

The following-named officers of the Marine Corps Reserve to the grade of second lieutenant in the Regular Marine Corps pursuant to the provisions of title 34, United States Code, section 1020e (b) or title 34, United States Code, section 634, subject to qualification therefor as provided by law, to rank from the 1st day of June 1951:

Billy M. Adrian	Richard E. Kutz
Alan D. Albert, Jr.	Cerard E. Lawler
Frank Andrul	Charles R. Lee, Jr.
Cowles Andrus, Jr.	Don W. Lee
James E. Applegate	Charles G. Little
Raymond E. Baker	Gordon M. B. Livingston
David B. Barker	Eruce D. MacLachlan
George L. Bartlett	Joseph J. Marron
Everett D. Bedwell	Jimmie D. Martin
Arnold E. Bench	Robert R. Meeker, Jr.
Wade E. Branan	John G. Metz
James M. Brannaman	James F. Meyers, Jr.
Dallas P. Brewton	Roy M. Miles
Arthur M. Brown	William R. Miller, Jr.
Frank L. Bourne, Jr.	Donald L. Mitchell
Gerard T. Buckley	Karl E. Moore
William L. Buergoy	Marc A. Moore
Lowell R. Burnette, Jr.	William E. Moore
Jack W. Cain	Dean H. Morley
Orville C. P. Camp	Bernard J. Mulligan
James A. Carroll	Michael L. McAdams
Robert J. Chadwick	Frank D. McCarthy
"C" "P" Clark, Jr.	Roland L. McDaniel
William E. Clemens	Robert B. McIntosh
John H. Cobb, Jr.	William A. McMahan
Whitney L. Cochran	Leo N. Nagrodsky
John L. Coffman	Albert O. Nelson
Harvie D. Conlin	Robert J. Norton
Harry O. Cowing, Jr.	Raymond J. O'Leary
Reginald J. Cox	John F. O'Mara
Hiram B. Crosby III	Stephen G. Olmstead
Thomas J. Culkun	Norman L. Padgett
Charles H. Cullum	Robert E. B. Palmer
Robert K. Damon	Garry M. Pearce
Dale N. Davis	Gordon W. Poindexter, Jr.
Hillmer F. DeAtley	Donn J. Prendergast
William J. Dinse	Eugene D. Prommersberger
John J. Donahue	John J. P. Reddy
John E. Dornan	Lee C. Reece
Jimmie W. Duncan	Ben C. Rowe
Robert E. Eldson	Jack D. Rowley
Henry C. Ellenberg	Lawrason R. Sayre
Henry English	Dale E. Shatzer
Reeve E. Erickson	William P. Sherman
Marion M. Etheridge, Jr.	Herbert O. Smith
Richard L. Etter	Thomas C. Smith
Kenneth J. Factor	Robert L. Simonis
William F. Farley	James F. Smola
Robert W. Ferguson	Elmer N. Snyder
Herbert L. Fogarty	William B. Springfield
Kenyon J. Frazier	Billy R. Standley
Philip N. Frazier	John H. Strobe
George H. Gentry, Jr.	Richard B. Taber
Robert E. Gernand	Billy G. Taylor
Leonard M. Gillespie	Elmer M. Thompson
Irwin H. Gold	William H. Thousand
Robert E. Haebel	Ralph Thuesen
Philip W. Haley	Edward R. Toner
Richard W. Hammer	Harlan E. Trent
Wilbur V. Hansen	Ralph W. Tufts
Andrew E. Hare	Richard B. Twohey
William E. Harper	John J. Unterkofler
Eric N. Harris, Jr.	William C. Vielhauer
Richard E. Hawes, Jr.	Richard M. Wadsworth
David B. Hayes	Emile A. Walker
Gerald R. Hayes	Ronald L. Walsh
Keith H. Helms	Vincent J. Walsh
Caryl E. Hendrickson, Jr.	Russell W. Walters
John W. Holden, Jr.	John E. Watson
Elmer H. Holthus	Paul H. Westenberger
Thornton M. Howard	Walter A. Weston
Raymond B. Ingrando	Gary Wilder
William "C" Jaeck	Kenneth W. Williams
Richard P. Johnson	Tom W. Williams
Malcolm S. Jolley, Jr.	Charles T. Williamson
David E. Jones, Jr.	Paul A. Wilson, Jr.
William D. Kent	Paul E. Wilson
Charles R. Kerr, Jr.	Leonard E. Wood
Edwin C. King	Tullis J. Woodham, Jr.
William J. Knight, Jr.	John L. Woods
Kenneth J. Kopecky	Arnold G. Ziegler
Steve F. Kriss	

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 22, 1952

The House met at 12 o'clock noon.
The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou eternal God, as we again assemble in this Chamber, we would render unto Thee the tribute of our heart-felt praise for by Thy mercies we have been spared and by Thy presence and power we are daily sustained.

May we appreciate and understand more fully how sacred and wonderful it is that in facing difficult tasks and heavy responsibilities, we may lift our minds and hearts unto Thee from whom cometh every needed blessing.

Grant that in seeking to legislate for the highest welfare of our beloved country and in ministering to the needs of struggling humanity we may be guided by spiritual principles and endowed with divine wisdom.

Let the words of our mouth and the meditations of our heart be acceptable in Thy sight, O Lord, our strength and our Redeemer. Amen.

The Journal of the proceedings of Thursday, April 10, 1952, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On April 9, 1952:

H. R. 1216. An act to authorize the President to convey and assign all equipment contained in or appertaining to the United States Army Provisional Philippine Scout Hospital at Fort McKinley, Philippines, to the Republic of the Philippines and to assist by grants-in-aid the Republic of the Philippines in providing medical care and treatment for certain Philippine Scouts hospitalized therein.

On April 11, 1952:

H. R. 2737. An act to authorize the reimbursement of certain naval attachés, observers, and other officers for certain expenses incurred while on authorized missions in foreign countries.

On April 14, 1952:

H. J. Res. 423. Joint resolution to continue the effectiveness of certain statutory provisions until June 1, 1952.

On April 15, 1952:

H. R. 3995. An act to authorize the Secretary of Commerce to transfer to the Department of the Navy certain land and improvements at Pass Christian, Miss.;

H. R. 4444. An act to authorize the Secretary of the Navy to convey to the city of Macon, Ga., a parcel of land in the said city of Macon, containing 2 acres, more or less;

H. R. 4796. An act to retrocede to the State of North Carolina concurrent jurisdiction over a highway at Fort Bragg, N. C.;

H. R. 4965. An act to authorize the Secretary of the Navy to sell and convey to Sam Arvanitis and George Arvanitis a parcel of land consisting of one-quarter acre, more or less, situated at the naval ammunition and net depot, Seal Beach, Calif.;

H. R. 5369. An act to authorize the exchange of certain lands located within and in the vicinity of the Federal Communica-

tions Commission's primary monitoring station, Portland, Oreg.; and

H. J. Res. 350. Joint resolution to provide an extension of time for the authorization for certain projects for local flood protection in the Tennessee River Basin.

On April 17, 1952:

H. R. 4897. An act to authorize the Secretary of the Navy to surrender and convey to the Commonwealth of Massachusetts certain rights of access in and to Chelsea Street in the city of Boston, and for other purposes;

H. R. 5685. An act for the relief of Rumi Takemura;

H. J. Res. 359. Joint resolution to designate the lake to be formed by the waters impounded by the Wolf Creek Dam in the State of Kentucky as Lake Cumberland; and

H. J. Res. 382. Joint resolution to provide for setting aside an appropriate day as a National Day of Prayer.

On April 18, 1952:

H. R. 807. An act for the relief of Ronald Yee;

H. R. 745. An act for the relief of Thomas A. Trulove, postmaster, and Nolen J. Salyards, assistant postmaster, at Inglewood, Calif.;

H. R. 751. An act for the relief of Loretta Chong;

H. R. 978. An act for the relief of Mrs. Michi Masaoka;

H. R. 1158. An act for the relief of Isao Ishimoto;

H. R. 1790. An act for the relief of Dorothea Zirkelbach;

H. R. 1815. An act for the relief of Hideo Ishida;

H. R. 1819. An act for the relief of Hisamitsu Kodani;

H. R. 1836. An act for the relief of Mrs. Carla Mulligan;

H. R. 2353. An act for the relief of Kazuyoshi Hino and Yasuhiko Hino;

H. R. 2403. An act for the relief of Lera Taft;

H. R. 2404. An act for the relief of Mark Yoke Lun and Mark Seep Ming;

H. R. 2634. An act for the relief of Mrs. Aiko Eijima Phillips;

H. R. 4343. An act for the relief of Erika Bammes (Patricia Ann Cox);

H. R. 4691. An act for the relief of Nagakubo (also known as Roy Mervin Nelson);

H. R. 4774. An act for the relief of Eleftherios G. Kokolis;

H. R. 5297. An act for the relief of John Michael Jurecek;

H. R. 5322. An act for the relief of Kazumi Yamashiro;

H. R. 5460. An act for the relief of Hans Werner Brisco;

H. R. 5551. An act for the relief of Eugene Kline;

H. R. 5893. An act to make additional funds available to the Administrator of Veterans' Affairs for direct home and farmhouse loans to eligible veterans under title III of the Servicemen's Readjustment Act of 1944, as amended;

H. R. 5920. An act for the relief of Kimberly Ann Cibulski, also known as Belle Lee; and

H. R. 6026. An act for the relief of Joseph Yukio.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2039. An act to prohibit the display of flags of international organizations or other nations in equal or superior prominence or honor to the flag of the United States except under specified circumstances, and for other purposes.

DISASTER RELIEF

Mr. CANNON. Mr. Speaker, by direction of the Committee on Appropriations, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 427) making additional appropriations for disaster relief for the fiscal year 1952, and for other purposes.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. RANKIN. Mr. Speaker, reserving the right to object, will the gentleman explain the resolution?

Mr. CANNON. The resolution provides the same relief for the upper Missouri and Mississippi which was provided a year ago for a similar disaster on the lower Missouri. Immediate steps must be taken to provide for human relief.

Mr. RANKIN. Mr. Speaker, of course I shall not object to the gentleman's request. The disaster is due to the failure of Congress to pass our bill for the Missouri Valley Authority.

Mr. CANNON. I will not take issue with the gentleman. It is, of course, largely a matter of conjecture.

Mr. RANKIN. The only way in the world you are ever going to protect these people from disasters for years to come, and at the same time utilize the Missouri River, is through the development of the Missouri River similar to that provided for the Tennessee.

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1952, the following sum:

DISASTER RELIEF

For an additional amount for "disaster relief," \$25,000,000, to be expended without regard to the limitation in section 8 of the act of September 30, 1950 (Public Law 875).

Mr. CANNON. Mr. Speaker, unprecedented floods are sweeping down the upper branches of the Missouri and Mississippi Rivers. The floodwaters on the upper Missouri exceed in volume and devastation any flood registered in the recorded history of the valley.

Its crest has just passed Omaha, Nebr., and Council Bluffs, Iowa, and is now on its way down the river accelerated by heavy rains which have fallen steadily for the last 48 hours and were still falling on the last report received this morning.

Something like 50 towns have been inundated. In excess of 90,000 people have been evacuated. Thousands are homeless. Twenty-seven major railroads are blocked. Eighty-three main highways are closed. One hundred and fifty-three private levees have been breached and over 2,200,000 acres of farm lands have already been flooded.

The Red Cross is making every effort to meet the situation and provide for the destitute but the extent of the disaster

and the rapidly growing list of refugees is taxing it beyond its resources. Federal aid must be provided and at once.

Such heavy draft was made on the disaster funds available for relief in the July floods last year that only a minimum reserve remains.

For the fiscal year we had the customary \$800,000 provided in the annual bill. To this was added the \$25,000,000 carried in the joint resolution last July. And subsequently a subcommittee under the chairmanship of the gentleman from Arkansas [Mr. NORRELL] reported out a bill appropriating an additional \$5,000,000, giving us a total disaster fund of \$30,800,000 for the year ending June 30, 1952. Of this amount \$24,061,124 has been expended largely on the lower Missouri, leaving unallocated and uncommitted \$6,738,866 at this critical time. It is, of course, wholly inadequate.

The further appropriation of \$25,000,000 proposed in the pending bill will not meet the needs of the emergency. But the States are arranging to appropriate funds which this Federal contribution will supplement.

One State legislature has just made an appropriation and another State is convening a session of its legislature for the purpose and all States and local subdivisions affected are expected to provide sufficient funds to meet the situation without the necessity of the Federal Government adding to the amount carried by this resolution.

While losses were heavier in 1951, a greater potential acreage lies in the path of the coming flood, and the excessive losses of last year are due to the fact that the acreage inundated was industrial, whereas the greater part of the territory affected by this flood is largely agricultural. This appropriation is primarily for human relief and the dollar damage is not a criterion of the human suffering involved.

But there is a commercial side to the problem. The areas inundated include some of the most productive land in the Nation. More surplus food is produced in this section, including both grain and livestock, than in any similar area on the globe. Unless the water is drained and the submerged land is pumped off in the next few weeks, no crops can be produced this year. Food is the prime essential in both peace and war and the Government is at this time making a special effort to increase all food crops. The early return of refugees to their homes and the prompt rehabilitation of these farm lands is a national problem as well as a local problem. If this important section in the Nation's bread basket can be returned to production this crop year, the money provided in this bill will prove a profitable investment as well as a humanitarian measure.

And in this connection, Mr. Speaker, may I say that the statement quoted in some quarters to the effect that had not Congress in the exercise of a niggardly policy denied appropriations for the system of dams now under construction on the upper Missouri, this catastrophe could have been avoided. That statement is without foundation.

The proposed control of the upper Missouri is projected in six great dams—

the Fort Peck, Garrison, Oahe, Fort Randall, Gavins Point, and Big Bend Dams. The first of these six dams was started in 1937 and has now been completed, although it cannot be closed until next year. The remainder are in all stages of construction from planning to completion in 1960.

But all the cuts on all the estimates for all these dams approximates only about 5 percent. It is obvious that a cut of 5 percent could not possibly have delayed construction to an extent permitting the damage caused by this flood.

It might be added that that cost of construction of these dams has increased 250 percent over the estimates first submitted to the committee, an increase entirely out of proportion to any increase due to added cost of construction in labor and materials.

It is also interesting to note that a total of approximately \$1,400,000,000 has been spent by the Government on the improvement of the Missouri River in this area in the last 20 years.

It is the part of economy to provide this money at the earliest minute possible. "He gives thrice who gives promptly." Human suffering will be alleviated, production of essential food products will be resumed this year, and the eventual solution of pressing flood-control problems will be accelerated by the enactment of this measure.

I yield to the gentleman from Kansas [Mr. SCRIVNER].

Mr. SCRIVNER. Mr. Speaker, we, in Kansas, have not forgotten the terrific floods of July 1951. Up to now, Kansas is not hurt seriously by this flood. We pray it will not be.

We know from first-hand experience how much these disaster funds mean to these flood-stricken States and communities. For without, it would have been almost impossible for some areas to beat back.

This year's flood is worse than that of 1951. The need will be greater. Perhaps the \$25,000,000 will not be enough. If it is not, Congress can always provide more. To avoid delay in the passage of this resolution, I will not offer any amendment.

Mr. Speaker, this resolution, as it should be, will pass without objection, opening the way for the President to declare emergency areas, and the governors may then request aid from the Federal Government.

Mr. H. CARL ANDERSEN. Mr. Speaker, I have just returned from Minnesota and have witnessed some of the effects of the floodwaters there. As the gentleman from Iowa [Mr. JENSEN] stated, it is just impossible to appreciate how serious the general situation is unless one inspects the damaged areas personally. I cannot urge too strongly that the House adopt this measure appropriating \$25,000,000 for disaster relief immediately. The only question in my mind is whether or not this amount will be sufficient to accomplish the job that must be done at once. The most immediate need is the alleviation of the suffering among the homeless and destitute people who have lost most of their possessions in this flood and the many more that will suffer before this flood damage ceases.

Mr. Speaker, Minnesota suffered great flood damage last year and the city of Marshall in my district was particularly hard hit. Marshall has again suffered considerable damage. Montevideo, Minn., was very hard hit this year and the State of Minnesota in general has sustained its greatest flood loss in history.

A month ago, when the House was considering the civil functions bill, I suggested that we pay more attention to impounding the waters of the Missouri far upstream before they created more havoc down below and prevent as far as possible damage to the cities on the lower reaches of the river. I argued that it would be much better to spend an additional \$30,000,000 on the Oahe and Gavins Point Dams than it would be to utilize some of the flood-control funds to increase the size of the dikes on the lower Mississippi. In my judgment, Mr. Speaker, the solution to this entire problem is to bring the program prescribed in the Pick-Sloan plan to completion as soon as possible and to see that the Department of Agriculture, under its flood-control program, works out a plan which will hold back the waters of the numerous small tributaries that feed the larger streams. I have always supported the appropriation of funds for this work and hope that the House will reverse the position taken recently, over my protest, and approve the appropriation of the money necessary to complete the Oahe and Gavins Point Dams. The need is critical.

I hope that the Senate will rectify the error of the House in not continuing the flood-control work at full capacity in the Red River of the North Basin. It is also very essential that funds be provided for a complete survey of the Minnesota River and the small tributaries which feed into that river so that future damage to such cities as Montevideo, Marshall, and Mankato be reduced to a minimum.

Mr. LOVRE. Mr. Speaker, this requested appropriation of \$25,000,000 for the President's disaster fund is but further evidence of the need for a stepped up flood-control program in America. The flood of last week is another reminder of the old saying "too little and too late." If General Pick had been given the funds requested every year since the Pick-Sloan plan was authorized in 1944, this disaster would not have happened and this \$25,000,000 disaster fund would not have been necessary. In the interest of true economy and national defense we cannot permit another disaster like the one of last week in the Missouri River Basin.

I sincerely hope that the Senate will restore the funds for flood control and that the House conferees will agree.

Economy, preparedness, and the preservation of the great Middle West demand such action.

Mr. Speaker, I must pay a word of tribute to Raymond M. Foley, the administrator of the President's disaster fund, and his assistant Pere F. Seward. They were right on the job and lost no time in meeting with Gov. Sigurd Anderson, of South Dakota, and others of our State in meeting out necessary relief.

Mr. BROOKS. Mr. Speaker, we no longer hear the derisive shouts of those

who holler "log-rolling and pork barrel." The tons of angry, muddy swirling of flood waters sweeping down the great valley in the Midwest have hushed those selfish and unsympathetic groups that have never found a reason for helping their fellowman. The floods along the great Missouri River have reached an all-time record and those of us who live in the lower Mississippi Valley truly sympathize with those people in their great distress and property loss. We know just how those people feel as waters up-the-valley-way descend on them with destructive fury. The Congress, which has in my judgment overdone foreign aid, should now come to the rescue of its own people who are suffering so keenly at the present time.

The flood waters which are causing such appalling loss of property in the Missouri and upper part of the Mississippi Valley are beginning to affect the lower Mississippi Valley and the Red River Valley. I have just come back from Louisiana and I found the Mississippi with full banks at the present time and expecting much additional water to descend upon them in the next few weeks. I found the Red River, which traverses my district in northwest Louisiana, to be full to the very brim. In fact, while I was there in Louisiana a small levee gave way and I received the news of this levee break before I left to return here. The levee break fortunately did not cause extensive damage but it did prophesy to all of us what might occur in the future should we continue to allow our levee work to fail and our bank revetment and stabilization projects to become inactive. On the Red River especially money is badly needed for bank stabilization. The present period of high water will serve to emphasize the dire need of this assistance and this will be the case even though a major flood in the lower valley may be averted during the current year.

I am certainly in favor of economy, Mr. Speaker. It is false economy, however, to attempt to economize on flood control. I join hands with those groups in the Congress and throughout the country that feel that we must take care of our own people before the needs of rehabilitating overseas peoples are met. If our own economy through flood disasters is allowed to suffer, we will not then be in position as a nation to muster our ultimate strength in defense of this country in emergencies.

At an early date I hope that this House will reconsider its flood control appropriations and will give those projects which were approved by the budget and by the Army engineers the "green light." I also hope that the Engineers will be allowed to go ahead with project planning. Any other course is ill-advised and full of folly.

Mr. CANNON. I yield to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, since a great part of the damage caused by this flood occurred in my district, I should like to make a few remarks.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from New York.

Mr. TABER. I think it should be brought out that \$6,000,000 is left over from last year's appropriation. That is available in addition to what this joint resolution provides. Is that not correct?

Mr. CANNON. That is true.

Mr. JENSEN. Mr. Speaker, in order that the Members may have some idea of the immensity of this devastating flood, may I say that the Missouri River Valley covers an area about one-sixth the entire area of the United States. It extends way up into Canada. The floodwaters have covered an area approximately 5 miles wide for a distance of 200 miles from above Sioux City south, so you can imagine what terrific destruction it has caused.

Thousands of farms and town homes have been inundated and thousands of families have been evacuated from the towns, and farms, and homes in the Missouri Valley. This \$25,000,000 will be spent to help those people back to their homes again, to pay the farmers who have fed the stock of their neighbors who have been moved out of their homes, to help repair bridges in order to get traffic going again, to furnish food and shelter to the people who are homeless, and for many other purposes, such as cleaning up debris, and pumping water off the farm lands.

This has been the most terrible flood of all time on the Missouri River. I was there 4 days. I saw it with my own eyes. I walked up and down the river, I flew over the river, I rode in boats on the floodwaters. It was a most heart-breaking sight. The people there were all united. They worked, they toiled, they sweated to build the levees higher, and they prayed. I never saw such wonderful unity, such neighborly, friendly cooperation as was exemplified there.

Mr. Speaker, it made me more proud than ever of the people I have the honor to represent. Never before has the spirit of true Americanism, cooperation, unity and friendship, and Christianity been better exemplified among men.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WHAT ARE INHERENT POWERS?— WHERE DO THEY LEAD?

Mr. MASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, what are inherent powers? Where does the doctrine of inherent powers lead? Is the America of the future to be governed by law or by men—dictatorial Presidents? Those are the questions we must face up to and find proper answers for.

Noah Webster says, "inherent" means inalienable—firmly fixed—inherited—received from one's ancestors or predecessors." Therefore, President Truman's claimed "inherent powers" are powers he must have received either from his predecessors or from the inalienable powers

the Constitution of the United States vests in the office of President of the United States. No former President had the nerve to ever claim inherent powers, and no former President ever took any action based upon such a phony thing as inherent powers. Therefore President Truman did not receive such powers from any of his Presidential predecessors.

Two of our greatest constitutional lawyers, William Howard Taft and Charles Evans Hughes, denounced the concept of inherent powers. These great constitutional authorities asserted there is no such thing as inherent power under our Constitution. Another great constitutional lawyer, Attorney General Knox, in answer to an inquiry of President Theodore Roosevelt in 1902, when this Nation faced a fuel crisis because of the great anthracite strike, said:

You have no power and authority in law to take over the mines.

Mr. Speaker, when Hitler seized power and did away with the Reichstag, the general national legislature, he ignored the plain provisions of the Constitution of the German Republic and asserted inherent powers as *Der Führer*. In olden days the English kings claimed inherent powers to do whatever they pleased under the spurious doctrine of the "divine right of kings." This questionable power was removed from the English kings by force when the Magna Carta was adopted.

President Truman could have accomplished his purpose legally. He could have invoked the provisions of the Taft-Hartley Act last December when the steel controversy first arose. That act provides an 80-day cooling-off period during which negotiations must be continued. Then, if no agreement has been reached, a final offer of management must be submitted to a rank-and-file secret vote under Government supervision of the ballot box. President Truman did not invoke the Taft-Hartley Act, however. He willfully bypassed the Taft-Hartley Act and seized the steel mills by Executive whim in violation of the constitutional law. This action was illegal, high-handed, arbitrary, and unnecessary.

The Nation's railroads were taken over by the Government on August 27, 1950, and still remain under Government control. That act, however, was legal under the provisions of the Railroad Labor Act of 1916. In 1946 the Nation's coal mines were seized legally under the provision of the Smith-Connally Act. Both of these seizures were based upon acts passed by Congress, the law of the land. The seizure of the steel mills was not based upon law but upon inherent power—something that exists only in the mind of President Truman and his New Deal henchmen.

Mr. Speaker, if President Truman can make his seizure of the steel mills stick, then he or anyone of his successors can take over the cement mills, the coal mines, the petroleum industry, the press and radio, the meat-packing plants, the Nation's cattle and hog industry, the corner grocery stores, the Nation's banks, and so forth—not under law, but under Executive order or whim, or fiat.

What remedy or check has the Congress for such arbitrary and unconstitutional action on the part of a President? The seizure of private property without due process of law is specifically forbidden by the Constitution. It is a plain violation of that Constitution and of the President's oath of office. No President has ever done such a thing before. Such action is extremely drastic and extremely dangerous; and as such, warrants drastic counteraction. The only real remedy is impeachment. Impeachment proceedings have been used but once against a President, President Andrew Johnson, and then were not successful. However, impeachment proceedings should be started and should be pushed with all diligence. The House of Representatives has the duty and responsibility of bringing impeachment proceedings against the President, and the United States Senate has the responsibility of trying the case. Nothing short of such action will do. It should be taken immediately.

LEXINGTON, MASS.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I had the honor to make a short address at Lexington, Mass., on Saturday, where 177 years ago, the people of this country struck the first blow for freedom, and for a free way of life.

I thought, as I spoke there, and saw the parade and the crowds listening to Gen. Hoyt Vandenberg's fine address, and I wondered if we had lived up to and done everything we could to keep this America strong and to keep this America free. The people of Lexington year after year, and year after year, have kept that inspiration. They have sent their men to fight for freedom in every war. That is true Americanism.

FEDERAL AID FOR SCHOOL CONSTRUCTION

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, I have requested this time in order to advise my colleagues of the House that the special subcommittee considering legislation to provide Federal grants-in-aid for school construction will resume hearings tomorrow in room 429 of the Old House Office Building. Any Member of the Congress who cares to make an appearance will be recognized and will be permitted to make a statement. If you prefer to file a brief for the committee hearings, it will be appreciated.

THE U. S. S. "TRIGGER"

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS. Mr. Speaker, I have been asked to make this announcement on the floor this morning. I do it by reading this letter from the Department of the Navy:

HON. CARL VINSON,
Chairman, House Armed Services Committee.

DEAR MR. CHAIRMAN: The U. S. S. *Trigger* (SS 564), the first of the post-World War II submarines to visit this city, will be at the Washington Naval Gun Factory at Eighth and M Streets SE., from Friday afternoon at 4 p. m., April 25, 1952, until 8 a. m. on Friday, May 2, 1952.

The Secretary of the Navy wishes to extend a cordial invitation to you, and through you to the members of your committee and other Members of the House of Representatives, to visit the U. S. S. *Trigger* at your convenience during her stay.

It is requested that Congressmen who desire to visit the submarine contact Capt. E. C. Stephan, United States Navy, at Liberty 56700, extension 77089, indicating the time at which they desire to visit the submarine.

Sincerely,

E. C. STEPHAN,
Captain, United States Navy.

I might add, Mr. Speaker, that this is one of the most modern submarines that we have. It was built and completed following World War II. It is really something that the Members of Congress should see.

The SPEAKER. The time of the gentleman from Louisiana has expired.

ENLISTMENTS OF MEMBERS OF THE ARMED FORCES

Mr. FURCOLO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FURCOLO. Mr. Speaker, the order extending enlistments of members of the Armed Forces is indefensible unless there is clear proof that the security of the Nation demands it. I am unaware of such proof and I am asking the Armed Services Committees of Congress to investigate the entire matter.

This latest action is similar to the inexcusably shameful treatment we have already given our Reserve Corps and our National Guard. The responsibility for that was mainly on the military although Congress and the President deserved some of the blame, too.

Back in 1950 I pointed out that that policy was not only wrong and unfair but was pitifully shortsighted in that it would break the back of the Reserve Corps and also of the National Guard. This latest step will do the same thing to the voluntary enlistment program.

The order extending enlistments an additional 9 months is a breach of faith with men who enlisted for a specified

term of years. Extending that term over the objection of the enlistee is a violation of the word of this Nation.

The only possible excuse is that any other action would seriously endanger our security. In the absence of proof to that effect, our servicemen and their families have been treated unfairly. In addition, such a policy is shortsighted.

In peacetime, the backbone of our military forces is the man who enlists. In wartime, the greatest protection our families have against the selective service draft is the voluntary enlistment program.

The basis of any enlistment program must be confidence, good faith, and implicit trust in the word of the Government. If that word be broken, if that confidence be undermined, if that good faith be betrayed, then the entire enlistment program will collapse.

If the Government and the military break their word now, who will ever again enlist upon the promise of the military? In the long run, the order extending enlistments strikes a deathblow at our military strength.

As of now, I cannot see the vital necessity to hold these men for 9 months beyond their enlistment. Until the Defense Department proves the necessity, I must oppose the order. In addition, I am asking the Armed Services Committees to investigate the necessity for such an order.

PRESIDENTIAL PREROGATIVES

Mr. MAGEE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MAGEE. Mr. Speaker, cynical criticism has filled the air since the President remarked that he would call Congress back in session if it adjourned without restoring major cuts made in the military budget.

The President has been pictured as a tyrant. He has been likened to King George III and referred to as a Caesar.

Some of these critics have said that the Constitution gives Congress the sole responsibility and authority to make appropriations and to raise and maintain armed forces.

These pious, pulsating patriots who proudly proclaim profundity seem to forget that Harry S. Truman is not only Chief Executive, but that he is also Commander in Chief of the Armed Forces. Certainly he has some responsibility about the raising and maintaining of those forces. In my judgment, the President would have been derelict in his duty had he failed to point out what he thought to be an error when the House so drastically reduced the budget recommendation for defense; and certainly it is his constitutional prerogative to summon Congress back in session when he thinks the safety and welfare of the country demands it.

Our Government is one of checks and balances, and since its inception the legislative has criticized the executive and vice versa. But today a new theory has arisen by which the legislative is to be

sacrosanct; and so we hear these sanctimonious scarecrows shouting of sacrilege.

I would not say that these outbursts from the loyal opposition are "shapen in iniquity or conceived in sin," but only that they receive fertility from the vials of vilification and blossom forth from the soil of partisan politics.

SEIZURE OF STEEL MILLS

Mr. HALE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. HALE. Mr. Speaker, the action of the President in seizing the steel mills has created more widespread indignation than anything which has occurred in the period of my service in Congress, which is now approaching a decade.

I have been chagrined and humiliated by the comment on the part of some writers that the Congress is supine about this assault by the President on the Constitution of the United States. I have even heard it said that Congress is behaving as did the German Reichstag under Hitler.

Under the circumstances I have felt it my duty to introduce this morning two resolutions, one expressing the disapproval of the House of the President's action, and another authorizing the Committee on the Judiciary to inquire into and investigate the President's action, to determine whether he has been guilty of any high crime or misdemeanor in connection with the seizure of the steel mills, and to see if in the contemplation of the Constitution the interposition of the constitutional powers of the House may be required. This committee is to report its findings to the House along with such resolution of impeachment, or otherwise, as it deems proper.

The text of these two resolutions is as follows:

Resolution authorizing and directing the Committee on the Judiciary to investigate the official conduct of Harry S. Truman, President of the United States, in connection with the Government seizure of steel plants, and for other purposes

Resolved, That the Committee on the Judiciary is hereby authorized and directed, as a whole or by subcommittee, to inquire into and investigate the official conduct of Harry S. Truman, President of the United States, in connection with the recent seizure, by officials of the Government, of privately owned steel plants, in order to determine whether the said Harry S. Truman has been guilty of any high crime or misdemeanor which, in the contemplation of the Constitution, requires the interposition of the constitutional powers of the House. Such committee shall report its findings to the House, together with such resolution of impeachment or other recommendation as it deems proper.

Sec. 2. For the purposes of this resolution, the committee or subcommittee is authorized to sit and act during the present Congress at such times and places in the District of Columbia or elsewhere, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses

and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Resolution expressing the sense of the House with regard to the President's unauthorized seizure of the steel industry

Resolved, That it is the sense of the House of Representatives that the action of the President on April 8, 1952, in ordering Government seizure and operation of the steel industry, violated the Constitution of the United States; and that the steel industry should forthwith be returned to private operation.

STEEL SEIZURE GREAT MISTAKE

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, most of the Members of Congress view with alarm the recent seizure of the steel industry by the President. The thinking people of America are shocked and indignant at the action he took. Of course, some people regard the steel industry as being owned by a few men of great wealth who have formed these corporations. Many people do not realize that while there are 600,000 men employed in the steel industry, their employment has been made possible by the investment of the funds of over a million of the ordinary citizens of the Nation who have bought from 1 to 1,000 or more shares of stock in the various steel companies.

Were it not for the investment of over a million people of their hard-earned money in the steel industry, we would not have the most powerful industrial nation in the world, with a production of 100,000,000 tons of steel a year.

Many do not realize that were it not for the investment of a million people, many of them with only a few shares of stock, the 600,000 steel workers would have little or no employment.

Mr. Speaker, the Constitution plainly provides that the Government cannot take from any citizen his property without due process of law.

The President, in seizing the property of over a million citizens without due process of law, it appears has clearly violated the Constitution, and by such dictatorial action has greatly disturbed the American people who are, in fact, the sovereign power of our Government.

In his action, he has seized the property of every man who owns from 1 to 10 to 100 shares of steel stock up to the person who owns the greatest number of shares. These shares of stock are as much the individual and personal property of every man or woman who owns them as is the house or farm on which he or she lives.

Mr. Speaker, furthermore, we read in the press that the President says he will settle the strike and he will decide what increases in wages the Government will give the employees of the steel industry.

In other words, he not only seizes the property but he seizes the earnings and dividends of the people who own the shares of steel stock and boldly says to them he will take whatever of the profits their property earns that he thinks is necessary and give it to the steel employees. If that is not socialism or worse, what is?

SEIZURE NOT NECESSARY

Mr. Speaker, if the President had not attempted to bypass the use of the Taft-Hartley Act, and would have relied upon this plainly written law and told Philip Murray frankly that he would enforce the act, rather than try to build up and vest settlement of wage disputes in his own appointed Wage Stabilization Board, and would have firmly told Mr. Murray that the threatened steel strike must be settled by collective bargaining with the President acting only as an independent arbitrator to see that the laws on the statutes books were fairly and honestly enforced, Charles E. Wilson would not have been forced to resign in disgust, the steel strike would have been fairly settled through collective bargaining. It would have been unnecessary to violate the Constitution by seizing the steel mills, law and order would have been preserved, and the confidence of the American people would not be shaken as it is today in our Government from coast to coast.

If this course had been followed and it became necessary to prevent a strike under the Taft-Hartley Law, it could have been done in a legal manner. And during the 80 days stay under the application of the Taft-Hartley Act the Government could have sat in with the representatives of the steel workers, and the steel executives, and through collective bargaining, conciliation, and mediation, there is little or no question but that a satisfactory settlement which would protect the rights of the workers, protect the rights of business, and protect the rights of the public through a fair and just settlement to all of the people would have been reached.

Mr. Speaker, what some of the political union leaders who have been playing politics with this administration apparently do not realize, or in order to show their power do not care, is the fact that if the Government continues to seize the railroads, the steel industry, and other industries, and then proceeds to settle the strikes even with or without political bias, the end result will be the death of collective bargaining probably leading to compulsory arbitration and destroy the freedom and opportunity of the laboring men to reach agreements through collective bargaining with management with the least possible interference on the part of the Government.

Mr. Speaker, we have a recent example in the fact that the Government seized the railroads over a year ago and has not yet been willing and able to bring about a satisfactory settlement of the difference between the railroad workers and the railroad management.

The President in his apparent desire to pay off a political debt to Philip Murray and the CIO in seizing the steel industry, is following the road that can bring only great damage in the end to

labor generally and to the entire economy of our Nation.

The Congress must find the answer through legislation that will make it possible to settle disputes between labor and capital within the framework of our Constitution without resorting to dictatorial seizure of private property.

The time has come when the Congress must courageously use all and whatever power it has to preserve representative government and thereby preserve every right and liberty granted all the people under the Constitution which is the supreme law of the land.

LABOR'S SADDEST HOUR

Mr. McVEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McVEY. Mr. Speaker, the seizure of the steel industry by the President is just one more instance in the train of events which are leading us steadily but surely down the road to dictatorship. It is, however, a most significant instance and carries with it implications which are just as important to labor as to capital.

American labor under our collective-bargaining system has advanced to a status without parallel in the history of the world, and there are certain questions which labor should be asking today. Are we going to give up our system of collective bargaining for a Government-dictated policy? Are we going to permit the Government to tell the worker what wages shall be paid for his services and the number of hours he shall labor? This is the method followed in all totalitarian states, with the results that the rights of labor are finally trampled in the dust, and men are required to work long hours for a mere pittance when compared with the treatment accorded the American worker today. The record of history in this regard is written clearly. If you do not believe it, look at what happened in Italy and Germany under dictatorial rule, and then look at what is happening in Russia today.

American labor should not permit itself to be fooled by what seems to be a temporary advantage, if in so doing it is giving up its most important birthright. An increase in wages is no longer the issue; the steel industry recognizes the claims of labor in this respect and is willing to grant an increase. The important question now is: Shall we enter into a dictated economy that permits the Chief Executive to tell a man what his labor is worth? If we fall into that error, then this may be labor's saddest hour.

The thing that labor apparently does not recognize is that if collective bargaining can be taken away one time, it can be done again and again. If the steel industry can be seized by the Chief Executive, so can the coffers of the unions, the banks, communications, the press, and all other types of industry. Labor cannot afford to remain silent while the process of collective bargain-

ing is being endangered before its very eyes.

It is a recognized tenet of totalitarian states that the legislative branch of the government shall be subservient to the will of the dictator. The time has come when the Congress must call a halt to the encroachment of the powers vested in it by the Constitution. We must not permit the national emergencies which follow one after another to be used as an excuse for the Chief Executive to grab additional powers. In this struggle labor's stake is perhaps greater than any other. The worker has seen his savings, his insurance holdings, and his future social-security payments dissipated by the inflationary poisons which have entered the bloodstream of the Nation's economy; the worker has seen the growth of a huge bureaucracy which feeds upon the wealth previous generations have created; he has seen himself loaded with the greatest burden of debt and taxes to be found anywhere in the world today. It is time for the American worker to awaken to the fact that these trends in every nation since the dawn of recorded history have finally sold the worker down the river of sorrow. He should hold fast to his collective-bargaining privileges, and let no Executive deprive him of this cherished birthright.

SEIZURE OF THE STEEL INDUSTRY

Mr. BEAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BEAMER. Mr. Speaker, tomorrow, April 23, marks the anniversary of the arrest of William Oatis. Under the 1-minute rule, I shall ask unanimous consent to have the Congress pause to realize that this American remains in a Czechoslovakian prison.

Like many of you, I have returned from a visit to the congressional district that I have the privilege to represent. Out there in Indiana, I learned that the people are fighting mad at the recent unwarranted and illegal actions of the President of the United States, and also at his subsequent undignified public statements and threats. These constituents are asking that something be done to return this country to a sound constitutional government and rid this land of one-man rule and also of any further action that might lead to any kind of autocratic rule.

To this end, Mr. Speaker, I wish to offer my services and pledge my support to the proper action to be instituted by the House of Representatives for the purpose of restoring the inherent rights to the legislative branch and limit the authority of the executive branch to those specified in the Constitution.

If the President of the United States has broken any oath or if he has defied the supreme law of this land, then it is the duty and obligation of this Congress to insist that he be tried and be made subject to the same penalties to which

all other citizens are subject for illegal practices and infractions of the law.

It is time that the people—and all of the people—make the laws and insist that these laws of the people, by the people and for the people be enforced.

SHOULD THE CONGRESS STAY IN SESSION UNTIL JANUARY 3, 1953?

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, I am sure that many Members of Congress are willing to stay in session until January 3, 1953, if that be necessary to preserve the economy and liberty of this Nation.

Mr. Truman's threat to keep us here I am sure impressed no one—except perhaps Mr. Truman himself.

I think it would be wise if the Congress did stay in session so long as Harry Truman occupies the White House, if his conduct of the last few weeks is indicative of what he may do in the future. We must guard well our few remaining liberties and freedoms.

THE CIVIL AERONAUTICS BOARD

Mr. ROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROSS. Mr. Speaker, on Tuesday, April 8, I introduced House Resolution 601, which would authorize the Interstate and Foreign Commerce Committee to conduct a complete investigation of the Civil Aeronautics Board and the Civil Aeronautics Administration to determine why they had failed to establish and enforce adequate safety regulations.

I introduced this resolution because of a series of disastrous airline accidents which have occurred in recent weeks. Three airplanes crashed in the streets of Elizabeth, N. J.; and on Saturday, April 5, a cargo plane crashed in the streets of Queens.

Since I introduced this resolution, we have had two more major airline accidents, one a Pan American DC-4 crashed a few minutes after taking off from Puerto Rico, and 52 people died. And a few days ago another C-46 airliner crashed in California, killing 28 people.

Mr. Speaker, the public and the airline industry are entitled to and must have protection from such accidents. Some of them could have been prevented by stricter enforcement of the safety regulations.

After the crash of the C-46 in California, the Administrator of the CAA, Mr. Charles F. Horne, when suspending the operations of the company, stated:

This emergency suspension is predicated upon an operation history involving violations of civil air regulations and the Civil Aeronautics Act, and by the accidents to aircraft operated by the company.

If the operating company was guilty of a series of violations of safety regulations, why did the Civil Aeronautics Administration permit them to continue to operate?

Mr. Speaker, the Civil Aeronautics Board continues to permit congestion and overcrowding of aircraft at LaGuardia Field. Huge airliners are still taking off and landing over thickly populated residential sections.

If we are so unfortunate as to have another airliner crash in the streets of Queens, commercial aviation will be set back 10 years.

Mr. Speaker, I hope the Rules Committee will approve my House Resolution 601 and that the Interstate and Foreign Commerce Committee will take immediate action to conduct a full investigation of the Civil Aeronautics Board and the Civil Aeronautics Administration.

The following is an excerpt from a statement made by Mr. James A. Lundy, president of the Borough of Queens, on April 16, setting forth his views and recommendations on the air safety problems as they relate to Queens:

A new maximum of safety must be immediately invoked. Stricter rules for pilots, landings, take-offs, flight patterns, inspections of planes, engines, etc., must be established immediately.

The Civil Aeronautics Act of 1938 created the Civil Aeronautics Board as the administrative branch of the Federal Government, with the power to establish controls governing all forms of aviation. If the powers of the CAB have not kept stride with the advance of aviation, then Congress should enlarge its powers.

The Civil Aeronautics Authority has the responsibility of policing aviation to see that the regulations of the CAB are complied with. However, the Truman administration, that is squandering billions of American dollars throughout the world, has pinched the pennies allocated to the CAA to such a degree that its operations are almost completely stymied.

The energies of the people seeking relief from the hazards of flying should be directed toward Congress to compel the delegation of sufficient powers to the CAB to enact stricter regulations and to allocate sufficient funds to the CAA to employ an adequate force to see that those regulations are carried out.

I have heard much discussion about flight patterns, preferential runways, crosswinds, and other technical data. I am not a pilot and do not profess to have a knowledge of such technicalities. However, based solely upon ordinary common sense and judgment, it is inconceivable to me why the following regulations cannot be immediately complied with:

1. All landings and take-offs at both LaGuardia and Idlewild be made over water routes exclusively and without exception.

2. No landings or take-offs to be made during adverse weather conditions. Complete elimination of instrument landings at both LaGuardia and Idlewild. Instrument landings, as they exist today, are far from perfection and offer too great an element of risk within the Borough of Queens. Equip an alternate field, such as MacArthur Field, for instrument landings.

All transient aircraft (all aircraft not taking off from or landing in Queens) necessarily flying over New York City, be compelled to follow the water routes and not be permitted to fly over any land area within the city of New York—Army and Navy planes included.

There is no logical reason for any of the persons or agencies involved to object to

compliance with these two regulations immediately, and refusal to comply can only be construed as being arbitrary or capricious.

I hope, Mr. Speaker, that the Civil Aeronautics Board will have the good judgement to put into effect the recommendations made by Mr. Lundy.

THE SEIZURE OF THE STEEL MILLS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, in reference to the matter of the seizure of the steel mills, I have told the people of my district in personal contact that steel has great legal and professional staffs who can take their case to the Supreme Court and get a decision as to whether or not the President has the constitutional authority, or the authority insofar as acts of Congress are concerned. If it is found that he has the constitutional authority to do these things complained against, then perhaps we have sense enough to know that the Constitution must be amended if this authority is to be taken away. If the authority is based on a constitutional act of Congress the question is, was it the intent of the act of Congress to give him the power, and if it was or was not, then we know we can repeal that act or amend it or do what we please with it.

I think we need to prepare our minds and thoughts on a lot of these things that are going on in the light of what is being said today and think just as straight as we can. Sometimes we feel our processes of justice and equity operate slowly, but generally speaking, we have a pretty good Government.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, we have heard several speeches today about the action of the President on steel, some of them entering into the field of personalities. I am in agreement with the remarks made by the gentleman from Michigan [Mr. CRAWFORD] that the constitutionality of his act is a matter for the Supreme Court to pass upon. Some of our friends have gone to extremes. The President, under the Constitution, possesses inherent powers; we all know that. Jefferson exercised them in connection with the Louisiana Purchase, and in his day they claimed that he acted unconstitutionally; that he trampled upon the Constitution, and yet today, where would our country be if he had not made the Louisiana Purchase, out of which has been carved 10 or 12 of the great States of the Union? The unfortunate thing is that some of my Republican friends, in the speeches they are making are putting themselves and their party in a position of being antilabor, and are taking the side of

management in an industrial dispute in their antilabor efforts. So far as I am concerned, the steel magnates did not object when Franklin D. Roosevelt took over the mines during the war; they did not object when he took over the railroads, because they were vitally important to them. Now when in the interest of our people, and in the interest of producing equipment for our boys in Korea, in the interest of the national defense of our country and in the self-preservation of our institutions of Government, President Truman takes over the steel industry, we hear these charges and expressions of personal attack upon the President of the United States. As a matter of fact, the President of the United States in the light of world conditions did the right thing for the best interests of all our people.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, the events of the last few days have two very important aspects. The gentleman from Massachusetts, in a manner frequently used by him, has spoken of the action of the Republican Party as alienating labor votes. May I say to you that the first important aspect of this whole thing is that the governmental decision of the Wage Stabilization Board and the action subsequently taken by the administration represent the death knell for collective bargaining if governmental decision is to be substituted for free agreement.

If such procedure is to become the pattern in this country then collective bargaining is dead and we will have, instead, compulsory arbitration by Government edict.

Those who bring about the destruction of collective bargaining, the very cornerstone of all the rights demanded by labor and given to them by the Congress of the United States, cannot be considered friends of labor. Actually they are acting against the best interests of the laboring people of this country.

Now, the second important aspect of these events is that you cannot find any inherent power in the Constitution to justify the seizure of private property as we have just seen it carried out. If that power can be invoked under the guise of inherent power in the Constitution, no person in this country can be secure in his property, and to urge that any such thing as that can exist under the Constitution, in my opinion, is to take a completely untenable position.

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Speaker, in all of the discussion about the steel seizure one

further point needs to be emphasized, and that is that the Congress has not coped with this very eventuality. We in Congress are the people who are responsible for what happens in the situation; that is what so many Members are saying, and we ought to cope with it.

There have been seizure measures introduced in both the House and the Senate specifying the rules of the game for just such situations. I am the sponsor of H. R. 7449. I think Congress is in a very difficult position to complain about this eventuality, which is the operation of the steel industry in the mobilization effort, unless we ourselves have dealt with a law specifying what is to be done, if steel production is going to be stopped, which is indeed the situation which we faced.

Even with the Taft-Hartley Act and the injunction procedure there, you are still against the gun of continuing production. It has been the duty of Congress ever since the Taft-Hartley Act was debated in 1947 that we deal with that question of what shall be done in the final eventuality of inability to settle a labor dispute in a situation where a work stoppage will imperil the national security or health, and we have not done it yet. In fact I raised the question and offered suitable amendments in the 1947 debate on the Taft-Hartley bill.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from Indiana.

Mr. HALLECK. Does the gentleman believe in compulsory arbitration and governmental decision as against free collective bargaining?

Mr. JAVITS. I do not. Because collective bargaining is a matter for employees and employer in respect of which they should be left free. What I am concerned with is the national welfare—the interests of all the people. I believe only that in the ultimate analysis, when the plant or facility must operate or the Nation is in grave peril, somehow or other it is our duty to see that it does operate. That is all I say. That is something Congress has not dealt with. It has just avoided that issue. I do not think we are in the position we ought to be in to complain unless we deal with that issue. There is still time and it can be done now. Congress can take the authority into its own hands but it must at the same time take the responsibility to prescribe a solution.

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RABAUT. Mr. Speaker, this is a situation where they just do not like the truth to come home to them. The Republican Party have established themselves as the special representatives of the steel industry. There is no question about it. The press has told the story and members of the party have told it on this floor.

The Caphart amendment was one of their amendments. I do not know where

it was written, but it certainly was written, in spite of the defense effort, for business as usual. Under that they would be entitled to about \$3 a ton price increase, but they wanted \$12. Then they shout, "The demands of labor will bring inflation." The action of labor will bring inflation, they would have us believe, but \$12 will not bring inflation, when under their own self-styled, tailored-to-fit, Caphart formula the price increase ought to be \$3 at the most.

Let us measure the situation and let us realize whether we are here to legislate for special interests or whether we are here to represent the United States of America, whether the President is the head and the chief of the Army and the Navy, whether he has the best interests of the country at heart, or whether he had to take the part of those who were blasting right and left at the stability of the national economy.

When the boys at the front, the tank program, the great automobile industry, when everything vital to the national security is dependent upon steel, and you prefer a strike, and you tell me you are the friends of labor, I can only say, "Tell it to someone else."

Mr. WERDEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WERDEL. Mr. Speaker, I was not going to take the floor until I heard the remarks just made. The facts are that in the coal industry the minimum wage together with fringe benefits is about \$17.50 a day. The steel industry wage was about \$2 an hour on the average before this recommended increase. Wages in the automobile industry are similar.

The President and his Board made no recommendations about cutting back the price of steel for the benefit of other working men in this country when they were talking about the profits the steel industry makes and collects as taxes for this Government. What they did was make a recommendation to pay off the CIO and a handful of other men who are already making three times as much as millions of other working men in America. Some of them live in the very cities where this order applies for the benefit of the steel labor leaders. It is expected to benefit a handful of such leaders as a political debt, and to justify further political levies on the union members for this year's campaign.

Let us not talk about special interests. Let us admit right here and now that this Government is the prisoner of a handful of labor leaders and a few other people that tell it what to do.

A courageous Congress could provide for local authority in unions and a true secret ballot in union elections. Unless that is done no fair-minded American can place the traitorous acts of their lying demagogic leaders on the doorstep of the rank and file of union membership.

**PANAMA RAILROAD COMPANY—
MESSAGE FROM THE PRESIDENT
OF THE UNITED STATES**

The SPEAKER laid before the House the following message from the President of the United States, which was read, and together with the accompanying papers, referred to the Committee on Merchant Marine and Fisheries:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the One Hundred-Second Annual Report of the Board of Directors of the Panama Railroad Company for the fiscal year ended June 30, 1951.

HARRY S. TRUMAN.

THE WHITE HOUSE, April 22, 1952.

**FEDERAL ASSISTANCE TO DISASTER
AREAS—MESSAGE FROM THE
PRESIDENT OF THE UNITED
STATES (H. DOC. NO. 434)**

The SPEAKER laid before the House, the following message from the President of the United States, which was read and referred to the Committee on Appropriations and the Committee on Public Works and ordered to be printed:

THE WHITE HOUSE,
Washington, April 22, 1952.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: Section 8 of Public Law 875, Eighty-first Congress, requires that I transmit to the Congress at the beginning of each regular session a full report covering the expenditures of funds appropriated to me to provide Federal assistance to States and local governments in areas I have declared to be major disaster areas, such report to be referred to the Committees on Appropriations and the Committees on Public Works of the Senate and the House of Representatives.

Under authority of Public Law 875, I have directed Federal agencies to provide assistance in areas determined by me to have suffered a major disaster, coordinated Federal activity in such areas, and taken other steps to insure that all necessary and authorized Federal assistance was given in the stricken areas with a minimum expenditure of Federal funds.

Pursuant to the authority contained in Public Law 875, the Congress appropriated a total of \$30,800,000. The following is a summary of available funds and allocations made therefrom through March 7, 1952:

Appropriated Public Laws 79 and 137.....	\$800,000
Appropriated Public Law 80.....	25,000,000
Appropriated Public Law 202.....	5,000,000
Funds available for allocation.....	30,800,000
Funds allocated:	
State of Oklahoma.....	\$245,000
State of Missouri.....	2,474,500
State of Kansas.....	10,333,500
Administrative expense—	
HHFA.....	265,000
Temporary housing (Kansas).....	5,050,000
Corps of Engineers.....	2,710,864
Department of Agriculture.....	281,268
Federal Security Agency.....	104,002
State of South Dakota (blizzard).....	255,000
Total allocated to date.....	21,719,134

Actual unallocated balance.....	9,080,866
Tentative fund reservation (Department of Navy).....	26,020

Tentative unallocated balance, Mar. 7, 1952..... 9,054,846

KANSAS—MISSOURI—OKLAHOMA—ILLINOIS FLOODS

During the first two quarters of fiscal year 1952, I allocated \$18,368,000 to the Housing and Home Finance Agency to be expended in providing Federal assistance in the flood-damaged areas of Oklahoma, Missouri, and Kansas.

Oklahoma: An allocation of \$245,000 was made for expenditure in Oklahoma and, as of January 31, 1952, \$77,500 had been reallocated by the Governor to cover flood-relief expenditures. It is impossible at this time to estimate the total expenditure which will be made in Oklahoma, but it probably will be somewhat less than the allocation.

Missouri: As of December 31, 1951, of funds allocated to the Housing and Home Finance Agency, \$2,474,500 had been made available to the State of Missouri. The Governor has allotted \$1,993,331.81 of this amount to 130 public entities, leaving a balance of \$481,168.19. Although some further work eligible under Public Law 875 is still to be performed, it is anticipated that of the unallotted balance approximately \$300,000 will be returned to the Federal Government. It is estimated that approximately 31 percent of the cost of emergency and temporary repairs, or a total of \$897,000, will be provided by public entities in this State. The cost of permanent rehabilitation of public facilities in Missouri, which is beyond the scope of Public Law 875, will be borne by the Missouri public entities at an anticipated cost of \$1,300,000.

Kansas: As of December 31, 1951, of funds allocated to the Housing and Home Finance Agency, \$10,333,500, exclusive of funds for temporary housing, had been made available to the State of Kansas. The Governor has allotted \$7,939,933.42 of this sum to 197 public entities, leaving

a balance of \$2,393,566.58 of which \$2,100,000 is earmarked for clean-up in Kansas City, Kans. It is estimated that approximately 36 percent of the cost of emergency and temporary repairs, or a total of \$4,433,000, will be provided by public entities in this State. The cost of permanent rehabilitation of public facilities in Kansas, which is beyond the scope of Public Law 875, will be borne by the Kansas public entities at an anticipated cost of \$12,262,000.

Temporary housing, Kansas: In this State, 8,366 homes were either destroyed or damaged to such an extent as to make them uninhabitable. An additional \$5,050,000 was allocated to provide temporary emergency housing for persons made homeless by the flood. The Housing and Home Finance Agency set aside \$4,055,000 for the purchase of 1,515 trailers and \$590,000 for site development, and has established a reserve account of \$310,250 for disposal of these units when the need for such facilities has ceased. The \$94,750 balance of this allocation has been set aside for necessary administrative expenses, principally for the Public Housing Administration, a constituent of the Housing and Home Finance Agency, which arranged for the purchase of the housing units. The trailer units furnished varied in size, being four-, six-, and eight-person capacity, and included trailer shells which could accommodate larger-size families. The trailer operations were concentrated in Junction City, Manhattan, Topeka, Kansas City, Ottawa, Strong City, and certain rural areas. The administrative responsibility for these trailer operations was assigned to the mayors of the urban areas involved, and to the Production and Marketing Administration of the Department of Agriculture for the rural areas.

The following is a tabulation of temporary emergency housing expenditures, obligations, and unobligated balances through January 31, 1952, exclusive of administrative and disposition expenses:

	Available	Expenditure	Obligated but not expended	Unobligated
Purchase.....	\$4,055,000	\$3,646,200.59	\$126,712.08	\$282,087.33
Site development.....	590,000	493,310.91	90,169.09	6,520.00
Total.....	4,645,000	4,139,511.50	216,881.17	288,607.33

Temporary stopgap housing operations will continue until the need has been met, and until the families so housed have found other means of more permanent housing.

Other housing activities: In addition to the temporary housing program the Federal Housing Administration has programed 2,400 disaster homes throughout the stricken area in Kansas, and construction has already started on a considerable number of these homes. It is understood that the Veterans' Administration has approved 139 loans, amounting to \$1,224,120, for the replacement or repair of damaged GI housing.

OTHER AGENCIES PARTICIPATING IN DISASTER RELIEF OPERATIONS

In order to provide a more realistic picture of the rehabilitation costs in the Midwest flood area, I am recapitulating the reported expenditures, through the calendar year 1951, of the American Na-

tional Red Cross, the Salvation Army, Federal agencies other than those mentioned previously, and State agencies.

FEDERAL AGENCIES

Corps of Engineers: The Corps of Engineers performed a very necessary service in its flood fighting and rescue operations, in the replacement of communication and transportation lines, and in the restoration of utilities essential to the public health and welfare of the residents of the area. It is estimated that at the height of the flood activities, approximately 4,000 men were employed in all phases of work performed by the corps and about 2,000 pieces of equipment were used.

The Tulsa district office of the corps reports 591,100 acres of land flooded in the area of the basins of the Arkansas, Verdigris, and Neosho Rivers in the States of Kansas and Oklahoma, with a total estimated damage of \$33,912,000,

including urban losses to 13 towns in the Neosho River Basin, estimated at \$4,148,000 and 9 towns in the Cottonwood River Basin estimated at \$3,209,400. As of December 31, 1951, \$650,300 had been expended for levee repair, flood fighting, and other work pertinent to the disaster; and it is estimated that \$723,000 will be required for completion of this work in Kansas. This work was done under authority of the Flood Control Act.

The Kansas City district office of the corps reports that in Missouri 183 towns and a considerable number of rural areas suffered damages which caused evacuation of 103,176 people, with a loss of 18 lives. Approximately 20,980 farms were affected and 2,256,300 acres were totally inundated. The flood damage in cities and districts in the areas of the basins of the Kansas, Osage, and lower Mississippi Rivers amounts to an estimated \$870,243,000. The estimated final cost of the repair program, under which repairs to flood walls, levees, and other flood-control structures are 54 percent complete is \$13,311,000. This district reports expenditures of \$1,775,000 for flood fighting, rescue work, and damage.

A portion of the total cost of the emergency work performed by the corps has been reimbursed under authority of Public Law 875 in the amount of \$2,710,864. This reimbursement covered such eligible items as emergency repair of water and sewerage systems, emergency restoration of traffic facilities essential for initial operations as the floodwaters receded, and the furnishing of assistance in salvage operations vital to the public health and welfare in the disaster area.

Department of Agriculture: This Department has reported the results of a survey of farm flood damages which amounts to \$5,069,814 in the State of Oklahoma, \$158,743,677 in the State of Missouri, and \$229,777,219 in the State of Kansas, excluding the value of land lost. These amounts are computed from a total of the following categories: (1) Number of farms directly damaged; (2) acreage of croplands damaged, and acreage damaged beyond rehabilitation; (3) total farm acres damaged; (4) number of farm buildings destroyed or damaged and their value; (5) farm equipment destroyed or damaged and its value; (6) major electrical equipment lost and its value; (7) miles of farm fences destroyed and their value; (8) value and acreage of crops lost; (9) value of stored grain and roughage lost; (10) value of livestock lost; and (11) damage to stock-water facilities, and so forth.

Through December 31, 1951, and under authority of the Flood Rehabilitation Act (Public Law 202, 82d Cong.), funds have been either allocated and/or committed in the State of Missouri amounting to \$3,889,998 and in the State of Kansas in the amount of \$6,937,993. Most of the flood damage in Oklahoma was in the 10 counties in the extreme northeastern portion of the State, and especially along the Verdigris, Arkansas, and Chickasha Rivers, but this State has not received an allotment of funds from the Department of Agriculture pending completion of a survey. It is anticipated that all of the funds made available under this act will be utilized in these areas.

The following agencies or bureaus under the jurisdiction of the Department of Agriculture have reported activities in the flood area: (1) County Mobilization Committees; (2) Farmers Home Administration; (3) Soil Conservation Service; (4) Farm Credit Administration; (5) Federal Crop Insurance Corporation; (6) Agricultural Research Administration; (7) Production and Marketing Administration; (8) Extension Service; and (9) Rural Electrification Administration.

The Commodity Credit Corporation provided coverage for the emergency livestock feed assistance program which was effected through the Department, and for which reimbursement under authority of Public Law 875 in the amount of \$281,268 has been approved. This emergency feed assistance was provided in the States of Kansas, Missouri, Oklahoma, and six counties in southwestern Illinois.

The Production and Marketing Administration managed the limited temporary stop-gap housing program in the rural areas.

Federal Security Agency: An allocation for reimbursement to the Federal Security Agency in the amount of \$104,002 has been made. Of this amount, \$15,423.95 has been audited as reimbursement to the Food and Drug Administration, and the balance is for reimbursement to the United States Public Health Service for services performed.

This Agency, through its various bureaus, performed notable service by its program of immunization, inoculation, inspection and laboratory services, sterilization of recoverable goods, supervising disposition of damaged goods, water purification, and other public health services. The efficient and expeditious manner in which this Agency operated prevented what could have resulted in a series of tragic epidemics.

The State departments of health, which cooperated with the Federal Security Agency, have not revealed their expenditures.

Reconstruction Finance Corporation: Through December 31, 1951, this corporation had interviewed 12,870 applicants in its Kansas City loan agency, 288 in its St. Louis loan agency, and 529 in its Oklahoma City loan agency. A total of 2,531 loan applications for \$25,677,401 had been received, 2,188 loans amounting to \$19,985,008 had been approved, and 1,348 loans totaling \$8,606,925 had been disbursed. It is believed that a considerable number of loans will yet be approved.

General Services Administration: The Public Buildings Service of the General Services Administration, loaned the Housing and Home Finance Agency three engineers to assist in the initial survey of damages and to advise community officials regarding the eligibility of proposed temporary work under Public Law 875. It also contracted for the repair and reconstruction of Federal buildings damaged in the amount of \$185,037.70. Federal buildings damaged included 10 post offices, Selective Service files, and a Federal supply warehouse. The Federal Supply Service suffered complete loss of inventory in the area and extensive damage to a warehouse. The direct loss is estimated at \$2,460,269

and the indirect loss at \$55,791. The Records Management Service had 8,000 cubic feet of records damaged and the cost of records rehabilitation is estimated at \$10,068. Approximately 13 percent of the records, or 1,100 cubic feet, have already been rehabilitated.

Civil Aeronautics Administration: This Agency expended \$1,021,573 in the disaster area during 1951. These expenditures included costs for rehabilitation of low frequency ranges, instrument landing systems and other equipment, aircraft service shop hangar, and rehabilitation of Kansas and Missouri airports. It is estimated that a further expenditure of \$204,154 will be required to complete the rehabilitation of the airports and appurtenant facilities. Some of the rehabilitation work has been done with local funds.

National Production Authority: The National Production Authority took immediate steps to provide special priority assistance to expedite rehabilitation of the flood area. Essential materials were channeled to the disaster area, on the spot priority assistance was given, and exceptions to existing limitations were taken where necessary. Major construction machinery such as cranes, shovels, tractors, etc., were immediately made available to the area under directive or other priority action. This supply was augmented by farm machinery manufacturers, with the cooperation of the National Production Authority. Steel allotments were increased from 85 percent of normal requirements to 130 percent.

The assistance of this Authority was so effective that in one case where a city was completely cut off from its waterworks, and where normal delivery of the 3,500 feet of 8-inch pipe necessary to restore the service would require about 8 months, its contact with the producer made this critical material ready for shipment before the local body could vote the necessary funds to finance the project.

Department of Labor: This Department, through its various bureaus, played an important role in the disaster effort by its untiring efforts in regard to compensation for persons unemployed because of the flood and its referral of available manpower for use in the clean-up activities. It is estimated that unemployment insurance payments attributed to the flood disaster will total \$45,500 in Missouri and \$436,400 in Kansas.

Bureau of Public Roads, Department of Commerce: This Bureau reports expenditures and commitments by it and by the State Highway Department of Kansas as follows:

	Federal funds	State funds	Total funds
Federal-aid highways emergency relief program ¹	\$2,570,508	\$2,570,507	\$5,141,015
Extraordinary maintenance ²	0	932,070	932,070
Federal-aid secondary funds committed on secondary system.....	1,671,564	1,671,564	3,343,128
Total.....	4,242,072	5,174,141	9,416,213

¹ As of Dec. 31, 1951, \$771,065 worth of work was under contract and the balance is expected to be placed under contract during 1952.

² Of the State funds for extraordinary maintenance, \$218,070 represents work completed as of Dec. 31, 1951.

In Missouri, State funds amounting to \$314,541 have been committed as follows: \$154,456 for the primary system, \$97,881 for the secondary system, and \$62,204 for the supplementary system. Federal-aid projects have been programed for reconstruction, but Federal funds have not been definitely committed.

STATE AND LOCAL AGENCIES

State or local funds expended, committed, or anticipated to be expended are as follows:

Kansas

State funds to match Federal-aid highway primary and secondary system funds.....	\$5,174,141
Office of civil defense (State)....	16,960
Kansas National Guard.....	170,041
State health department (detail not available—estimated).....	17,130
State emergency fund (used for repair of Fort Hays, Kans., State College and Boys' Industrial School at Topeka—estimated).....	285,000

Funds available or to be available to the State for 1951-52 will be:

A. Roads and bridges, special and improvement taxes:	
(1) 1951.....	\$19,047,388.35
(2) 1952.....	29,867,019.70
B. Emergency warrants:	
(1) Taxes for 1951 budget..	1,366,916.25
(2) Taxes for 1952 budget..	1,649,946.81

It is noted that the 1952 budget (A (2)) exceeds the 1951 budget (A (1)) by almost \$11,000,000 and the emergency warrants for 1952 exceed the 1951 warrants by approximately \$283,000. A portion of these moneys can be made available for restoration of facilities damaged by the flood.

Missouri

State funds to match Federal-aid highway primary and secondary system funds.....	\$314,541.00
Office of civil defense (State)—(Did not participate.)	
Missouri National Guard.....	55,813.37
Missouri State Highway Department.....	15,000.00
State emergency fund.....	Not available
Emergency warrants.....	Not available

The breakdown of State funds in Oklahoma is not available at present.

PRIVATELY FINANCED ORGANIZATIONS

The American National Red Cross: In Missouri, assistance amounting to \$350,220.24 was extended to 5,049 families in 32 counties by the Red Cross; and in Kansas, assistance amounting to \$12,631,439.04 was extended to 21,160 families in 37 counties. In Oklahoma, assistance amounted to \$189,741.74 for 1,700 families. The type of aid provided by the Red Cross is classified as (1) rescue, transport, and mass shelter; (2) food, clothing, and other maintenance; (3) medical, nursing, and sanitation; (4) building and repair; (5) household furnishings; (6) farm supplies, livestock, and equipment; and (7) occupational training, equipment, and supplies. There were 389 building and repair grants made in Missouri and 6,049 in Kansas at an estimated cost of \$8,874,061.15, which amounts are included in the total State breakdown shown above. A total of 367 building and repair projects were completed at an estimated cost of \$159,737.34.

The Salvation Army: The Salvation Army provided emergency services at an estimated expenditure of \$315,045, of which \$33,591 was spent for food, \$124,726 for clothing, \$50,516 for housing, \$25,492 for canteen service, \$49,124 for furnishings, \$15,337 for service, and \$16,260 for medical aid, transportation, and other services, in addition to distribution of items on hand. This organization maintained five Salvation Army buildings, three churches, a synagogue, a Masonic temple, and a school gymnasium for use in the flood service.

SOUTH DAKOTA BLIZZARD

An allocation of \$255,000 was made to the Housing and Home Finance Agency to aid in the clearing of roads in South Dakota blocked by severe snowstorms. Approximately 8,000 miles of roads were opened in this operation. A full statement of costs is not presently available.

CONCLUSION

It is estimated that physical rehabilitation in Kansas and Missouri, eligible under the law, was approximately 60 percent complete as of December 31, 1951, and will probably be completed by September 30, 1952. Operations pertaining to the fiscal phase, such as vouchering, auditing, clearance, and processing are anticipated to run until December 1952.

This report does not cover the more recent disasters where operations are still in progress.

In conformity with the expressed desire of Congress contained in Public Law 875, the Federal activities in the disaster areas were coordinated, at my direction, by the Administrator of the Housing and Home Finance Agency. This resulted in a minimum of duplication of effort and confusion in meeting extremely critical situations.

The Federal, State, and other agencies participating in the alleviation of hardship and suffering in the disaster areas are to be commended for the expeditious and efficient manner in which aid was provided when so sorely needed.

Respectfully yours,

HARRY S. TRUMAN.

CONSTITUTION OF THE COMMONWEALTH OF PUERTO RICO—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 435)

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk and, together with the accompanying papers, referred to the Committee on Interior and Insular Affairs, and ordered printed:

To the Congress of the United States:

I am transmitting to the Congress for approval the Constitution of the Commonwealth of Puerto Rico, adopted by the people of Puerto Rico on March 3, 1952.

The constitution has been submitted to me pursuant to the act of July 3, 1950 (64 Stat. 319 (48 U. S. C., Supp. IV, 731b-731e)). This act authorizes me, upon adoption of a constitution by the people of Puerto Rico, to transmit the constitution to the Congress if I find that it con-

forms with the applicable provisions of the act and of the Constitution of the United States. I do find and declare that the Constitution of the Commonwealth of Puerto Rico conforms with the applicable provisions of the act of July 3, 1950, and of our own Constitution.

Fully recognizing the principle of government by consent, the act of July 3, 1950, authorized the people of Puerto Rico to organize a republican form of government pursuant to a constitution of their own choosing. The act was adopted by the Congress of the United States "in the nature of a compact." By its own terms, the act could become effective only when accepted by the people of Puerto Rico in a referendum.

On June 4, 1951, the people of Puerto Rico voted by a large majority to accept the act of July 3, 1950, thereby reaffirming their union with the United States on the terms proposed by the Congress. Following the referendum, the voters of Puerto Rico elected delegates to a constitutional convention. The convention convened in San Juan on September 17, 1951, and concluded its deliberations on February 6, 1952.

The constitution approved by the constitutional convention was submitted to the people of Puerto Rico in a referendum on March 3, 1952. It was adopted by an overwhelming majority.

In the course of its studies and deliberations, the constitutional convention made a careful analysis of the constitutions of each of the States of the Union, as well as that of the Federal Government. As a result, the constitution of the Commonwealth of Puerto Rico contains many provisions which are common to constitutions which have been adopted by the States, as well as other provisions which are designed primarily to meet local problems.

The constitution establishes the government of the Commonwealth of Puerto Rico with three coordinate branches of government, legislative, executive, and judicial. The city of San Juan is designated as the seat of government.

The legislative power of the Commonwealth of Puerto Rico is vested in the legislative assembly, consisting of a senate composed of 27 members and a house of representatives composed of 51 members. Members of the senate and the house of representatives are to be elected by direct vote at each general election for a term of 4 years. Both United States and Puerto Rican citizenship are requisites for election to legislative office.

Under the constitution, the executive power of the Commonwealth of Puerto Rico is vested in a governor, to be elected by direct vote in each general election for a term of 4 years. To be eligible for election as Governor, a person must be at least 35 years of age, and must have been, during the 5 years preceding the date of election, a citizen of the United States and a citizen and bona fide resident of Puerto Rico. The Governor is vested with the powers usually lodged in a chief executive under our form of government, including the right to veto bills enacted by the legislative assembly. The legislative assembly may override

the Governor's veto by a vote of two-thirds of the total number of members of which each house is composed.

The judicial power of Puerto Rico is vested in a supreme court, and in such other courts as may be established by law. The supreme court is designated as the court of last resort in Puerto Rico and is to be composed of a chief justice and four associate justices. The justices of the supreme court are to be appointed by the Governor, with the advice and consent of the Senate of Puerto Rico, and are to hold office during good behavior. Justices now serving on the supreme court, who have been appointed by the President of the United States, are to continue to hold office during good behavior.

The constitutional convention gave careful consideration to the objective of insuring an independent judiciary. It limited the number of justices of the supreme court to five members and expressly provided that the number cannot be increased except by direct request of the supreme court itself. Independence of the judiciary is further advanced by the provision of the constitution placing responsibility for administration of the entire judicial system in the chief justice of the supreme court, who is appointed for life and removable by impeachment only.

The new constitution contains a bill of rights, which corresponds with the highest ideals of human dignity, equality, and freedom. The bill of rights includes provisions which are similar to our own basic constitutional guaranties. In addition, it contains express provisions regarding public education, conditions of labor, and the protection of private property. The bill of rights also recognizes the existence of certain human rights, but acknowledges that their full employment depends upon an agricultural and industrial development not yet attained by the Puerto Rican community.

Amendments to the constitution may be proposed by a concurrent resolution approved by not less than two-thirds of the total membership of each house of the legislative assembly. The amendments must be adopted by a majority of the qualified electors either in a general election or in a special referendum.

The act of July 3, 1950, was the last of a series of enactments through which the United States has provided ever-increasing self-government in Puerto Rico.

The Treaty of Paris, which ceded Puerto Rico to the United States, was ratified and proclaimed 53 years ago. After a brief period of military government, the Congress in 1900 adopted the first organic act of Puerto Rico, known as the Foraker Act, which established a civil government for the island. By making provision for a popularly elected lower house of the legislative assembly, called the house of delegates, the Foraker Act extended some measure of local self-government to Puerto Rico. Preponderant control of the local government of Puerto Rico was retained by the United States, however, by virtue of the President's authority under the act to appoint the Governor, the heads of the executive departments, the justices of

the supreme court, and the 11 members of the Executive Council of Puerto Rico.

The present Organic Act of Puerto Rico, enacted on March 2, 1917, provided a substantial advance in local self-government for Puerto Rico. By creating the Legislature of Puerto Rico, composed of a popularly elected senate and house of representatives, it gave the people direct control over the legislative branch of the government. Concurrently, the executive council created by the Foraker Act was divested of its legislative functions. An opportunity for greater participation in the formulation of executive policies was provided the people of Puerto Rico by authorizing the Governor, with the advice and consent of the insular senate, to appoint the heads of the executive departments, except the attorney general and the commissioner of education. Authority to appoint the Governor, the attorney general, the commissioner of education, the auditor, and the justices of the Supreme Court of Puerto Rico was reserved to the President of the United States. The act granted full United States citizenship to the people of Puerto Rico and gave them a bill of rights. It also authorized them to elect a representative to the Congress, accredited to the House of Representatives.

In 1946, I appointed the first native of Puerto Rico as Governor, Jesus T. Pinero.

By the act of August 5, 1947, the people of Puerto Rico were authorized to elect their own Governor. This act also provided that the heads of all executive departments of Puerto Rico were to be appointed by the elected Governor of Puerto Rico, including the attorney general and the commissioner of education. As a result of the act, therefore, the people of Puerto Rico assumed direct responsibility and control over the executive branch of the local government. The President of the United States still retained authority to appoint the auditor and the justices of the Supreme Court of Puerto Rico, but even this authority will be relinquished upon approval of the Constitution of the Commonwealth of Puerto Rico.

Through the act of July 3, 1950, providing for the establishment of a constitutional government in Puerto Rico, the United States gives evidence once more of its adherence to the principle of self-determination and its devotion to the ideals of freedom and democracy. The people of Puerto Rico have accepted the law as enacted by the Congress. They have complied with its requirements and have submitted their constitution for the approval of the Congress. With its approval, full authority and responsibility for local self-government will be vested in the people of Puerto Rico. The Commonwealth of Puerto Rico will be a government which is truly by the consent of the governed. No government can be invested with a higher dignity and greater worth than one based upon the principle of consent.

The people of the United States and the people of Puerto Rico are entering into a new relationship that will serve as an inspiration to all who love freedom and hate tyranny. We are giving new

substance to man's hope for a world with liberty and equality under law. Those who truly love freedom know that the right relationship between a government and its people is one based on mutual consent and esteem.

The Constitution of the Commonwealth of Puerto Rico is a proud document that embodies the best of our democratic heritage. I recommend its early approval by the Congress.

HARRY S. TRUMAN.

THE WHITE HOUSE, April 22, 1952.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. RABAUT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 57]

Aandahl	Flood	Miller, N. Y.
Abbutt	Fogarty	Mitchell
Abernethy	Fugate	Morano
Allen III.	Fulton	Morgan
Anderson, Calif.	Gamble	Morris
Andrews	Gary	Morrison
Anfuso	Gavin	Morton
Angell	Goodwin	Multer
Armstrong	Gordon	Mumma
Barden	Gore	Murphy
Barrett	Graham	Murray, Wis.
Bates, Ky.	Granahan	O'Hara
Battle	Granger	O'Konski
Beall	Grant	O'Neill
Bender	Green	Osmers
Bentsen	Gregory	O'Toole
Blackney	Hagen	Fassman
Boggs, La.	Hall	Patman
Bonner	Edwin Arthur	Philbin
Boykin	Harrison, Nebr.	Phillips
Bramblett	Harrison, Wyo.	Potter
Brownson	Havenner	Powell
Buchanan	Hays, Ohio	Price
Buckley	Hedrick	Prouty
Burleson	Heffernan	Radwan
Burnside	Heller	Ramsay
Burton	Herter	Reams
Busbey	Hill	Reece, Tenn.
Bush	Finshaw	Rees, Kans.
Butler	Boeven	Regan
Byrnes	Holfield	Rhodes
Canfield	Horan	Riehlman
Carlyle	Howell	Rivers
Carrigg	Irving	Roberts
Case	Jackson, Calif.	Rodino
Chatham	Jackson, Wash.	Rooney
Chelf	James	Roosevelt
Chenoweth	Jarman	Sabath
Chudoff	Jenison	St. George
Clemente	Jones, Mo.	Sasser
Clevenger	Jones,	Saylor
Cole, N. Y.	Woodrow W.	Scott, Hardie
Colmer	Kearns	Scott,
Combs	Kee	Hugh D., Jr.
Cooley	Kelley, Pa.	Shafer
Corbett	Kelly, N. Y.	Sieminski
Coudert	Kennedy	Sikes
Crosser	Keogh	Simpson, Ill.
Crumacker	Kerr	Simpson, Pa.
Curtis, Mo.	Kersten, Wis.	Sittler
Dague	Kilburn	Spence
Davis, Ga.	King, Calif.	Springer
DeGraffenried	King, Pa.	Staggers
Delaney	Klein	Stanley
Denny	Larcade	Stigler
Dingell	Latham	Stockman
Dollinger	Lesinski	Sutton
Dondero	Lind	Tackett
Donohue	Lyle	Taylor
Dorn	McConnell	Teague
Doughton	McDonough	Vail
Doyle	McGrath	Walter
Durham	McKinnon	Watts
Eberharter	McMullen	Weichel
Elston	Machrowicz	Welch
Feighan	Madden	Wharton
Fenton	Mansfield	Wheeler
Fernandez	Marrow	Wickersham
Fine	Miller, Calif.	Wier
Fisher	Miller, Md.	Wigglesworth

Williams, Miss. Withrow Yates
Willis Wood, Ga. Yorty
Wilson, Ind. Wood, Idaho

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN of Michigan. If it appears to be impossible to get a quorum, is it permissible to withdraw the point of order?

The SPEAKER. No.

On this roll call 218 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1203) to provide for the appointment of additional circuit and district judges, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1203, with Mr. RABAUT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CELLER. Mr. Chairman, I yield myself 26 minutes.

Mr. Chairman, this bill (S. 1203) provides for 23 additional judgeships—3 new circuit judges for 2 circuit courts of appeals, the fifth and the ninth circuits, 16 permanent, new United States district judgeships, and 4 new temporary United States district judgeships, making in all 23 new judgeships. In addition, three temporary judgeships are made permanent judgeships.

On the last occasion, when we considered an omnibus bill, we provided for a certain number of new judgeships, and we indicated, we the members of the Committee on the Judiciary, at that time that those new judgeships satisfied the bare minimum. We then said we would soon be back asking for additional judgeships. That term "bare minimum" was used also by the judicial conference. This bill, which we bring to you today, in general, has the recommendation of the judicial conference. As you know, the judicial conference is composed of the Chief Justice of the Supreme Court together with the nine senior circuit judges of the nine United States Courts of Appeal. That conference is made up of eminent, erudite, scholarly, and the most honorable jurists. Their word and recommendation should not be considered lightly. Their recommendations must, of necessity, be seriously considered. I am always impressed with their sincerity, their desire to serve the public interest and their judicial evaluation of the conditions in our courts.

There has been considerable increase in our population since we last provided for additional judges for our courts. We have passed a plethora of laws. We grind out bills in this House and in the other Chamber literally by the hundreds,

Those new statutes affect every business, every service, every agricultural pursuit. We pass provisions for the OPS, the DPA, the NPA, amendments to the Wage Stabilization Board, employers liability, the Jones Act, internal security statutes, amendments to immigration and naturalization statutes; all in turn creating more and more litigation. Figuratively, these various laws create more and more rough edges amongst our people which the judges must smooth off. Additional judges are necessary. Thus, because of the many additional statutes and because of population increase, court calendars become clogged. More judges are essential to resolve the doubts and difficulties that these multifarious laws create among the citizenry. The dockets in almost all jurisdictions are crowded. There is a surfeit of cases, and when the judges are harried and oppressed they cannot give adequate attention to the cases before them. It is tragic indeed to keep a defendant waiting, sometimes in jail, before his case can be reached. It is highly tragic, in many instances that we know of, where poor litigants are awaiting redress in the courts, and they have to wait 2 years or 2½ years before their cases can be determined, because of the overcrowded dockets. Testimony that has been given is replete with many instances of litigants who are not endowed with too much of worldly goods and who cannot afford to wait unduly long before they get their wrongs redressed. For that reason we bring to you this bill which will give a modicum of relief.

Beyond that there is a sort of "hangdog" attitude on the part of the officials of the various Federal bureaus, brought about as a result of the many investigations that are being conducted in the Congress, and because of a sort of hysteria against Government officials that seems to be enveloping the Nation. There is an atmosphere of fear and even cowardice on the part of many officials in our departments. Employees are frightened. They are afraid to make brave and independent decisions. The result, for example, in the Internal Revenue Department is that nobody is willing to stick his neck out. They make all pay—regardless—innocent or guilty. What is the result? More and more cases are being prosecuted; some of them needlessly. I offer no criticism against any investigating committee or any individual member of any investigating committee, but there is no doubt that these many investigations have brought about a situation where an official who has to make the decision says, "Why should I take the chance? If there is the slightest doubt I am going to resolve that doubt in favor of the Government and against the individual." All are dragged. The fear of being hounded and pounded (this fear is often unjustified but it exists) causes many of our citizens needless embarrassment.

It has been testified to by the former Attorney General of the United States, Mr. McGrath, that a vast number of cases are now being brought in the courts—far more than ever before. I am sure that on final analysis, it would be determined that some of those cases

should not have been brought if there were a true evaluation of the facts by officials who are fearless and unafraid.

Again I say I offer no criticism against anyone or any group of individuals, but that is the situation, and it adds to the clogging of the calendars.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the distinguished gentleman from Indiana.

Mr. HALLECK. Do I understand that the gentleman is arguing that because certain instances of wrongdoing have been uncovered in the Internal Revenue Department that that is a substantial reason for the creation of additional judgeships at this time?

Mr. CELLER. No; I did not say exactly that, and I will not allow words of that sort to be placed in my remarks; I did not say exactly that at all. I said as a result of many of these investigations there has developed an attitude, a "hangdog" attitude is the phrase I used, on the part of many important officials not only in the Department of Internal Revenue, but also in the Commerce Department, the Food and Drug Division, in the Department of Justice in nearly all departments—you can name any of them and you will find that situation prevailing.

I am for these investigations, mind you, I want to say to the gentleman from Indiana, but if you have these investigations as a natural concomitant you may have this feeling—this psychotic fear on the part of the officials. They are plain scared. For all I know it may be a good attitude; I am not complaining; I am only telling you that one of the results is to fill the courts with more and more cases that may not and probably on final analysis should not have been brought into the courts. What I am saying is that cases are piling up for prosecution in the courts as never before.

Mr. HALLECK. Mr. Chairman, will the gentleman yield further?

Mr. CELLER. I yield further to the gentleman from Indiana.

Mr. HALLECK. Then certainly what the gentleman has just said indicates that there was no impropriety in my former question addressed to him, because he has just now confirmed it. My original statement was that because of certain investigations apparently we are having more actions in the courts.

Mr. CELLER. No; I did not mean to imply any impropriety. Beyond that there is a sort of feeling on the part of some of the officials that for fear of being charged with wrongdoing they are going to take no chances, and the result is as you indicate and I indicate. Perhaps you and I, if we were officials in the departments, would react the same way. We could reason thus: "My job, my life's work is at stake, therefore take no risk, take no chance for adverse criticism."

The Judiciary Committee in a wholly nonpartisan manner—and I may say and I am sure the members of the Judiciary Committee who are present here today will indicate that our committee always acts in a nonpartisan spirit—our committee has brought in this bill.

There is no politics in this bill. There was no idea of politics. There have been charges of logrolling and pork-barrel tactics and horse-trading, but I emphatically deny that, and I am sure the Members on the other side of the aisle from me will vouchsafe the truth of what I am saying in that regard. I have thus, as chairman of the committee, endeavored with might and main and with all the force within me, to conduct the deliberations of the committee in a nonpartisan way. We are helping, for example, to reduce the case load. We have reported out a bill which is now pending before the House increasing the jurisdictional amount as a condition precedent for bringing a case into the Federal courts by virtue of diversity of citizenship; we are increasing the jurisdictional amount from \$3,000 to \$10,000. I do not know to what degree—I do not know whether in a very marked degree—that will reduce the number of cases, but it will do much in that direction. I cite that to indicate the good faith of the membership of the Judiciary Committee in that regard.

This bill did not originate in the House; this is a Senate bill. The Senate passed this bill; it passed it as a result of lengthy hearing where many of the United States district judges, numerous of the circuit court judges were heard, and in those hearings opportunity was given to many of the responsible heads of the very important bar associations throughout the length and breadth of the Nation to express their views. All converge on the subject of the need for an increased number of judges.

There have been criticisms voiced that we have an omnibus bill and you have to take it or leave it in whole. That is not accurate; in the first place we have had omnibus bills before; there is nothing new in an omnibus bill. If there is objection to portions of the omnibus bill it is the right of any Member to offer amendments to strike—to strike out this judgeship, or that judgeship, if it occurs to the gentleman objecting that there is no need for additional judges in those particular jurisdictions.

It has been said that we ought to offer separate bills for the judges of the separate jurisdictions. We did that. In the last Congress we had, for example, four separate bills which were passed by this House providing one judgeship for Missouri, one for Alaska, one for Indiana, and one for Pennsylvania, but those bills died on the vine in the other Chamber. What are we going to do? Offer separate bills again and get nowhere? I want to be realistic therefore and in view particularly and in addition to what the judicial conference recommended we embrace in this omnibus bill those four very separate judgeship bills that we passed in the last Congress, together with the additional judges embodied in the recommendations made by the judicial conference.

Beyond that, and specifying the individual judgeships, we provide for one additional judge for the southern district of California, one for Colorado, one for Delaware, one for the southern district of Florida, one for the northern and southern district of Indiana, one for Ne-

vada, three for the southern district of New York, one for the northern district of Ohio, and one for the eastern district of Pennsylvania.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HALLECK. Does the gentleman think it is a good reason to create an additional judgeship if a vacancy which has existed for 3 years has not been filled?

Mr. CELLER. I will say in answer to that question that the vacancy should have been filled.

Mr. HALLECK. As a matter of fact, is it not true in respect to the northern district of Ohio that the reason given by the committee in its report for creating an additional judgeship is that a vacancy has existed for 3 years?

Mr. CELLER. That would be no inducement for our Judiciary Committee to provide for an additional judge. The inducement was the firm conviction of the judicial conference that the additional judge was needed.

Mr. HALLECK. That is the reason given in the report.

Mr. CELLER. No; not at all. There are additional reasons, and as we go on we will give you the real reasons for it. Meanwhile, see our report which gives overwhelming factual data as to case-load per judge. The greatly increased population and industry and business in the area creates the need for additional judicial manpower.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I yield myself five additional minutes.

Mr. Chairman, I cannot cover in the space of the time allotted me the reasons for the additional judgeships in all these 23 districts. To go on, there is one additional judge for the eastern district of Texas, for the eastern district of Virginia, the western district of Washington, the eastern district of Wisconsin, and one for the district of Alaska.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Georgia.

Mr. COX. Will the gentleman inform the committee as to how many judges there are in Alaska already? Do they not have four already?

Mr. CELLER. If the gentleman will be patient I will answer the question.

Mr. COX. I think it is four already for a handful of people.

Mr. CELLER. There are four and we increase it to five.

Mr. COX. For a handful of people. Does the gentleman find it possible to justify the creation of a new judge for Alaska, and the answer to this question is a test of the worthiness of the entire bill that the gentleman presents?

Mr. CELLER. Oh, no. I think that would be a little unfair. These judges served in a dual capacity, handling local legal matters and Federal matters. If the gentleman feels there is no additional judgeship required for the Territory of Alaska, it is a simple matter for him to offer an amendment; but we had the strongest kind of testimony by the Chief Judge of the Court of Appeals,

Ninth Circuit, Judge Denman, indicating the need for an additional judge.

Mr. COX. The gentleman does not attach much more importance to that. When the gentleman was before the Rules Committee did he not indicate an intention of reexamining his bill and of suggesting as to what particular judgeships that are provided by this measure should go out?

Mr. CELLER. I did do that and we feel none of these judgeships should go out. May I yield to the gentleman from Alaska to give the gentleman more information than perhaps he and I have already.

Mr. BARTLETT. I may say that the District Court of Alaska is a Territorial court as well as a Federal court. Congress imposed upon the legislature almost the duty of providing that Federal judges there should handle Territorial business. Congress never allowed a Territorial court to be established, so the Federal judges have to do all the business for the judicial establishment.

Mr. CELLER. In addition, we provide for the making of temporary judgeships permanent—which involve no increase—in the eastern and western districts of Missouri, southern district of Texas, and northern and southern district of West Virginia. We create four new temporary judgeships: One for Arizona, two for the southern district of New York, and one for the middle district of Tennessee.

Now we provide one circuit judge for the fifth circuit and two for the ninth. If you have had occasion to study the situations with reference to the cases in the Supreme Court and the cases in the circuit courts; you would find that the court of appeals, the circuit courts, are gradually becoming courts of last resort. As the result of the bill that we passed away back in 1925 the Supreme Court need not consider cases which are offered to it. It has discretionary power to grant or not to grant certiorari except in cases like those involving constitutional questions. Now, as the result of the discretionary power granted to the Supreme Court, comparatively very few cases go to the Supreme Court and are considered by the Supreme Court. Very few, comparatively, certioraris are granted. I asked Judge Denman, chief judge of the ninth circuit, to give me an idea of the number of cases that have gone from his court to the Supreme Court. He said, taking a 5-year average, in all of the circuit courts only 3.16 percent of the cases considered by the circuit courts ever reached the Supreme Court. In the fifth circuit, 2.35 percent, and in Judge Denman's own circuit, the ninth circuit, only 2.64 percent of all cases reach and are determined by the Supreme Court.

Now what does that mean? That means that we must be mighty careful as to what we do with our circuit courts, and if those circuit courts are undermanned a very serious situation is developed. If these circuit courts which have become really courts of last resort have not got enough judges to handle the tremendous number of cases assigned to them—and I do not want to use the cliché that justice delayed is justice denied—but surely a high and paramount agency for justice to our

people is seriously impaired. These distinguished circuit judges, realizing that their word is the last and in most cases because there is practically no chance of appeal to the Supreme Court, have realized their tremendous responsibility. We dare not deny the Fifth and Ninth Circuit Courts of Appeals adequate numbers of judges, otherwise these are pressed, pressured, hurried, harried, and cannot do their best work. Administration of justice greatly is impeded. The fifth circuit includes Georgia, Alabama, Texas, Mississippi, Florida, Louisiana, and Canal Zone. This embraces a vast territory. You must realize the vast increase in population in Florida, the vast increase in Texas, and that vast increase makes for additional cases. For that reason they ask for one additional judge in the fifth circuit.

In the ninth circuit we have embraced therein California, Arizona, Nevada, Montana, Idaho, Oregon, Washington, Alaska, Hawaii, and Guam. I need not tell you of the great influx of people into the States of California, Arizona, Washington, and Oregon, and those additional persons make for more litigation. For that reason the judgment of the judicial conference was to the effect that there must be two additional judges for that circuit.

Now, much has been said about New York, whence I come. I did not ask for these judgeships; I personally do not care a hoot and a howl whether you grant the additional judgeships for the southern district of New York or not. I am not interested in the sense that it would be of any advantage to me whatsoever. I want that distinctly understood. I care not, except I feel it is my duty when the judicial conference recommends and when the judges of the United States District Court for the Southern District of New York come down here and plead with us that because of the crowded dockets there is need for additional judges, I must give heed.

What is the situation in the southern district? As has been indicated by not only the judges in that district court but the bar associations of the city of New York, in the southern New York district at the end of the fiscal year, June 30, 1950, we had the following situation:

There are 16 judges there. Out of 200 United States district judgeships for the whole country New York has 8 percent of the judgeships. Keep that figure in mind. What percentage has the southern district of all the employer liability cases? Twenty-two percent.

What percentage has the southern district of all the antitrust cases brought? Twenty-one percent.

What percentage has the southern district of all patent cases brought? Twenty-one percent.

The southern district has 60 percent of all admiralty cases, and mind you, only 8 percent of the judge manpower.

It has 69 percent of all the cases brought under the Jones Act, actions brought by seamen.

It has 30 percent of all private suits, suits brought by private litigants. Of all the cases, it has 30 percent, yet it has only 8 percent of all the judgeships.

These facts should quiet the scoffers and doubters as to New York's needs.

On December 31, 1950, there were pending 49,000 civil cases in 86 district courts. Of the 49,000, 11,000 were in the southern district of New York. Thus over 23 percent of all the civil litigation is brought in the southern district of New York with only 8 percent of the judges.

Beyond that, to give you an idea of the case load, at the year ending June 30, 1951, 5,210 cases were started in the southern district. Divide 5,210 by the 16 judges and you get the case load per judgeship commenced. The answer is a case load of 326 in the southern district. What is the average case load throughout the country? It is not 326, it is 222 cases. So that this is the deduction you must come to: In New York the case load per judge is 150 percent of the national average. Does New York need additional judges? Only the politically prejudiced or purblind would say "No." I am going to leave to others who are interested in this important legislation the giving forth of the facts which warrant the passage of this bill, as far as individual districts are concerned.

Mr. KEATING. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I am opposing this bill as I did the rule primarily upon the ground that it seems to me as a matter of principle this omnibus approach to the creation of new Federal judgeships is fundamentally unsound. The proper way to bring this matter before us is by taking up each judgeship by itself in a separate bill. It is quite possible that some of such bills would go through on the Consent Calendar. It is undoubtedly true that others would be enacted after discussion. But some of the new judgeships created in this bill are entirely unwarranted. While I regret to find myself in difference with my chairman for whom, as he knows, I entertain a deep personal affection, one with whom I often differ, but never in bitterness, I cannot go along with him when he says that this legislation is not the result of any logrolling. I contend that the bill which is before us is the result of an "I scratch your back and you scratch mine" attitude on the part of various persons interested in creating in a particular area new Federal judgeships. There are those in the other body, or even in our body, in their zeal to represent a localized area who would contend that they were going to oppose the measure unless it contained a specific new Federal judgeship in the State or congressional district for which they spoke. I do not mean to impute improper motives to any Member. All the Members of Congress are expected to speak out vigorously in behalf of the areas they represent. Our own chairman, it seems to me, is unduly modest when he fails to point out that this measure as it came to us from the other body had two temporary judgeships for the southern district of New York, but as it emerged from his committee, it had those two plus three permanent judgeships for the southern district of New York. I think the people whom the chairman so ably

represents should be aware of the ability which he has displayed in our committee, in making it possible to have before us a bill providing five Federal judges for the southern district of New York rather than two as envisioned in the Senate bill. I happen to feel that there is not a need in that district at the moment, and all at one fell swoop, for five additional Federal judgeships. At least, we could start with two and then resurvey the situation.

Then we have this situation in Ohio, which was referred to by the gentleman from Indiana (Mr. HALLECK). It is stated in the report, and a great point is made of it, that there were as of the date of the report only three active judges since there had been a vacancy which has not been filled. There were already authorized four judges, and now we seek in this bill to authorize five judges. This vacancy in Ohio was filled after this report was filed, a matter of just a month or so ago. But certainly before we create another judgeship, when there has been a vacancy unfilled since August 1949—before we create still an additional judgeship, we should look the ground over and be sure that we are proceeding in the right way.

The gentleman from Georgia referred to the situation in Alaska. There are four Federal judges now in Alaska. This bill seeks to create five.

This bill seeks to create an additional Federal judgeship, making two for the State of Nevada where there are 160,000 people. In other words, that would be one judge for every 80,000 people, if this bill goes through, whereas the national average is many, many times that. The disappointing thing from the taxpayer's standpoint is that as these population shifts take place, and they do entail the creation of additional Federal judgeships, there never seems to be introduced by anyone at anytime a bill to reduce the number of Federal judgeships anywhere. As the population shifts from the rural to industrial areas, there are many parts of our country where there has been a decrease in population, and where the case load per judge is far less than the national average—far less. Naturally, to strike a national average one must find roughly that there are as many that have less cases than the average as have more. So there should be from time to time bills before us to reduce the number of judges. But that never happens.

From the standpoint of the national fiscal picture I think it should be pointed out that each new judge that we create does not simply mean that we are adding to the Federal payroll one judge with a salary of \$15,000, or something like that. The fact is that each new Federal judgeship entails an expenditure of a little over \$50,000. So that this bill for 26 new judges means roughly about \$1,300,000.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from New York.

Mr. CELLER. Despite the cost, if there is need for a judge, I think the gentleman would agree that we should have the judge.

Mr. KEATING. I agree with the gentleman, that if there is need, if justice

is being delayed to the point where litigants are not able to get proper treatment in the courts, of course, we must maintain our courts in such manner that they are able to keep their business reasonably current. That entails expenditures. I appreciate that. But I do point out that the expense saddled on the taxpayers is one factor which we who must look at the over-all picture must consider in our determination; namely, what additional burden in these times are we throwing on the taxpayers by the enactment of legislation of this character. I reiterate that is only one consideration, but it seems to me it is an important one. If these judges are not needed, then certainly we should not support a measure of this kind.

In our Judiciary Committee we have passed a bill to raise the jurisdictional limitation in civil cases in Federal courts from \$3,000, as it is now, to \$10,000. It is considered that this will materially decrease the volume of work in the courts. We should see how that bill, which has not yet been enacted but has been reported, I think unanimously, works out before we create a lot of new additional judges.

Now, there are two other matters which I want to mention, and not in a partisan spirit. I want to be restrained in what I say about them, but I do think that they are important factors for us to consider in the creation of 26 new judgeships at this particular time. One is the lack of assurance which we have as to the caliber of the judges who will be appointed at the present time, that they will be such that we can hereafter take justifiable pride in having participated in their appointment through having enacted this enabling legislation.

There have been some good appointments of judges in the last few years, but there have been many others which certainly have been the subject of most severe criticism. I mention the two in Illinois who were so much in the public print. In the southern district of New York the Chief Executive named to a judgeship post one person who, after hearing, was considered unfit, and was not confirmed. He then named another who was opposed by all of the bar associations as being unfitted by experience for such an important post; but that nomination went through. There have been other areas of the country where judicial selections have been made which have not met with general favor. There is a hearing going on now in Los Angeles with relation to the nomination of a Federal judge which certainly creates in the minds of those who read the testimony a serious doubt as to his qualifications. As I say, I make these statements with considerable restraint, because I agree entirely with the chairman that this bill should not be considered on a partisan basis. I do feel, however, that the record of the present Chief Executive in naming people to high judicial position is not such as to commend to our good judgment the broadening of his powers in that respect.

Finally, the recent actions of the Chief Executive would seem to me to give to a good many Members of this House considerable pause when they are faced with the necessity of voting upon a meas-

ure which is going to give to the Chief Executive this power of naming 26 new judges. There has been particularly widespread revulsion against the attitude and tactics of the Chief Executive in the recent seizure of the steel plants. It is not my purpose to debate now the merits or demerits of his action. That matter is now in the courts. I raise the question, however, whether this is the appropriate time, whether this is the time when the people whom we represent would expect us to give to this same Chief Executive the power to nominate 26 new judicial officers to preside in the courts of this land. I sense that the people would applaud curtailment, rather than enlargement, of the President's powers at this moment.

At the appropriate time, Mr. Chairman, I shall move to recommit this bill to the Committee on the Judiciary for further study, and I hope that motion will prevail.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Chairman, may I say in opening that your Committee on the Judiciary comes before the House today with this bill that has been given considerable consideration by the subcommittee and also by the full committee. The last time this matter was before us it was said that this bill had not received careful study and that no hearings were held. I wish to remind the Committee of the Whole of the fact that hearings were held on this bill, S. 1203, by the Committee on the Judiciary of the Senate on April 17 and 19, May 1 and 7, June 15 and 16; and as I read over those hearings conducted by the able Senator from Nevada, I see that there were six full days of complete hearings at which time all persons interested were given ample opportunity to be heard. Testimony was offered there by various Members of the other branch, the Senate, and by members of the Judicial Council and the justices of the circuit and district courts, and this matter was gone into thoroughly. This bill was passed by the other body without any real opposition and was sent to the House in the early part of this year. As I recall, the late Congressman Byrne, of New York, and his subcommittee went into this matter thoroughly. It is true they did not hold long hearings similar to those held over in the other branch, but they did give to anyone and everyone who was interested in this subject matter the opportunity to be heard if they cared to do so. Following these hearings the Senate bill was amended to some extent and is now before the House for consideration.

The chairman of the Judiciary Committee has explained quite thoroughly the provisions of this bill. As I remember, there was no opposition in the subcommittee and in the full committee of the Judiciary Committee there were only four members who reserved the right to oppose this bill if they so desired, but they did not oppose it in the meeting of the full Judiciary Committee. I know that at the time this matter was considered the able Congressman from Rochester, N. Y. [Mr. KEATING], was unavoidably absent due to illness. We know his attitude in the past has been

against some of these bills of like nature. I may say to my colleagues at this time it has been the procedure in the past to bring so-called judges' bills before the House in the way of an omnibus bill. Back in the first session of the Eighty-first Congress we passed Public Law 205, which was an omnibus bill creating additional judgeships at that time. That was Public Law 205, chapter 387, of the first session.

Sometime ago we tried to consider a bill here singularly to treat these judgeships in special bills, but, as has been stated already, these bills failed to pass the other branch. So they are now part of this bill, such as the judgeships for Alaska and other parts of the United States.

Mr. Chairman, I suppose no better statement could be brought to the floor of the House than what the committee stated in its report. This has already been mentioned but I think it is worthy of stating again, additional judgeships were created in the Eighty-first Congress in order to alleviate the problem of congested dockets and delay in litigation, the minimum needs for increases in the Federal judiciary were met. Since that time, however, the need has continued in certain areas while in others a new need has arisen.

Even with the relief given in past legislation, it is evident from the facts assembled that in a number of districts there are more cases than the judges can possibly handle and dispose of with the efficiency and dispatch desired. There is every evidence, both from the statistical standpoint and from the standpoint of human experience, that the past tendency toward a steady increase in the case load of our Federal courts will continue and grow more burdensome in the future. Failure to recognize the trend and provide for it might mean that in many cases justice might be so long delayed that the end of justice might be largely defeated.

The Judicial Conference of the United States and the Office of the Director of the Administrative Office of the United States Courts, have each made a very careful study of the condition of the dockets of all of the Federal courts going back over a period of the past several years. This study has been most comprehensive and has related to each and every district and each and every circuit. Of necessity, the most that said study can reveal is the cold data as to the number of cases filed, the number of cases disposed of, the number of cases pending, and related factual data. The studies conducted by these offices cannot possibly take into account the various intangible factors which enter into any complete understanding of the over-all problem of the load being carried by each Federal judge. It is a known fact that in certain of the districts wherein wealth is concentrated or large corporations are located—particularly the southern district of New York—a great many tremendously large, important, and involved suits are filed primarily because of the location of either the plaintiff or the defendant in said district. In certain other districts there is an extremely heavy case load of criminal cases by reason of immigration-law violations. Other

intangible factors, such as illness of judges, judges being assigned to other judicial duties, age, physical incapacity, and numerous other factors enter into the forming of the full and complete picture and a full and complete understanding of the problem. By reason of these factors, the committee wishes to recognize that any statistics that will be appended to this report cannot, and do not, give the full, complete, and accurate picture as to the need for judges in any particular district or circuit.

Between 1941 and 1950, the total number of civil cases pending in the 84 districts of the United States—86 since 1949—increased from 29,394 to 55,603. This was an increase of more than 89 percent in the 10-year period.

Since that statement was written, the statistics from the Administrative Office of the United States Courts for the fiscal year of 1951 indicates that the total civil cases were, on July 1, 1950, 55,603. During the year 51,600 were commenced, 52,119 terminated, leaving 55,084 pending on July 30, 1951. During the year, 32,176 private civil cases were commenced, 31,419 were terminated, leaving pending on June 30, 1951, 35,582. Whereas there was pending on July 1, 1950, 34,825.

Over the 10-year period there has been a definite upward trend, particularly noticeable in the private cases.

It is recognized that the time-consuming cases are the private civil cases and are the type of cases to which careful and thoughtful attention must be given by a judge in order to render substantial justice.

This committee is convinced that the national average—being the average number of cases handled per judge in the 86 district courts of the United States—is now higher than it should be and is placing more cases on each judge—average—than he can properly and efficiently handle. But even with the national average as high as it is, and the judges of necessity sacrificing thoroughness for speed, yet, the dockets in many districts are falling further and further behind, and the problem is getting more and more acute. As the total number of pending cases continues to increase, obviously fewer judges will be able to accept assignment away from their district or circuit.

The committee is further convinced that the only possible solution of the problem is to furnish the Federal judiciary with sufficient manpower to reasonably and adequately staff the courts. All manner of makeshift plans have been tried, but with the insurmountable obstacle of inadequate number of judges, all such plans have failed, and will continue to fail. Once the courts are adequately staffed with judges, the backlog of cases can and will be disposed of, and the courts can then remain current.

It should be noted that the foregoing has dealt with the question of relieving and bringing the backlogs of the Federal courts affected to a current basis and relieving the judges of the apparent overload, but the question of the rights of the litigants is of the prime importance. In recommending the provisions of S. 1203, it is done with the thought of giving to litigants their day in court in

the most expeditious and speedy manner.

Mr. CELLER. Mr. Chairman, I yield myself 2 minutes to counter some of the arguments made by the gentleman from New York, my very distinguished colleague, and a gentleman for whom I have affectionate regard, Mr. KEATING. I want to say that the various bar associations that opposed the nominees of the President for judgeships in New York are the same bar associations that have approved this bill. Weight, great weight must be given their views.

Furthermore, the gentleman has indicated that the action of the President in the steel case might well give us pause because of the appointees he might designate for judgeships. In that regard I do not think we can readily disregard, when we try to judge what the President has done, some of the precedents that have been established by former Presidents of the United States. Notably consider what Theodore Roosevelt did in connection with the seizure of property. You may recall he seized the territory now the Canal Zone and said that while Congress might debate the issue, the Canal would merrily roll along. I do not quote him exactly; but his words were to that effect. Assuredly he grounded his authority upon his duties as Commander in Chief. We cannot disregard the action of President Wilson, as Commander in Chief of our Armed Forces, who sent an expedition into Mexico. Pershing headed that expedition and went as far as Vera Cruz, clear across the sovereign State of Mexico.

We all remember in the not-far-distant past the seizure of the coal mines and private property known as Montgomery Ward by Franklin Delano Roosevelt. While it is true that that seizure was in time of war, nonetheless the Constitution is not placed in cold storage or placed under wraps because we have a war. The Constitution prevails in time of peace as well as war.

Maybe I am mistaken and some of those who have delved deeper into the subject may correct me, but if I remember correctly President Lincoln seized two newspapers, one in New York and one in Chicago. That certainly was a seizure of private property.

I remember, too, as a little lad reading in the public prints about some of the tall talk that Grover Cleveland directed toward the Republic of Venezuela. I heard tell of the very drastic action he took against that Republic. There was, indeed, no statute of Congress that sanctioned his moves. He felt that the Constitution gave him sufficient authority.

Therefore, when we seek to evaluate what our distinguished President, President Truman, has done with reference to the steel case we cannot conveniently or otherwise, forget these and other precedents.

Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. FRAZIER].

Mr. FRAZIER. Mr. Chairman, this bill, as you know, embraces the creation of three circuit judges, 16 permanent district judges, and 4 temporary district judges, 23 new judgeships in all. Three

temporary judgeships are made permanent.

I am particularly interested in the fact that in this bill is created a temporary judgeship for the middle district of Tennessee. The reason for the creation of this judgeship is that the present district judge, the Honorable Elmer Davies, was stricken with a very severe heart attack in 1949. He is still suffering from that heart ailment and has been unable to hold court in the middle district of Tennessee.

Mr. Henry P. Chandler, who appeared before our committee, said in regard to this condition existing in middle Tennessee:

Until the district judge for the district, Hon. Elmer D. Davies, became ill with a serious heart attack on March 17, 1949, the work of the district court for the district was handled expeditiously. Judge Davies is a capable judge, and he worked with energy and diligence. Since he became ill, except for a period in the summer of 1949 when he resumed work, with resulting retrogression in health, he has been unable to sit in the court.

I should like at this time to read to you, and I call this particularly to the attention of my colleagues from the left side of this Chamber, a letter I have received from one of the most distinguished members of the judiciary who I believe ever sat in any court. I refer to the Honorable Xen Hicks, who was for many years a United States district judge for the eastern district of Tennessee, and for the last 15 or 18 years has served and during most of that time acted as senior circuit judge of the Sixth Circuit Court of Appeals. Judge Hicks, as you may know, was a Republican, and therefore he has, of course, no interest from a political standpoint in the creation of an additional judge for the middle district of Tennessee. Judge Hicks retired upon reaching his eighty-first birthday on April 1. Prior to that time, he wrote me the following letter:

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT,
November 28, 1951.

HON. JAMES B. FRAZIER,
Chattanooga, Tenn.

MY DEAR CONGRESSMAN: As you are no doubt aware, the Senate has passed a bill in which an additional judgeship is established for the middle district of Tennessee. I am writing you particularly because you are a member of the Judiciary Committee of the House, and further because I think that some of the counties in the middle district of Tennessee are also in your congressional district.

The Judicial Council of the Sixth Circuit as well as the Senior Circuit Judges' Conference have both approved the creation of this judgeship and I would like to stress the importance of it. For a long time Judge Davies was, on account of illness, unable to do his work and in addition, the dockets in the middle district have been and are now rapidly growing. This is true not only in the Nashville and Columbia divisions but it is especially true at Cookeville, where there are hundreds of condemnation cases now pending. I think that this matter has been brought to the attention of the Judiciary Committee of the House, but I do not know whether they have acted upon it. At any rate it is of great importance and unless this judgeship is created the district will be left in a situation which to my mind is not at all

pleasant to contemplate. I will very much appreciate anything you may be able to do in this behalf.

Judge Hicks was always very reluctant to ask for additional judges in the sixth circuit. I believe 2 years ago, when we were considering the creation of additional judgeships, he did not ask for any. We did not ask for additional judgeships in that circuit, but owing to the unfortunate condition which now exists in Tennessee, I urge you to favorably consider the creation of this temporary judgeship.

The bill provides that the first vacancy occurring in the office of District Judge in the Middle District of Tennessee, shall not be filled. It simply creates an additional judgeship to handle the business which has piled up there because of the incapacity of the present judge. There are now pending in that district, hundreds and hundreds of criminal cases, and a great many condemnation cases, which have not been tried during the past 3 years.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield.

Mr. EVINS. I certainly would like to commend the gentleman for the painstaking and diligent work he has devoted to this problem as a member of the Committee on the Judiciary to provide this additional judge for middle Tennessee, that is so greatly needed. I would also like to support the statement he has made concerning the particular need in middle Tennessee. I know in my own county, and in my own section, for several years, lawyers, litigants, and others have been asking me to try to do something to relieve the congested Federal court docket existing in my section of the State.

The Federal Government through the Corps of Engineers has built a number of dams in middle Tennessee—the Center Hill and Dale Hellen Dams—and of necessity the Government has had to take over great areas of land in this middle Tennessee area. As a result of this action a large number of condemnation cases has resulted and are still pending. Besides the criminal docket and civil dockets, the condemnation backlog is very excessive at this time. The dockets have fallen far behind, as the gentleman has well stated. Here are some of the figures concerning the court docket, although I must say that the figures do not adequately reflect the full picture—particularly with respect to the condemnation cases.

Number of civil cases filed in 1950, 190.
Backlog of civil cases, 179.

Total civil cases pending September 1951, 369.

Number of criminal cases pending in 1951, 309.

National average of criminal cases filed per district, 180.

The number pending criminal cases of 1951 is over five times the national average per judge.

Number of condemnation cases pending September 1951, 332.

In addition to the pending cases there is situated in Tennessee the Oak Ridge Atomic Energy plant, the Tennessee Valley Authority, and recently there has been established in the district which

I represent the great air engineering development center and condemnation cases are arising out of that development. At the Seward Air Force Base at Smyrna, it is my information that the Air Force contemplates taking a 300-acre tract by condemnation. Therefore, although they might be able to dispose of a good number of cases through the services of a special judge, there is going to be a need for some time to have an additional judge to take care of the condemnation cases alone in this area. I wish to support the gentleman on the splendid statement he has made. I hope the House will see fit to provide this additional judge for the middle district of Tennessee. The Judicial Conference has recommended it and the need is pressing.

Mr. FRAZIER. I thank the gentleman.

Mr. PRIEST. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield.

Mr. PRIEST. The gentleman from Tennessee [Mr. FRAZIER] and my colleague from Tennessee [Mr. EVINS] stated very completely and adequately the conditions which exist in the middle district of Tennessee. I would not add to their very fine statements except to compliment the gentlemen. I wish to simply ask this question for the record. It is my understanding that the bill, as reported, by the Committee on the Judiciary provides this judgeship shall be in a sense temporary in that the first vacancy occurring in the middle district of Tennessee shall not be filled by another appointment; that is correct is it not?

Mr. FRAZIER. That is correct.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from New York.

Mr. KEATING. I have a high regard for the gentleman's ability as he knows. I wonder if the Tennessee brethren, including the gentleman now addressing us, do not think it is a rather high price to pay for a meritorious judgeship, if we consider it that, and I am not inclined to debate it, for Tennessee, to have to take 25 other judgeships in an omnibus bill, or whether the proper way to do is not to bring up the Tennessee judgeship in the usual course.

Mr. FRAZIER. As the gentleman from New York [Mr. KEATING] recalls I have not been a strong advocate of the creation of additional judgeships or other offices in our Government. He and I have had the pleasure of serving together on a subcommittee. I have not advocated the creation of additional judgeships in the past. In this instance we had before the committee the report of the Judicial Conference which recommended very strongly the creation of all of these judgeships except four. I believe they were Washington, Nevada, West Virginia, and Virginia. Those were the only four, as I recall, that were not recommended by the Judicial Conference. We are not in favor of a judgeship for Tennessee or for the creation of other judgeships that are not required. I would not support the creation of judgeships that I do not feel are needed,

but I do believe that we can depend on the members of the Judicial Conference for an honest report to the committee and to the Congress as to the number of judges that are required.

Mr. EVINS. Mr. Chairman, will the gentleman yield further?

Mr. FRAZIER. I yield to the gentleman from Tennessee.

Mr. EVINS. Some statement has been made heretofore that President Truman is interested in this legislation for patronage purposes. I do not know about that but I can only say this matter has been under consideration for a period of 2 years.

Mr. HOFFMAN of Michigan. Mr. Chairman, I make the point of order that a quorum is not present.

Mr. EVINS. This measure has been pending—

Mr. HOFFMAN of Michigan. Mr. Chairman, I demand the regular order. I have made the point of order that a quorum is not present.

The CHAIRMAN (Mr. DEANE). The gentleman from Michigan [Mr. HOFFMAN] makes the point of order that a quorum is not present. The Chair will count. [After counting.] Forty-eight Members are present; obviously a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 58]

Aandahl	Dempsey	Jackson, Calif.
Abbitt	Denny	Jackson, Wash.
Abernethy	Dingell	James
Allen, Calif.	Dollinger	Jarman
Allen, Ill.	Dondero	Jenison
Anderson, Calif.	Donohue	Jones, Mo.
Andrews	Donovan	Jones,
Anfuso	Dorn	Woodrow W.
Angell	Doyle	Judd
Armstrong	Durham	Kearns
Barden	Eaton	Kee
Barrett	Eberharter	Kelley, Pa.
Bates, Ky.	Elston	Kelly, N. Y.
Battle	Fallon	Kennedy
Beall	Feighan	Kennedy
Bender	Fenton	Keogh
Bentsen	Fernandez	Kerr
Blackney	Fine	Kersten, Wis.
Blatnik	Fisher	Kilburn
Boggs, La.	Flood	King, Calif.
Bonner	Fogarty	King, Pa.
Boykin	Fugate	Klein
Bramblett	Fulton	Larcade
Brownson	Gamble	Latham
Buchanan	Garmaiz	Lesinski
Buckley	Gary	Lind
Buffett	Gavin	Lucas
Burleson	Golden	Lyle
Burnside	Goodwin	McConnell
Burton	Gordon	McDonough
Busbey	Gore	McGrath
Bush	Graham	McKinnon
Butler	Granahan	McMullen
Byrnes	Granger	Machrowitz
Canfield	Grant	Madden
Carlyle	Green	Mansfield
Carrigg	Gregory	Marshall
Case	Gwinn	Mason
Chatham	Hall, Edwin	Merrrow
Chelf	Arthur	Miller, Md.
Chenoweth	Harrison, Nebr.	Miller, Calif.
Chipperfield	Harrison, Wyo.	Miller, N. Y.
Chudoff	Havener	Mitchell
Clemente	Hays, Ohio	Morano
Clevenger	Hébert	Morgan
Cole, N. Y.	Hedrick	Morris
Colmer	Heffernan	Morrison
Combs	Heller	Multer
Cooley	Herter	Mumma
Corbett	Hill	Murdock
Coudert	Hillings	Murphy
Crosser	Hinshaw	Murray, Wis.
Curtis, Mo.	Hoeven	O'Hara
Dague	Hollfield	O'Konski
Davis, Ga.	Horan	O'Neill
DeGraffenried	Howell	Osmers
Delaney	Irving	Passman
		Fatman

Philbin	Scott, Hardie	Teague
Phillips	Scott,	Vall
Potter	Hugh D., Jr.	Velde
Powell	Scrivner	Walter
Price	Shafer	Watts
Prouty	Sheppard	Weichel
Radwan	Sieminski	Weich
Reams	Sikes	Wharton
Rees, Kans.	Simpson, Ill.	Wheeler
Regan	Simpson, Pa.	Wickersham
Rhodes	Sittler	Wier
Riehlman	Smith, Miss.	Williams, Miss.
Rivers	Spence	Willis
Roberts	Stanley	Wilson, Ind.
Rodino	Stigler	Withrow
Sabath	Stockman	Wolcott
St. George	Sutton	Wood, Ga.
Sasscer	Tackett	Yates
Saylor	Taylor	Yorty

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RABAUT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having been under consideration the bill S. 1203, and finding itself without a quorum, he had directed the roll to be called, when 207 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER. The Committee will resume its sitting.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1203, with Mr. RABAUT in the chair.

Mr. FRAZIER. Mr. Chairman, I wish to ask the Members of this distinguished body to study the report of the Committee on the Judiciary, and if you have the opportunity, to read the hearings of the committee in the other body, which hearings were conducted last summer. They will justify the creation of these judgeships, and I urge you to vote for this bill.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. KEATING. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Chairman, since I have been a Member of this body for a little over a year, I have learned to respect very highly the gentleman from New York [Mr. KEATING] and his work on the Judiciary Committee. However, I find myself in disagreement with him today, because I do not believe that, able attorney as he is, Mr. KEATING can analyze the needs of someone else's district as well as that individual can his own district. I sat here this afternoon and listened to the three gentlemen from Tennessee who have definitely proved, in my opinion, why they needed another judgeship in their particular districts.

I would like to ask the gentleman from New York [Mr. KEATING] if he does not feel, in view of the fact that President Truman has been subjected to the criticism that he has recently regarding some of his decisions, if this bill should be passed he would be even a little more cautious than one would normally be in making these appointments.

Mr. KEATING. In reply to the gentleman, I would be very hesitant to try to analyze the frame of mind of the Chief Executive. I think I would have to ask the gentleman to relieve me from that obligation. I have indicated that I was not pleased with some of the ap-

pointments which have been made, and I have not seen any indication recently that there is improvement in that regard.

Mr. AYRES. I can agree with the gentleman that the President oftentimes seems to be full of surprises. On the other hand I think the issue that should be decided here is whether or not the judgeships are needed; not who is likely to make the appointment. Not being an attorney, perhaps the gentleman from New York is more familiar with the procedure than I am. However, does the gentleman not feel that the Members of the other body would use discretion in confirming these appointments that the Chief Executive might make?

Mr. KEATING. I will say to the gentleman that I would expect the Members of the other body to perform their duty and to scrutinize any appointment with care. I agree with the gentleman that the problem before us is primarily one as to the need for these judgeships. I presume the gentleman's particular concern is with regard to the Ohio judgeship, because I know of the unusually able manner in which he looks out for the interests of the people who sent him to Congress. With regard to the Ohio judgeship, I would say to the gentleman that it appears the chief difficulty in the past has been the failure to fill the vacancy there in the northern district of Ohio, if that is the particular area which the gentleman is concerned about.

Mr. AYRES. That is the area. Not only the particular area but the particular town and county that I am interested in, namely, Akron and Summit County. We have 407,000 people in Summit County. The backlog of cases in the courts handled in Cleveland makes it very difficult for hundreds of attorneys in the city of Akron and Summit County to properly handle their cases. I might say further that I have always had a very high regard for the attorneys. I think that the lawyers in that particular area are in a better position to know whether or not an additional judge is needed than any Member of this body, regardless of the information you have before you.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield.

Mr. KEATING. Of course, it is the obligation of the Members of this body to determine whether these judgeships are needed. It is not the obligation of the lawyers or the judges in any particular area. We have encountered time and again a desire on the part of members of the bar to have more and more judges. That is true in the city I come from the same as it is everywhere else. The lawyers always want more judges because there is a chance that some lawyer might become a judge. But those people do not have the responsibility which rests upon the Members of this body to consider all of the factors and to determine whether judges are needed; and I say to the gentleman that in the very situation which he is so ably debating that there are the average number of cases commenced per judge.

If the gentleman's time has expired, Mr. Chairman, I yield him two additional minutes of my own time.

It appears from the record that at the present time with the present four judges the average per judge of civil cases is 254 as against a 204 national average. The fourth judge has not been working; the vacancy has not been filled since 1949. The average per judge therefore of the working judges in the northern district of Ohio is way below the national average today, yet they still want to have another Federal judge there.

Mr. AYRES. Is the gentleman familiar with the facts as to why no appointment was made and as to why this vacancy has existed?

Mr. KEATING. I am not able to speak with authority and know only what I am told, but I am told that two factions of the majority party had different candidates and they could not get together on one, so no appointment was ever made. Whether that is correct or not I am not sure.

Mr. AYRES. That is the situation, I am so informed by the practicing attorneys of that particular area. Also they have been disgusted with the way in which it has been handled. There is a big backlog of cases that have not gotten into the court, so the gentleman's figures do not really give the true facts as to what the attorneys need, if the court could handle them rapidly enough. They feel that if another judge of high caliber is placed there, regardless of party, they would be able to expedite the cases in a more efficient manner.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. AYRES. I yield.

Mr. HALLECK. The gentleman's original question was whether or not recent events might not indicate that President Truman might be a little more cautious in making appointments. Do I understand the gentleman to mean that if this bill passes the President would fill all these vacancies and newly created positions by the end of the year?

Mr. AYRES. I would hope not, unless the need for the judge were urgent. If the judgeship is needed and the appointment is held up, that is equally bad. I think we still have to pray to the good Lord that the President will do what is right.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman one additional minute and ask the gentleman to yield.

Mr. AYRES. I yield.

Mr. CELLER. I might say with reference to the judgeship in the northern district of Ohio that the judicial conference in their reports recommended in September 1949, again in 1950, and again in 1951, and they based their recommendation primarily on the case load. In the matter of civil cases the average throughout the Nation is 204, but the case load in the northern district of Ohio is 254. The total number of civil cases pending, for example, in 1947 in the northern district was 905. It jumped to 1,227 in 1951. In the first half of 1952 it is up to 1,347. That shows the need for an additional judge in that district.

Mr. AYRES. I may say to the gentleman from New York that if the attorneys were confident that their cases

would be handled more rapidly more cases would be filed that need attention.

Then do I understand that the gentleman from New York in his opinion feels that the workload in this district in Ohio definitely makes it deserving of another judgeship?

Mr. CELLER. I emphatically say "Yes" to that question.

Mr. KEATING. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. McCULLOCH].

Mr. McCULLOCH. Mr. Chairman, I notice that the chairman of the Committee on the Judiciary said that as long ago as 1949 the Judicial Conference had recommended an additional judge for the northern district of Ohio. At and before that time, as a matter of fact, one of the judges had been incapacitated for a considerable time, had he not?

Mr. CELLER. I understand that is the case.

Mr. McCULLOCH. Well, that is the case, Mr. Chairman, and may I say that it is indeed regrettable that litigants should be delayed in having lawsuits terminated, and the sitting judges, who have done such a remarkable job in the northern district of Ohio, should have this additional load placed upon them, by reason of the failure of the President of the United States to appoint a judge to fill a vacancy that has existed there for some 18 months. Of course, this failure to do his duty has resulted in the same general condition with respect to litigants in the northern district of Ohio as his failure to do his duty in the use of the Taft-Hartley Act has done to the country in the steel strike. I hope that the time will soon come when officials in high places will promptly discharge the duties that devolve upon them.

Mr. KEATING. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Chairman, I regret that I must take an opposite position to my colleague from Ohio [Mr. AYRES]. I practiced law in the northern district of Ohio for 29 years and have been a member of the Federal Bar of that district for at least 25 years. I was vice president of the Ohio State Bar Association representing that area and I can say to the House that in my humble opinion there is no need for an additional Federal judge in the northern district of Ohio at this time.

The failure to fill the vacancy that has been referred to, which vacancy the President permitted to continue for some time, has caused whatever backlog there might be there. The load is not too heavy.

I would urge my colleagues not to establish another judgeship in the northern district of Ohio.

Mr. KEATING. Mr. Chairman, I have no further requests for time.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Chairman, it is the duty and responsibility of this Congress to ascertain the need of the citizens in reference to the use of the judiciary and it also becomes our duty and responsibility to establish whatever courts are necessary for the

litigants and to make those courts available to them.

Page 22 of the report deals with the district of Colorado. This district was established in August 1876, and had a population then of approximately 200,000 people. It has since grown to a population of 1,400,000 and covers the entire State of Colorado.

Directing your attention to page 22 of the report, as of June 1951, there were 80 private civil cases pending, and for the first half of 1952 this figure was increased to 204. In 1951, 172 civil cases were filed, 164 terminated, leaving 359 for final disposition. The case load for both criminal and civil cases is far above the national average.

I direct your attention to page 24 of the report and to the civil cases. Cases commenced per judgeship in the State of Colorado, 368; the national average is 204. Civil cases, where the United States Government is a party, cases commenced per judgeship in Colorado, 231; national average, 93. As to private litigation, cases commenced per judgeship in Colorado were 137 as compared with the national average of 111. As to the criminal cases instituted in the State of Colorado per judgeship, commenced, there were 375 as compared with the national average of 180.

I therefore point out to my colleagues that it is almost impossible to get to trial in civil cases for not less than 6 months up to a year after issues are joined. It necessarily follows if we are going to have any relief, this additional judgeship for Colorado should be supplied. We think that, with the help of the Federal circuit judge at the present time, we have kept this load down to a certain extent, but, after all, we need the relief that is sought for in this bill.

Mr. CELLER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate, one additional circuit judge for the fifth circuit and two additional circuit judges for the ninth circuit. In order that the table contained in section 44 (a) of title 28 of the United States Code will reflect the changes made by this section in the number of circuit judges for said circuits, such table is amended to read as follows with respect to said circuits:

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker, having resumed the chair, Mr. RABAUT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1203) to provide for the appointment of additional circuit and district judges, and for other purposes, had come to no resolution thereon.

CALENDAR WEDNESDAY

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of this week be dispensed with,

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. ARENDS and to include an editorial.
Mr. CURTIS of Nebraska (at the request of Mr. ARENDS).

Mr. JONAS and to include an editorial.
Mrs. ROGERS of Massachusetts and to include an address by Gen. Hoyt Vandenberg, Chief of Staff of the Air Force, at Lexington, Mass., on April 19.

Mr. GROSS and to include a letter from a constituent.

Mr. LANE in three instances and to include extraneous matter.

Mr. FURCOLO in two instances and to include extraneous matter.

Mr. BROOKS in three instances and to include extraneous matter.

Mr. ROGERS of Colorado and to insert an article concerning a gentleman who is on a mission abroad.

Mr. ASPINALL and to include an editorial.

Mr. CELLER in three instances.

Mr. SADLAK and to include extraneous matter, notwithstanding the cost will be \$273.

Mr. D'EWART and to include certain quotations.

Mr. COLE of Kansas and to include an address.

Mr. MARTIN of Massachusetts and to include an address by Mr. BROWN of Ohio entitled "Can Freedom of Information Be Preserved?"

Mr. TOLLEFSON in two instances and to include extraneous matter.

Mr. DAVIS of Wisconsin and to include a letter.

Mr. MILLER of Nebraska and to include excerpts from a speech made by General MacArthur.

Mr. JAVITS in four instances and to include extraneous matter.

Mrs. ROGERS of Massachusetts and to include a letter from the American Legion and a statement by the American Legion.

Mr. SMITH of Wisconsin in three instances and to include extraneous matter.

Mr. HERTER (at the request of Mr. HESELTON) and to include extraneous matter.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YATES (at the request of Mr. O'BRIEN of Illinois), for 2 days, on account of illness.

Mr. SIEMINSKI (at the request of Mr. CLEMENTE), from April 22 to May 5, 1952, on account of official business.

SENATE BILLS REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2039. An act to prohibit the display of flags of international organizations or other

nations in equal or superior prominence or honor to the flag of the United States except under specified circumstances, and for other purposes; to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. STANLEY, from the Committee on House Administration, reported that that committee did on April 10, 1952, present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 607. An act for the relief of Ronald Yee;

H. R. 745. An act for the relief of Thomas A. Trulove, postmaster, and Nolen J. Salyards, assistant postmaster, at Inglewood, Calif.;

H. R. 751. An act for the relief of Loretta Chong;

H. R. 978. An act for the relief of Mrs. Michi Masaoka;

H. R. 1158. An act for the relief of Isao Ishimoto;

H. R. 1790. An act for the relief of Dorothea Zirkelbach;

H. R. 1815. An act for the relief of Hideo Ishida;

H. R. 1819. An act for the relief of Hisamitsu Kodani;

H. R. 1836. An act for the relief of Mrs. Carla Mulligan;

H. R. 2353. An act for the relief of Kazuyoshi Hino and Yasuhiko Hino;

H. R. 2403. An act for the relief of Leda Taft;

H. R. 2404. An act for the relief of Mark Yoke Lun and Mark Seep Ming;

H. R. 2634. An act for the relief of Mrs. Aiko Eijima Phillips;

H. R. 3995. An act to authorize the Secretary of Commerce to transfer to the Department of the Navy certain land and improvements at Pass Christian, Miss.;

H. R. 4343. An act for the relief of Erika Bammes (Patricia Ann Cox);

H. R. 4444. An act to authorize the Secretary of the Navy to convey to the city of Macon, Ga., a parcel of land in the said city of Macon, containing 2 acres, more or less;

H. R. 4691. An act for the relief of Nagakubo (also known as Roy Mervin Nelson);

H. R. 4774. An act for the relief of Eleftherios G. Kokolis;

H. R. 4796. An act to retrocede to the State of North Carolina concurrent jurisdiction over a highway at Fort Bragg, N. C.;

H. R. 4897. An act to authorize the Secretary of the Navy to surrender and convey to the Commonwealth of Massachusetts certain rights of access in and to Chelsea Street in the city of Boston, and for other purposes;

H. R. 4965. An act to authorize the Secretary of the Navy to sell and convey to Sam Arvanitis and George Arvanitis a parcel of land consisting of one-quarter acre, more or less, situated at the naval ammunition and net depot, Seal Beach, Calif.;

H. R. 5297. An act for the relief of John Michael Jurecek;

H. R. 5322. An act for the relief of Kazumi Yamashita;

H. R. 5369. An act to authorize the exchange of certain lands located within, and in the vicinity of, the Federal Communications Commission's primary monitoring station, Portland, Oreg.;

H. R. 5460. An act for the relief of Hans Werner Brisco;

H. R. 5551. An act for the relief of Eugene Kline;

H. R. 5685. An act for the relief of Rumi Takemura;

H. R. 5693. An act to make additional funds available to the Administrator of Veterans' Affairs for direct home and farmhouse loans to eligible veterans, under title III of

the Servicemen's Readjustment Act of 1944, as amended;

H. R. 5920. An act for the relief of Kimberly Ann Cibulski, also known as Belle Lee;

H. R. 6026. An act for the relief of Joseph Yukio;

H. J. Res. 350. Joint resolution to provide an extension of time for the authorization for certain projects for local flood protection in the Tennessee River Basin;

H. J. Res. 359. Joint resolution to designate the lake to be formed by the waters impounded by the Wolf Creek Dam in the State of Kentucky as Lake Cumberland;

H. J. Res. 382. Joint resolution to provide for setting aside an appropriate day as a National Day of Prayer; and

H. J. Res. 423. Joint resolution to continue the effectiveness of certain statutory provisions until June 1, 1952.

ADJOURNMENT

Mr. CELLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 35 minutes p. m.) the House adjourned until tomorrow, Wednesday, April 23, 1952, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1340. A letter from the Assistant Secretary of Defense, transmitting a draft of legislation entitled "A bill to amend the Career Compensation Act of 1949, as amended, to extend the application of the special inducement pay provided thereby to doctors and dentists, and for other purposes"; to the Committee on Armed Services.

1341. A letter from the Administrator, Small Defense Plants Administration, transmitting the second quarterly report of the operations of the Small Defense Plants Administration, pursuant to section 714 (g) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

1342. A letter from the Administrator, Housing and Home Finance Agency, transmitting the semiannual report of the Federal National Mortgage Association for the 6 months ended December 31, 1951, pursuant to section 306 of the National Housing Act, as amended, and section 2 (6) of Reorganization Plan No. 22 of 1950; to the Committee on Banking and Currency.

1343. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of a bill entitled "A bill to amend the act entitled 'An act to establish a Code of Law for the District of Columbia,' approved March 3, 1901, and the acts amendatory thereof and supplementary thereto (D. C. Code, 1940 ed., sec. 11-1401)"; to the Committee on the District of Columbia.

1344. A letter from the Assistant Secretary of Defense, transmitting a draft of legislation entitled "A bill to authorize the Administrator of General Services to transfer to the Department of the Navy, without reimbursement, certain property at Fort Worth, Tex.;" to the Committee on Expenditures in the Executive Departments.

1345. A letter from the Comptroller General of the United States, transmitting the report on the audit of Federal Deposit Insurance Corporation for the fiscal year ended June 30, 1951, pursuant to section 17 (b) of the Federal Deposit Insurance Act (12 U. S. C. 1811) (H. Doc. No. 433); to the Committee on Expenditures in the Executive Departments, and ordered to be printed.

1346. A letter from the Director, Legislation and Liaison Department of the Air Force, transmitting the annual report of the Department of the Air Force, covering the disposal of Air Force excess personal property located in areas outside the continental United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands, for the calendar year 1951, pursuant to section 404 (d), title IV of the Federal Property and Administrative Services Act of 1949 (Public Law 152, 81st Cong.); to the Committee on Expenditures in the Executive Departments.

1347. A letter from the Assistant Secretary of State, transmitting a letter from the Government of the United Kingdom conveying an expression of deep gratitude on the part of the Government of the United Kingdom for the message of profound sorrow and sympathy expressed by the House of Representatives on the occasion of the death of King George VI; to the Committee on Foreign Affairs.

1348. A letter from the Secretary of State, transmitting a draft of a proposed bill entitled "A bill to amend the International Claims Settlement Act of 1949 to increase from 3 percent to 6 percent the amount to be deducted from each payment made pursuant to an award, as reimbursement for expenses incurred by the United States"; to the Committee on Foreign Affairs.

1349. A letter from the Acting Attorney General, transmitting copies of orders entered in cases where the ninth proviso to section 3 of the Immigration Act of February 5, 1917 (8 U. S. C. 136), was exercised in behalf of such aliens, pursuant to section 6 (b) of the act of October 16, 1918, as amended by section 22 of the Internal Security Act of 1950 (Public Law 831, 81st Cong.); to the Committee on the Judiciary.

1350. A letter from the Acting Attorney General, transmitting copies of orders of the Commissioner of Immigration and Naturalization suspending deportation as well as a list of the persons involved; to the Committee on the Judiciary.

1351. A letter from the Chairman, United States Motor Carrier Claims Commission, transmitting the third report of the progress of the United States Motor Carrier Claims Commission, covering the period from April 12, 1951, to April 11, 1952, pursuant to provisions of section 12 of the Motor Carrier Claims Commission Act of 1948, as amended; to the Committee on the Judiciary.

1352. A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of a proposed bill, proposed by the Judicial Conference of the United States entitled, "A bill to amend section 1332 of title 28 of the United States Code"; to the Committee on the Judiciary.

1353. A letter from the Acting Attorney General, transmitting a copy of an order of the Acting Commissioner of Immigration and Naturalization, dated October 20, 1950, authorizing the temporary admission into the United States, for shore leave purposes only, of alien seamen found to be excludable as persons within one of the classes enumerated in section 1 (2) of the act of October 16, 1918, as amended by section 22 of the Internal Security Act of 1950; to the Committee on the Judiciary.

1354. A letter from the Acting Attorney General, transmitting a copy of an order of the Acting Commissioner of Immigration and Naturalization, dated October 20, 1950, authorizing the temporary admission into the United States, for shore leave purposes only, of alien seamen found to be excludable as persons within one of the classes enumerated in section 1 (2) of the act of October 16, 1918, as amended by section 22 of the Internal Security Act of 1950; to the Committee on the Judiciary.

1355. A letter from the Acting Attorney General, transmitting a copy of an order of the Acting Commissioner of Immigration and Naturalization, dated October 20, 1950, authorizing the temporary admission into

the United States, for shore leave purposes only, of alien seamen found to be excludable as persons within one of the classes enumerated in section 1 (2) of the act of October 16, 1918, as amended by section 22 of the Internal Security Act of 1950, as amended; to the Committee on the Judiciary.

1356. A letter from the Acting Attorney General, transmitting a copy of an order of the Acting Commissioner of Immigration and Naturalization, dated October 20, 1950, authorizing the temporary admission into the United States, for shore leave purposes only, of alien seamen found to be excludable as persons within one of the classes enumerated in section 1 (2) of the act of October 16, 1918, as amended by section 22 of the Internal Security Act of 1950, as amended; to the Committee on the Judiciary.

1357. A letter from the Acting Attorney General, transmitting a copy of an order of the Acting Commissioner of Immigration and Naturalization, dated October 20, 1950, authorizing the temporary admission into the United States, for shore leave purposes only, of alien seamen found to be excludable as persons within one of the classes enumerated in section 1 (2) of the act of October 16, 1918, as amended by section 22 of the Internal Security Act of 1950; to the Committee on the Judiciary.

1358. A letter from the Acting Attorney General, transmitting a copy of an order of the Acting Commissioner of Immigration and Naturalization, dated October 20, 1950, authorizing the temporary admission into the United States, for shore leave purposes only, of alien seamen found to be excludable as persons within one of the classes enumerated in section 1 (2) of the act of October 16, 1918, as amended by section 22 of the Internal Security Act of 1950; to the Committee on the Judiciary.

1359. A letter from the Acting Attorney General, transmitting copies of orders entered in cases where the ninth proviso to section 3 of the Immigration Act of February 5, 1917 (8 U. S. C. 136), was exercised in behalf of certain aliens, pursuant to section 6 (b) of the act of October 16, 1918, as amended by section 22 of the Internal Security Act of 1950 (Public Law 831, 81st Cong.); to the Committee on the Judiciary.

1360. A letter from the President, Board of Commissioners, Government of the District of Columbia, transmitting a draft of a bill entitled "A bill to amend the act entitled 'An act to define the term of registered nurse and to provide for the registration of nurses in the District of Columbia,'" approved February 9, 1907, as amended; to the Committee on the District of Columbia.

1361. A letter from the Assistant Secretary of Defense, transmitting a draft of legislation entitled "A bill to authorize certain land and other property transactions"; to the Committee on Expenditures in the Executive Departments.

1362. A letter from the Assistant Secretary of Defense, transmitting a draft of legislation entitled "A bill to authorize certain land and other property transactions, and for other purposes"; to the Committee on Expenditures in the Executive Departments.

1363. A letter from the Comptroller General of the United States, transmitting a report relative to the disposition of certain Federal records, pursuant to Records Disposal Act, approved July 7, 1943 (57 Stat. 380), as amended July 6, 1945 (59 Stat. 434), the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), and the Federal Records Act of 1950 (64 Stat. 578, 583); to the Committee on House Administration.

1364. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal and lists or schedules covering records proposed for disposal by certain Government agencies; to the Committee on House Administration.

1365. A letter from the Acting Attorney General, transmitting a letter relative to the

case of Harry Rannala, file No. A-6923191 CR 37962, and requesting that it be withdrawn from those before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. CANNON: Committee on Appropriations. House Joint Resolution 427. Joint resolution making additional appropriations for disaster relief for the fiscal year 1952, and for other purposes; without amendment (Rept. No. 1802). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SMITH of Virginia:

H. R. 7502. A bill to amend the act of June 6, 1924, as amended relating to the National Capital Park and Planning Commission, and for other purposes; to the Committee on the District of Columbia.

By Mr. SASSCER:

H. R. 7503. A bill to amend the act of June 6, 1924, as amended, relating to the National Capital Park and Planning Commission, and for other purposes; to the Committee on the District of Columbia.

By Mr. BEALL:

H. R. 7504. A bill to amend the act of June 6, 1924, as amended, relating to the National Capital Park and Planning Commission, and for other purposes; to the Committee on the District of Columbia.

By Mr. ALLEN of Louisiana (by request):

H. R. 7505. A bill to provide more efficient dental care for veterans entitled to receive dental benefits under laws administered by the Veterans' Administration and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BERRY:

H. R. 7506. A bill to authorize the Secretary of the Interior to sell certain land and dwelling houses on the project known as Shade-hill unit, Missouri River Basin project, Lemmon, S. Dak., without regard to provisions of law requiring competitive bidding or public advertising; to the Committee on Interior and Insular Affairs.

By Mr. BOYKIN:

H. R. 7507. A bill to amend the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers; to the Committee on Merchant Marine and Fisheries.

By Mr. CURTIS of Nebraska:

H. R. 7508. A bill to reserve to certain State and Territorial agencies and tribunals the authority to exercise jurisdiction over labor disputes involving public utilities; to the Committee on Education and Labor.

By Mr. FORAND:

H. R. 7509. A bill to establish an equitable basis for the application of the Federal income tax to mutual fire insurance companies which operate on the deposit plan; to the Committee on Ways and Means.

By Mr. HUNTER:

H. R. 7510. A bill to amend the Tariff Act of 1930, so as to increase the duty imposed upon the importation of fig paste; to the Committee on Ways and Means.

By Mr. MARTIN of Iowa:

H. R. 7511. A bill to provide that the unexpended and unobligated balance of all foreign-aid funds available under authority of the Mutual Security Act of 1951 shall be

used for the prosecution of flood-control projects in the United States; to the Committee on Appropriations.

By Mr. POULSON:

H. R. 7512. A bill to provide that the United States shall not contribute financially to the preparation of the book *The History of Mankind*; to the Committee on Foreign Affairs.

H. R. 7513. A bill to recognize naval service performed in sweeping the North Sea of mines in 1919 as service in World War I; to the Committee on Veterans' Affairs.

By Mr. RODINO:

H. R. 7514. A bill to amend section 22, subdivision (b), paragraph (2), of subparagraph (B) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. ROSS:

H. R. 7515. A bill to provide free postage for members of the Armed Forces of the United States; to the Committee on Post Office and Civil Service.

By Mr. SASSCER:

H. R. 7516. A bill to provide for the issuance of a special postage stamp honoring George Herman "Babe" Ruth; to the Committee on Post Office and Civil Service.

By Mr. TOLLEFSON:

H. R. 7517. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act to increase the maximum benefits provided by such act and to extend its provisions to Puerto Rico, and for other purposes; to the Committee on Education and Labor.

By Mr. WICKERSHAM:

H. R. 7518. A bill to authorize appropriations for pasture development and water-conservation-development projects in Oklahoma; to the Committee on Agriculture.

By Mr. WIGGLESWORTH:

H. R. 7519. A bill to increase the optional standard deduction for married persons filing separate income-tax returns; to the Committee on Ways and Means.

By Mr. BURDICK:

H. R. 7520. A bill to prohibit certain reservations of mineral interests by Federal land banks, the Land Bank Commissioner, and the Federal Farm Mortgage Association, and to provide for disposition of certain mineral interests heretofore reserved by them; to the Committee on Agriculture.

By Mr. ENGLE:

H. R. 7521. A bill to require that miles-per-hour and statute miles be retained as the standard units for the measurement of speed and distance in connection with the operation of civil aircraft in interstate air commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. SIKES:

H. R. 7522. A bill to amend section 112 of the Internal Revenue Code to provide the same rules for determining gain in the case of the sale or exchange of boats used in commercial fishing as are provided in the case of the sale or exchange of residences; to the Committee on Ways and Means.

H. R. 7523. A bill to amend the Internal Revenue Code to provide for the sale at certain post offices of tobacco, cigar, and cigarette tax stamps; to the Committee on Ways and Means.

By Mr. CANNON:

H. J. Res. 427. Joint resolution making additional appropriations for disaster relief for the fiscal year 1952, and for other purposes; to the Committee on Appropriations.

By Mr. MILLER of Nebraska:

H. J. Res. 428. Joint resolution to provide that Federal public works projects, flood control projects, and programs authorized by Congress shall be carried out to the full extent of the law; to the Committee on Public Works.

By Mr. ARMSTRONG:

H. J. Res. 429. Joint resolution designating the 5th day of April and the 12th day of July of each year as the birthdays, respectively, of Booker T. Washington and George Washington Carver; to the Committee on the Judiciary.

By Mr. FERNÓS-ISERN:

H. J. Res. 430. Joint resolution approving the Constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952; to the Committee on Interior and Insular Affairs.

By Mr. COUDERT:

H. J. Res. 431. Joint resolution prohibiting the use of Federal funds to pay the salaries and expenses of Federal officers and employees performing functions in connection with the unauthorized seizure of steel mills or other private property; to the Committee on the Judiciary.

By Mr. SMITH of Mississippi:

H. Con. Res. 209. Concurrent resolution expressing the sense of the Congress that the President has no authority to assume control over any private organization except as the Congress may provide by law, and that his action in seizing the steel mills violates the Constitution; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H. Con. Res. 210. Concurrent resolution condemning the seizure by the Executive of the steel plants; to the Committee on the Judiciary.

By Mr. HALE:

H. Res. 604. Resolution authorizing and directing the Committee on the Judiciary to investigate the official conduct of Harry S. Truman, President of the United States, in connection with the Government seizure of steel plants, and for other purposes; to the Committee on the Judiciary.

H. Res. 605. Resolution expressing the sense of the House with regard to the President's unauthorized seizure of the steel industry; to the Committee on the Judiciary.

By Mr. MURDOCK:

H. Res. 606. Resolution to provide funds for the expenses of the investigation authorized by House Resolution 80; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States, relative to national cemeteries, and requesting favorable action on Senate bill 2821; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States, relative to prohibiting the furnishing of intoxicating liquor to Indians; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to accepting permit from the Government of the United States for the transfer of lands for the use of the Golden Gate Bridge and Highway District for the purpose of widening the San Francisco approach to the Golden Gate Bridge; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States, relative to requesting the National Production Authority to allocate steel for vital projects; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States, relative to published remarks by the Librarian of Congress; to the Committee on Education and Labor.

Also, memorial of the Legislature of the State of California, requesting careful consideration to the interests of national defense and the inhabitants and mining indus-

try of Inyo County before authorization is given for the withdrawal of land in Saline Valley in Inyo County from the public domain for acquisition and use thereof for an aerial gunnery range; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States, relative to first form reclamation withdrawals of lands on stream systems in the State of California; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States, relative to Federal participation in the cost of independent audit of joint public assistance programs; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States, relative to transmitting a copy of an interstate civil defense and disaster compact entered into by the State of Idaho, with the States of Washington, Oregon, California, Nevada, Wyoming, Utah, and Montana, pursuant to Chapter 277, Idaho Session Laws of 1951; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Maine, memorializing the President and the Congress of the United States, relative to transmitting copies of letters exchanged between the Governor of Maine and the Governors of Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont which taken together signify the consummation of a civil defense and disaster mutual assistance compact between the State of Maine and the seven States mentioned; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of New Mexico, memorializing the President and the Congress of the United States, relative to making application for the calling of a convention to propose an amendment to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

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

By Mrs. BOLTON:

H. R. 7524. A bill for the relief of Wilfred Cromie; to the Committee on the Judiciary.

H. R. 7525. A bill for the relief of Akino Takegawa; to the Committee on the Judiciary.

By Mr. BURDICK:

H. R. 7526. A bill for the relief of Mr. and Mrs. W. F. Sylvester; to the Committee on the Judiciary.

By Mr. DEVEREUX:

H. R. 7527. A bill for the relief of Helen Knight Waters and Arnold Elzey Waters, Jr.; to the Committee on the Judiciary.

By Mr. ELLSWORTH:

H. R. 7528. A bill for the relief of Edith Winifred Loch; to the Committee on the Judiciary.

By Mr. GREENWOOD:

H. R. 7529. A bill for the relief of Ingrid Carew; to the Committee on the Judiciary.

By Mr. HILLINGS:

H. R. 7530. A bill for the relief of Chieko Sakai; to the Committee on the Judiciary.

By Mr. HUNTER:

H. R. 7531. A bill for the relief of Oscar F. Brown; to the Committee on the Judiciary.

By Mr. HUNTER (by request):

H. R. 7532. A bill for the relief of Matti Korpela; to the Committee on the Judiciary.

By Mr. KENNEDY:

H. R. 7533. A bill for the relief of the Jason S. Bailey Trust; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 7534. A bill for the relief of Maria Buffino; to the Committee on the Judiciary.

By Mr. LESINSKI:

H. R. 7535. A bill for the relief of Elias Manolis; to the Committee on the Judiciary.

By Mr. MULTER:

H. R. 7536. A bill for the relief of Igo Sobel; to the Committee on the Judiciary.

By Mr. O'BRIEN of Michigan:

H. R. 7537. A bill for the relief of Mojar All; to the Committee on the Judiciary.

H. R. 7538. A bill for the relief of May Ling Ng; to the Committee on the Judiciary.

By Mr. O'BRIEN of Illinois:

H. R. 7539. A bill for the relief of Bolandineh Baitoo; to the Committee on the Judiciary.

By Mr. POULSON:

H. R. 7540. A bill for the relief of Guiseppa Fissore; to the Committee on the Judiciary.

H. R. 7541. A bill for the relief of Virgil N. Wing; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 7542. A bill for the relief of Michael Thomas Collins; to the Committee on the Judiciary.

By Mr. RABAUT:

H. R. 7543. A bill for the relief of Alfred El Anid; to the Committee on the Judiciary.

By Mr. WICKERSHAM:

H. R. 7544. A bill for the relief of Rosa Egner and her son, Gerald Egner; to the Committee on the Judiciary.

PETITIONS, ETC.

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

672. By the SPEAKER: Petition of the city clerk, Lowell, Mass., requesting that the cuts in the flood-control program for the New England States be reinstated and that Congress be made aware of the flood threats; to the Committee on Appropriations.

673. Also, petition of Ed A. Borden, of San Francisco, Calif., requesting that the President of the United States be impeached and tried by Congress, as constitutionally provided, for misfeasance under the high-crimes-and-misdemeanors provision; to the Committee on the Judiciary.

674. Also, petition of the clerk, City Council of Philadelphia, requesting the enactment at an early date of Senate bill 1287, ratifying the creation of a Delaware River Port Authority, and Senate bill 2188, providing for a second vehicular crossing of the Delaware River; to the Committee on Public Works.

675. Also, petition of the executive director, Welfare and Health Council of New York City, relative to calling on Congress to improve enforcement of antismuggling laws in order to stop illegal importation of narcotics; to the Committee on Ways and Means.

676. Also, petition of Wayne E. Albers, and others, Cassadaga, Fla., requesting passage of House bills 2678 and 2679, known as the Townsend plan; to the Committee on Ways and Means.

677. Also, petition of Joe W. Hewlett, and others, Dover, Fla., requesting passage of House bills 2678 and 2679, known as the Townsend plan; to the Committee on Ways and Means.

678. Also, petition of Buddy Hays, and others, Orlando, Fla., requesting passage of House bills 2678 and 2679, known as the Townsend plan; to the Committee on Ways and Means.

679. Also, petition of F. H. Squire, and others, St. Petersburg, Fla., requesting passage of House bills 2678 and 2679, known as the Townsend plan; to the Committee on Ways and Means.

680. Also, petition of President, Government of Norway, relative to conveying a message of heartfelt sympathy in regard to the floods that have overtaken the United States; to the Committee on Foreign Affairs.