent the real choices of the rank and file of each party.

Mr. President, I think the office of President of the United States is so important that the people, and not the politicians, should make the decision.

Therefore, we hope this bill of ours will be speedily acted upon, and that we can have some more presidential preference primaries this spring, so that the voice of the people may be heard in both political parties, and so that we shall not find ourselves presented with hand-me-down candidates, dictated in smoke-filled rooms by the professional politicians. The choices of the people frequently are not those of the party leaders; but it is the will of the people to which the conventions should listen. At present they frequently do not.

Mr. BRIDGES. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I am glad to yield to the Senator from New Hampshire for a question.

Mr. BRIDGES. Let me preface my question by saying that in my own State of New Hampshire we have presidential primaries.

Mr. DOUGLAS. I congratulate the Senator from New Hampshire and his State. Illinois also has presidential primaries. I wish other States would follow our example.

Mr. BRIDGES. However, is it not very improbable and perhaps impossible for the Congress to enact on this subject legislation which would be effective this year, because after action on such a proposal by Congress, the only way a State could adopt an amendment to its constitution, if that were necessary, or to enact a law, if that were all that was needed, would be to have the State legislature in session and pass the necessary measure so as to take advantage of the congressional action, even after both Houses of Congress had passed the bill and after the President had approved it.

In other words, is not the Senator from Illinois looking ahead to a time 4 years from now, rather than to this year?

Mr. DOUGLAS. There are formidable roadblocks in the way, I grant, but I remember that in Pilgrim's Progress, Mr. Greatheart was advised not to be discouraged by all the obstacles he faced. We should face the difficulties of the present hour in the same way that the heroic characters John Bunyan mentioned faced the difficulties they encountered.

If Congress will act speedily on this matter, I think there will be a sufficient demand by the American people so that the State legislatures will take action on

it. What we are objecting to is having selected by the conventions candidates who are not the real choice of the people. But unless we act, that is precisely what is likely to happen.

I am sure that at least the Senator from New Hampshire would like to have as many other States as possible join in this attempt. All of us are looking forward with great interest to the New Hampshire primary. Would that there were more State primaries.

Mr. President, I now ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a statement which I have prepared in connection with this matter and a copy of the Senate bill to which I have referred.

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

STATEMENT BY SENATOR DOUGLAS AND REPRESENTATIVE BENNETT, OF FLORIDA, ON THE BILL TO PROVIDE FOR PRESIDENTIAL PRIMARIES (SENATE BILL 2570, INTRODUCED ON JANUARY 31, 1952, BY SENATOR DOUGLAS FOR HIMSELF, AND SENATORS SMATHERS, TOBEY, HUNT, SMITH OF MAINE, MURRAY, KEFAUVER, AND AIKEN)

We are today introducing a bill to provide for presidential primaries. The purpose of the bill is to bring about greater direct participation by the electorate in the nomination of candidates for President and Vice-President. This would be done by directing the Attorney General to cooperate with the States to conduct preferential primaries.

We recognize that a constitutional amendment is needed to establish any presidential primary system which would prevent nomination by the convention system and bind parties in their choice of nominees. Senator GEORGE SMATHERS, of Florida, has just this week introduced such an amendment and it is our understanding that he introduced a similar constitutional amendment in the Eightieth and Eighty-first Congresses. However, it takes a long time to secure the passage of constitutional amendments and the bill which we are introducing can be enacted promptly by Congress and take effect for 1952 elections. It contemplates that the primaries provided would suggest candidates for convention nomination. While there can be no compulsion on the delegates to accept the primary choices, we anticipate that the results of these primaries will have strong persuasive influence on the delegates. In time, the parties might voluntarily recognize these primaries as binding.

A national presidential primary has been advocated by a number of eminent statesmen and political scientists, including President Woodrow Wilson, Senator Hiram Johnson, Gen. Leonard Wood, and Prof. Charles E. Merriam.

Primaries would be conducted for only major parties, those which polled a popular vote of more than ten million in the last presidential election.

It would not be practical for the Federal Government to register all its citizens and to establish Federal machinery for conducting such primaries. To avoid this problem, the bill provides for agreements with the States to utilize their facilities and services (i. e., their registration books and personnel and their election facilities) in return for a consideration which is limited to a ceiling of 20 cents for each vote cast in the primary. We believe that the States will be encouraged to cooperate by this opportunity of obtaining assistance with their election expenses.

The Attorney General of the United States would be charged with responsibility for carrying the bill's provisions into effect. The bill is so designed that it allows administra-

tive flexibility. It leaves to the discretion of the Attorney General such determinations as qualifying deadlines, primary dates, terms of agreements with the States, whether the primaries will be held in conjunction with the State primaries or separately therefrom. The Attorney General's discretion is limited only by the requirement that the dates of primaries be set on or before July 1 of a presidential election year.

The danger of frivolous candidacies and a long and confusing ballot is met by requiring nominating petitions signed by 500 qualified voters in 36 States. This requirement is designed to limit the ballot to those who have wide support.

The bill preserves the prospective candidate's freedom of choice as to whether he will be listed on the ballot. It is based upon a similar provision in the New Hampshire statutes.

The bill provides for primaries in Hawaii, Alaska, and Puerto Rico and leaves to the discretion of the Attorney General the question of whether or not to take action with reference to other areas under the jurisdiction of the Government of the United States.

The names of other Senators and Congressmen sponsoring this proposal are available at the offices of Senator DOUGLAS and Congressman BENNETT.

The total cost of such primaries is limited to \$10,000,000.

S. 2570

A bill to authorize the Attorney General to conduct preference primaries for nomination of candidates for President and Vice President

Be it enacted, etc., That the Attorney General of the United States is hereby authorized and directed to enter into agreements with the several States to conduct preferential primaries for suggesting nominees for President and Vice President to each political party which polled a popular vote of more than 10,000,000 in the last presidential election.

SEC. 2. The Attorney General is hereby authorized to compensate each State for use of its facilities and services, but such compensation shall not exceed in any State 20 cents for each vote cast in any such preferential primary.

SEC. 3. No person shall be a candidate for nomination in a preference primary under this act unless there shall have been filed with the Attorney General a petition on behalf of his candidacy signed by at least 500 qualified voters in each of the 36 States.

SEC. 4. The Attorney General shall by regulation specify the date on which such petitions shall be filed, the dates of such preference primaries, and other details necessary to effectuate the purposes of this act, but no such preference primary may be held later than July 1 of any presidential election year.

SEC. 5. Whenever the Attorney General shall receive a petition which appears to qualify the name of a candidate for President or Vice President, he shall forthwith notify the prospective candidate by the most expeditious means of communication and shall advise such prospective candidate that, unless he withdraws his name from the ballot within 10 days after receipt of such notice, his name will appear on the ballot of his party at such presidential preference primary. If a candidate signifies his desire to withdraw his name within the above time limit, the Attorney General shall not print his name on the ballot.

SEC. 6. As used in this act, the term "States" means the several States, Puerto Rico, and the Territories of Alaska and Hawaii.

SEC. 7. The Attorney General may, in his discretion, conduct preferential primaries in other areas under the jurisdiction of the Government of the United States, either in-

dependently or in conjunction with local officials.

SEC. 8. There is hereby authorized to be appropriated in each presidential election year not to exceed the sum of \$10,000,000 to carry out the purposes of this act.

RECESS TO MONDAY

Mr. McFARLAND. Mr. President, I now move that the Senate stand in recess until Monday next, at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 38 minutes p. m.) the Senate took a recess until Monday, February 4, 1952, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 31 (legislative day of January 10), 1952:

DEPARTMENT OF STATE

John M. Allison, of Nebraska, to be an Assistant Secretary of State.

INTERNATIONAL DEVELOPMENT ADVISORY BOARD
Eric A. Johnston, of Washington, to be Chairman, International Development Advisory Board.

ECONOMIC STABILIZATION ADMINISTRATION

Roger L. Putnam, of Massachusetts, to be Economic Stabilization Administrator.

ARMY OF THE UNITED STATES

Lt. Gen. LeRoy Lutes, O5413, Army of the United States (major general, U. S. Army), to be placed on the retired list in the grade of lieutenant general.

Lt. Gen. John Breitling Coulter, O3488, Army of the United States (major general, U. S. Army), to be placed on the retired list in the grade of lieutenant general.

IN THE MARINE CORPS

Maj. Gen. William P. T. Hill, to be Quartermaster General of the Marine Corps, with the rank of major general, for a period of 2 years from February 1, 1952.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 31, 1952

The House met at 12 o'clock noon. The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, who art always urging and inspiring us to find life's highest meaning and to fulfill its greatest possibilities, humbly and penitently we confess that in our search we have not availed ourselves of Thy divine wisdom and strength.

Grant that all the areas of private and public life, our homes, our business, our political and social activities may be permeated and ordered by the loftiest ideals and principles.

Show us how we may awaken within the heart of humanity those inner controls and convictions and sanctions with which man has been created so that it will become increasingly less necessary to enact more laws and multiply legislation.

Give us a clearer knowledge and understanding of how to make a more persuasive and effective appeal to mankind's spirit of reverence and respect for justice and righteousness.