By Mr. KEARNEY: Memorial of the New York State Senate and Assembly, memorializing the Congress of the United States to establish as a national memorial a cemetery of Revolutionary soldiers located in Brooklyn; to the Committee on Interior and Insular Affairs.

Also, memorial of the New York State Senate and Assembly, memorializing the Congress of the United States to approve a bill (H. R. 5219) introduced by Congressman W. L. Prouty to provide for the development of a deep waterway on Lake Champlain; to the Committee on Public Works.

Also, memorial of the New York State Senate and Assembly, memorializing the Congress of the United States to increase the tariff on bicycle importation; to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Legislature of the State of Mississippi, memorializing the President and the Congress of the United States to amend the Dependency Allotment Act of 1950 to permit dependents of members of the Armed Forces to qualify for class Q allotments in hardship cases; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. AYRES:

H. R. 7327. A bill for the relief of Giovanni Conti; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H. R. 7328. A bill for the relief of Kina Kenyei; to the Committee on the Judiciary.

By Mr. BUDGE:

H. R. 7329. A bill for the relief of Hitomi Ohtake; to the Committee on the Judiciary.

By Mr. DOYLE:

H. R. 7330. A bill for the relief of Foon Tung Fong; to the Committee on the Judiciary.

By Mr. LEONARD W. HALL:

H. R. 7331. A bill for the relief of Andrianne Luis and John Luis; to the Committee on the Judiciary.

By Mr. JACKSON of Washington:

H. R. 7332. A bill for the relief of Bjorn Normann Bough; to the Committee on the Judiciary.

By Mr. MACHROWICZ:

H. R. 7333. A bill for the relief of Karol Herse and his wife, Maria; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H. R. 7334. A bill for the relief of Edward F. Shea; to the Committee on the Judiciary.

By Mr. MITCHELL:

H. R. 7335. A bill for the relief of Martin Picinich; to the Committee on the Judiciary.

By Mr. ROSS:

H. R. 7336. A bill for the relief of Demetrios George Karahalios; 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:

660. By Mr. DONDERO: Petition of the City Council of Berkley, the Ferndale City Commission, the City Commission of Royal Oak, all of Oakland County, Mich.; and the Common Council of Detroit, Mich., urging the construction of the St. Lawrence seaway project, believing it to be for the good of all concerned; to the Committee on Public Works.

661. By the SPEAKER: Petition of Buddy Hays and others of Orlando, Fla., petitioning consideration of their resolution with reference to requesting passage of House bills 2678 and 2679, known as the Townsend plan; to the Committee on Ways and Means.

662. Also, petition of Albina Bibeau and others of St. Petersburg, Fla., petitioning consideration of their resolution with reference to requesting passage of House bills 2678 and 2679, known as the Townsend plan; to the Committee on Ways and Means.

SENATE

TUESDAY, APRIL 1, 1952

(Legislative day of Monday, March 24, 1952)

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

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

Our Father God, whose goodness is ever before us and whose mercy has followed us all our days: We come beseeching Thee that Thou mayest invade our hearts with a sense of quietness and lead us to the green pastures of Thy peace. We thank Thee for the sacrament of beauty which is Thy handiwork, the loveliness on the face of Nature now springing to newness of life, and the beauty hidden in the heart of man.

Cleanse our hearts of all stains, remove every root of bitterness. May the beauty of the Lord be upon us, delivering us from ugliness in thought, in speech, and in conduct. With Thy benediction upon us may we enter into the duties of this day, on our way attended by the vision splendid. We ask it in the name of Him who is the fairest among ten thousand and the one altogether lovely. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, March 31, 1952, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 1415) to amend section 7 of the War Claims Act of 1948, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 2322. An act prohibiting the manufacture or use of the character "Smokey Bear" by unauthorized persons; and

S. 2447. An act to amend the Federal Credit Union Act.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 160. An act to amend section 5192 of the Revised Statutes, with respect to the reserves of certain national banks;

H. R. 459. An act to confer jurisdiction on the several States over offenses committed by or against Indians within Indian country;

H. R. 472. An act to permit the mining, development, and utilization of the mineral resources of all public lands withdrawn or reserved for power development, and for other purposes;

H. R. 2327. An act to authorize the exchange of lands acquired by the United States for Prince William Forest Park, Prince William County, Va., for the purpose of consolidating Federal holdings therein, and for other purposes;

H. R. 2608. An act to amend the Federal Credit Union Act;

H. R. 3177. An act to amend title IV of the National Housing Act, as amended;

H. R. 4239. An act to direct the Secretary of the Army to reestablish and correct the boundaries of the Quincy National Cemetery by the exchange of Government-owned lands in the Quincy-Graceland Cemetery, Quincy, Ill.;

H. R. 4792. An act to provide for the transfer of the Jeremiah Curtin home and underlying land to the Milwaukee County Historical Society by the Public Housing Administration;

H. R. 4974. An act to provide for the addition of certain Government lands to the Cape Hatteras National Seashore Recreational Area project, and for other purposes;

H. R. 5045. An act to amend the Administrative Procedure Act;

H. R. 5120. An act to amend the Federal Deposit Insurance Act so as to require the insurance of deposits payable at branches of insured banks in Puerto Rico;

H. R. 5577. An act to declare that the United States holds certain lands in trust for the Stockbridge-Munsee Community, Inc., of the State of Wisconsin;

H. R. 5652. An act authorizing the Oregon State Highway Commission to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into north slough, Coos County, Oreg.;

H. R. 6101. An act to extend the provisions of the Federal Credit Union Act, as amended, to the Virgin Islands;

H. R. 6661. An act to amend the Foreign Service Buildings Act, 1926;

H. R. 6909. An act to amend section 14 (b) of the Federal Reserve Act, as amended; 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.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. THYE was excused from attendance on the sessions of the Senate for the remainder of this week.

TRANSACTION OF ROUTINE BUSINESS

Mr. McFARLAND. Mr. President, I ask unanimous consent that, as in legislative session, Senators be permitted to make insertions in the RECORD and to transact other routine business, without the time being charged to either side.

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

EXECUTIVE COMMUNICATIONS, ETC.

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

PROPOSED SUPPLEMENTAL APPROPRIATION, CIVIL SERVICE COMMISSION (S. DOC. NO. 114)

A communication from the President of the United States, transmitting a proposed supplemental appropriation, for the Civil Service Commission, in the amount of $6,500,000, for the fiscal year 1952 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

AMENDMENT OF SECTION 3185 OF TITLE 18, UNITED STATES CODE

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend section 3185 of title 18, United States Code (with accompanying papers); to the Committee on the Judiciary.

REPORT ON EXPORT CONTROL

A letter from the Secretary of Commerce, transmitting, pursuant to law, his report on export control, for the quarter ended December 31, 1951 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON CLASSIFICATION OF CERTAIN LANDS OF NORTH PLATTE FEDERAL RECLAMATION PROJECT, WYOMING AND NEBRASKA

A letter from the Secretary of the Interior, reporting, pursuant to law, on the classification and reclassification of certain lands of the North Platte Federal reclamation project, Wyoming and Nebraska; to the Committee on Interior and Insular Affairs.

REHABILITATION OF INDIANS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to promote the rehabilitation of Indian tribes, associations, and individual Indians, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

CONTRACT FOR MOTOR VEHICLES FOR USE ON MOTOR VEHICLE ROUTES

A letter from the Postmaster General, transmitting a draft of proposed legislation to authorize the Postmaster General to contract for motor vehicles for use on motor vehicle routes, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

PROPOSED LOAN OF CERTAIN NAVAL MATERIAL TO MARITIME MUSEUM OF SAN FRANCISCO, CALIF.

A letter from the Acting Secretary of the Navy, reporting, pursuant to law, that the Maritime Museum of San Francisco, Calif., had requested for exhibition, the loan of certain naval material of historical interest; to the Committee on Armed Services.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Attorney General, withdrawing the name of Andrianus Willem Jacobus Standaart from a report relating to aliens whose deportation had been suspended, transmitted to the Senate on January 15, 1952; to the Committee on the Judiciary.

REPORT ON BUSINESS TRANSACTED BY BANKRUPTCY COURTS

A letter from the Director, Administrative Office of the United States Courts, Washington, D. C., transmitting, pursuant to law, statistical tables reflecting the business transacted by the bankruptcy courts, for the fiscal year ended June 30, 1951 (with an accompanying paper); to the Committee on the Judiciary.

REPORT OF COMMISSION ON RENOVATION OF EXECUTIVE MANSION

A letter from the Acting Chairman, Commission on Renovation of the Executive Mansion, reporting, pursuant to law, on the substantial completion of the renovation of the Executive Mansion (with an accompanying letter); to the Committee on Public Works.

REPORT OF COMMISSIONER OF EDUCATION

A letter from the Acting Administrator, Federal Security Agency, transmitting, pursuant to law, a report of the Commissioner of Education on the administration of Public Laws 874 and 815, Eighty-first Congress, second session, for the fiscal year ended June 30, 1951 (with an accompanying report); to the Committee on Labor and Public Welfare.

AUDIT REPORT ON COMMODITY CREDIT CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Commodity Credit Corporation, for the fiscal year ended June 30, 1951 (with an accompanying report); to the Committee on Government Operations.

REPORT OF COMPTROLLER GENERAL ON WORK OF GENERAL ACCOUNTING OFFICE

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report of the Comptroller General on the work of the General Accounting Office, for the fiscal year 1951 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REAPPORTIONMENT OF APPROPRIATION TO DEPARTMENT OF JUSTICE ENTITLED "SUPPORT OF UNITED STATES PRISONERS"

A letter from the Director, Executive Office of the President, Bureau of the Budget, reporting, pursuant to law, that the appropriation to the Department of Justice for "Support of United States Prisoners" for the fiscal year 1952 had been reapportioned on a basis which indicates a necessity for a supplemental estimate of appropriation (with an accompanying paper); to the Committee on Appropriations.

REPORT ON NATIONAL INDUSTRIAL RESERVE

A letter from the Chairman of the Munitions Board, transmitting, pursuant to law, a report on the National Industrial Reserve, dated April 1, 1952 (with an accompanying report); to the Committee on Armed Services.

REPORT ON NATIONAL TRUST FOR HISTORIC PRESERVATION

A letter from the Secretary, National Trust for Historic Preservation, Washington, D. C., transmitting, pursuant to law, a report of the National Trust for the calendar year 1951 (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Mississippi, relating to the amendment of the Dependency Allotment Act of 1950, to permit dependents of members of the Armed Forces to qualify for class Q allotments in hardship cases; to the Committee on Armed Services.

(See concurrent resolution printed in full when presented by Mr. EASTLAND on March 31, 1952, p. 3148, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of New York; to the Committee on Interior and Insular Affairs:

"Concurrent resolution of the senate and assembly memorializing the Congress of the United States to establish as a national memorial a cemetery of Revolutionary soldiers located in Brooklyn

"Whereas the lead editorial of the Brooklyn Eagle of Wednesday, January 23, 1952, forcibly calls attention to neglected conditions existing around the hallowed spot on Third Avenue between Seventh and Eighth Streets, Brooklyn, where 256 Maryland soldiers lie buried; and

"Whereas these gallant soldiers gave their lives on the morning of August 27, 1776, in halting the encirclement of General Washington's Army by the British at the old Stone House at Gowanus. By their immortal sacrifice it has been truly said that 'they saved the American Army' since the glorious and effective amphibious withdrawal of the American Army under General Washington, after the battle in which these men died, could not have been possible without the great sacrifice they made; and

"Whereas for the greater part of a century and three-quarters, their place of interment has been neglected, unattended, forsaken, almost forgotten, and unmarked except for a bronze plaque placed on the site by the American Legion; and

"Whereas it is a sad commentary that their path of glory should lead to such a nameless and forsaken spot. The people of this Nation should see to it that these honored dead shall not continue to sleep in obscurity in a land which today enjoys the blessings these men died to make possible: Now, therefore be it

"Resolved (if the senate concur), That the Legislature of New York State hereby respectfully memorializes the Congress to cause appropriate action to the end that the lands above referred to be established and maintained as a national memorial by the appropriate agency of the Federal Government, belonging to no single State or community, but furnishing an inspiration to the youth of America and shrine of American patriotism; and be it further

"Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the House of Representatives, and to each Member in Congress from the State of New York.

"By order of the assembly:

"ANSLEY B. BORKOWSKI,
"Clerk.

"In senate, March 14, 1952; concurred in without amendment.

"By order of the senate:

"WILLIAM S. KING,
"Secretary."

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

"Concurrent resolution of the senate and assembly memorializing the Congress of the United States to increase the tariff on bicycle importation

"Whereas the bicycle industry represents the backbone of business in the city of Little Falls, Herkimer County, N. Y., and in several small cities within the State of New York; and

"Whereas many bicycles are being made and brought into the United States from several foreign countries; and

"Whereas the rates of pay in these countries for the fabrication of materials and building of bicycles is so much lower than the prevailing rates in the United States that it is impossible for manufacturers in the United States to compete in this business; and

"Whereas the Legislature of the State of New York strongly protests any tariff reduction on the importation of bicycles and favors an increase on such importation to benefit domestic industry: Now, therefore, be it

"Resolved (if the senate concur), That the legislature of the State of New York hereby respectfully memorializes the Congress of the United States to increase the tariff on importation of bicycles, but in no event to reduce such tariff; and be it further

"Resolved (if the senate concur), That copies of this resolution be transmitted to

the President of the United States Senate and to the Speaker of the House of Representatives, and to each Member of Congress from the State of New York.

"By order of the assembly,

"ANSLEY B. BORKOWSKI,
"Clerk.

"In senate, March 13, 1952; concurred in without amendment.

"By order of the senate,

"WILLIAM S. KING,
"Secretary."

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

"Concurrent resolution of the senate and assembly memorializing the Congress of the United States to approve a bill (H. R. 5219) introduced by Congressman W. L. PROUTY to provide for the development of a deep waterway on Lake Champlain

"Whereas it is believed that a direct natural inland waterway, linking the United States and Canada via the Richelieu River, Lake Champlain and the Barge Canal would be of great benefit to the economy, industry and safety of both nations; and

"Whereas international surveys have indicated that such a route is both feasible and practical from an engineering point of view; and

"Whereas the deepening of a 66-mile section of the waterway from St. Ours in Canada to Rouses Point in the United States by an additional 6 feet would provide a waterway not less than 12 feet deep over the entire distance from Montreal to New York City; and

"Whereas the availability of such a waterway would reduce the water distance for vessels traveling from Montreal to New York City by 1,218 miles; and

"Whereas both the United States and Canada have spent millions of dollars to insure navigation at a minimum 12-foot depth along 386 miles of the existing 452-mile waterway; and

"Whereas the present condition of the waterway limits commercial travel between Canada and the United States to barges of approximately 200-ton capacity with a draft of less than 6½ feet; and

"Whereas a waterway of minimum 12-foot depth would increase the individual barge capacity over this route to not less than 2,500 tons; and

"Whereas canal shipment on the New York State Barge Canal during the year 1951 reached an all-record high of 5,211,472 tons, indicating the value and importance of travel of this type; and

"Whereas the expanding development of Canadian iron ore, particularly in Labrador, has reemphasized the desirability of providing inexpensive water transportation through the Champlain waterway to the United States and has high-lighted the potentiality of expanding the steel output of the United States by the creation of additional facilities along the shores of Lake Champlain and/or in the municipalities served by this waterway; and

"Whereas it now appears that Labrador may soon become the principal source of iron ore for the steel industries of both the United States and Canada and that this ore is so situated as to lend itself most readily to water transportation; and

"Whereas the said waterway would facilitate the exportation of iron ore, newsprint, paper, pulp, pulpwood, hay, bricks, and miscellaneous products from Canada and the importation from the United States of coal, clay, petroleum, bauxite, marble, agricultural and other machinery, slate and similar products; and

"Whereas the aforesaid waterway would provide a safe and secure means of inland transportation for numerous types of vital commodities between the United States and Canada in time of war or national emergency, and greatly add to the joint defense of Canada and the United States; and

"Whereas the aforesaid waterway would stimulate industry, benefit recreational interests in Canada and in the States of Vermont and New York, and stimulate boating activity in the area; and

"Whereas Congressman W. L. PROUTY, of Vermont, has introduced in the Congress of the United States a bill (H. R. 5219) calling upon the Congress to provide for the development of a deep waterway over the area herein specified: Now, therefore, be it

"Resolved (if the senate concur), That the Congress of the United States be and it hereby is memorialized to approve of the aforesaid Prouty bill or, in the alternative, to seek the cooperation and assistance of the Canadian Government in surveying the desirability of expanding and increasing the present facilities of the Champlain waterway to provide not less than a 12-foot-deep inland waterway between Canada and the United States; and be it further

"Resolved (if the senate concur), That Congress is further memorialized to take all necessary and appropriate steps to accomplish this purpose; and be it further

"Resolved (if the senate concur), That copies of this resolution be forwarded to the President of the United States, the Speaker of the House of Representatives of the United States, and to each United States Senator and Member of the House of Representatives elected from the State of New York.

"By order of the assembly:

"ANSLEY B. BORKOWSKI,
"Clerk.

"In senate, March 17, 1952; concurred in without amendment.

"WILLIAM S. KING,
"Secretary."

A cablegram in the nature of a memorial from the Filipino Shipowners Association, Manila, Philippine Islands, remonstrating against any further extension of charters of United States maritime vessels to certain Philippine operators; to the Committee on Interstate and Foreign Commerce.

A letter in the nature of a memorial from the American Baptist Association, Texarkana, Ark.-Tex., signed by A. S. Powers, secretary-treasurer of missions, and A. L. Patterson, business manager of publications, remonstrating against the appointment of an ambassador to the Vatican; to the Committee on Foreign Relations.

A letter in the nature of a memorial signed by members of the faculties of Roosevelt College, University of Chicago, and Northwestern University, relating to the testimony of Owen Lattimore before the Subcommittee on Internal Security of the Senate Judiciary Committee; to the Committee on Rules and Administration.

A telegram in the nature of a petition from the National Commander of the American Legion, Washington, D. C., favoring the early enactment of Senate bill 2550, to revise the laws relating to immigration, naturalization, and nationality; ordered to lie on the table.

A telegram from the Kentucky State Dental Association, Louisville, Ky., signed by M. J. Wilson, president, and A. B. Coxwell, secretary-treasurer, embodying a resolution adopted by the association protesting against the elimination of special pay to dental officers as contained in H. R. 5715, the Armed Forces pay raise bill; ordered to lie on the table.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. McCLELLAN, from the Committee on Government Operations:

S. 2223. A bill to authorize and direct the Administrator of General Services to transfer to the Department of the Navy the Government-owned magnesium foundry at Teterboro, N. J.; without amendment (Rept. No. 1359).

BILLS INTRODUCED

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

By Mr. SALTONSTALL (by request):

S. 2960. A bill for the relief of Robert J. Saar; and

S. 2961. A bill for the relief of Francesco Paolo Asaro; to the Committee on the Judiciary.

By Mr. THYE (for himself, Mr. MUNDT, Mr. CASE, and Mr. HUNT):

S. 2962. A bill to appropriate $25,000,000 for the establishment of laboratories for research and study of foot-and-mouth disease and other animal diseases, as authorized by section 12 of the act of May 29, 1884, as amended; to the Committee on Appropriations.

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

By Mr. JOHNSON of Colorado:

S. 2963. A bill to clarify certain provisions of law pertaining to the retirement of permanent and temporary warrant officers of the Army and Air Force, and for other purposes; to the Committee on Armed Services.

By Mr. TAFT:

S. 2964. A bill for the relief of Wong You Henn; to the Committee on the Judiciary.

By Mr. BRICKER:

S. 2965. A bill for the relief of Setsuko Motohara Kibler, widow of Robert Eugene Kibler; and

S. 2966. A bill for the relief of Manfred Vollmering; to the Committee on the Judiciary.

By Mr. BUTLER of Maryland:

S. 2967. A bill for the relief of Eustratia Vasilios Dordopoulos; to the Committee on the Judiciary.

AMENDMENTS TO INTERSTATE COMMERCE ACTS

Mr. JOHNSON of Colorado (by request) submitted an amendment in the nature of a substitute, intended to be proposed by him to the bill (S. 2348) to amend the procedure of the Interstate Commerce Commission, which was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

Mr. JOHNSON of Colorado (by request) submitted amendments in the nature of a substitute, intended to be proposed by him to the bill (S. 2362) to amend the Interstate Commerce Act to restrict operations of private carriers by motor vehicle, and to restrict the leasing of vehicles, which were referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

Mr. JOHNSON of Colorado (by request submitted an amendment in the nature of a substitute, intended to be proposed by him to the bill (S. 2518) to amend the Interstate Commerce Act, and for other purposes, which was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

Mr. JOHNSON of Colorado (by request) submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (S. 2713) to amend the Interstate Commerce Act, as amended, to provide more definite stand-

ards for determining who is entitled to exemption from part IV of said act as an association of shippers or a shippers' agent, which was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

HOUSE BILLS AND JOINT RESOLUTION REFERRED OR PLACED ON CALENDAR

The following bills and joint resolution were severally read twice by their titles, and referred, or placed on the Calendar, as indicated:

H. R. 160. An act to amend section 5192 of the Revised Statutes, with respect to the reserves of certain national banks;

H. R. 2608. An act to amend the Federal Credit Union Act;

H. R. 3177. An act to amend title IV of the National Housing Act, as amended;

H. R. 4792. An act to provide for the transfer of the Jeremiah Curtin home and underlying land to the Milwaukee County Historical Society by the Public Housing Administration;

H. R. 5120. An act to amend the Federal Deposit Insurance Act so as to require the insurance of deposits payable at branches of insured banks in Puerto Rico;

H. R. 6101. An act to extend the provisions of the Federal Credit Union Act, as amended, to the Virgin Islands; and

H. R. 6909. An act to amend section 14 (b) of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

H. R. 459. An act to confer jurisdiction on the several States over offenses committed by or against Indians within Indian country;

H. R. 472. An act to permit the mining, development, and utilization of the mineral resources of all public lands withdrawn or reserved for power development, and for other purposes;

H. R. 2327. An act to authorize the exchange of lands acquired by the United States for Prince William Forest Park, Prince William County, Va., for the purpose of consolidating Federal holdings therein, and for other purposes;

H. R. 4239. An act to direct the Secretary of the Army to reestablish and correct the boundaries of the Quincy National Cemetery by the exchange of Government-owned lands in the Quincy-Graceland Cemetery, Quincy, Ill.;

H. R. 4974. An act to provide for the addition of certain Government lands to the Cape Hatteras National Seashore Recreational Area project, and for other purposes; and

H. R. 5577. An act to declare that the United States holds certain lands in trust for the Stockbridge-Munsee Community, Inc., of the State of Wisconsin; to the Committee on Interior and Insular Affairs;

H. R. 5045. An act to amend the Administrative Procedure Act; to the Committee on the Judiciary;

H. R. 6661. An act to amend the Foreign Service Buildings Act, 1926; to the Committee on Foreign Relations;

H. R. 5652. An act authorizing the Oregon State Highway Commission to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into north slough, Coos County, 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; ordered to be placed on the calendar.

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

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

By Mr. BRICKER:

Address entitled "Government Corruption—Basic Causes and Suggested Remedies," delivered by Senator HENDRICKSON on March 27, 1952, before Rotary Club at Cincinnati, Ohio.

By Mr. MARTIN:

Broadcast by him on March 31, 1952, No. 56 in the series of his reports to the people of Pennsylvania, under the title "Happenings in Washington."

Editorial entitled "Where the Money Goes," published in the Oil City (Pa.) Derrick of March 26, 1952.

By Mr. ROBERTSON:

Editorial relating to the attitude of Hon. Adlai Stevenson, Governor of Illinois, toward the FEPC, published in the Richmond Times-Dispatch of April 1, 1952.

By Mr. LEHMAN:

Editorial published in the Washington Post of April 1, 1952, entitled "Oil and Schools."

LEGISLATIVE RECOMMENDATIONS OF NATIONAL SMALL BUSINESSMEN'S ASSOCIATION, WASHINGTON, D. C.

Mr. SCHOEPPEL. Mr. President, the National Small Businessmen's Association during its annual convention here in Washington, D. C., made certain legislative recommendations to the Congress. I ask unanimous consent that the recommendations be printed in the body of the RECORD.

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

LEGISLATIVE RECOMMENDATIONS FOR THE SECOND SESSION OF THE EIGHTY-SECOND CONGRESS BASED ON SOME OF THE RESOLUTIONS ADOPTED MARCH 31, 1952, AT THE FOURTEENTH NATIONAL MEMBERSHIP MEETING OF THE NATIONAL SMALL BUSINESS MEN'S ASSOCIATION, INC., HOTEL STATLER, WASHINGTON, D. C.

1. An independent Federal Reserve bank and a stable redeemable currency are essential to a sound economy.

2. The prompt enactment of an amendment to the Constitution putting a peacetime limit of 25 percent on income and inheritance taxes.

3. The legal debt limit should not be increased.

4. Appropriations for fiscal 1953 should be less than the anticipated income.

5. That the Government be prohibited from producing goods or rendering services in competition with private enterprise.

6. Industry-wide bargaining be banned.

7. Membership or nonmembership in a labor organization shall not be a condition of employment.

8. We are opposed to any compulsory health-insurance program.

9. All antitrust and monopoly laws be amended to cover labor organizations when acting in restraint of trade.

10. We oppose Federal control over State unemployment compensation.

11. Those provisions of the income-tax and social-security laws which require employers to collect taxes should be repealed.

12. Social-security laws taxing the self-employed should be repealed.

13. Eliminate double taxation on corporate dividends.

14. Tax cooperatives and the commercial and industrial activities of nonprofit corporations, associations, foundations, and unions on the same basis as private business enterprises.

15. We oppose Federal aid to education and other forms of Government subsidy.

16. Amend the Constitution to provide that all treaties shall be subordinate to the laws of the United States.

17. We are opposed to any form of world government.

We'll be glad at any time, before a congressional committee or otherwise, to amplify our recommendations and to present supporting data.

RECREATIONAL AND WILDLIFE RESOURCES—LETTERS FROM WISCONSIN WILDLIFE CONSERVATION ORGANIZATIONS

Mr. WILEY. Mr. President, I have received today from the distinguished conservation director of my State, of Wisconsin, Ernest Swift, a copy of a message which he has sent to the Honorable HAROLD COOLEY, chairman of the House Agriculture Committee, endorsing H. R. 565. The purpose of the bill is to encourage the full utilization and proper management of America's great recreational and wildlife resources, by having 10 percent of national forest receipts assigned to those purposes.

I have also received a letter from the Milwaukee County Conservation Alliance consisting of a great many fine organizations in Wisconsin's most populous county devoted to preserving our great outdoor heritage.

I ask unanimous consent that the text of Mr. Swift's letter be printed in the body of the RECORD at this point, to be followed thereafter by the text of a letter sent to me by President Earl W. May, of the Milwaukee County Conservation Alliance.

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

STATE OF WISCONSIN,
CONSERVATION DEPARTMENT,
Madison, March 25, 1952.

Hon. HAROLD COOLEY,
Chairman, House Committee on Agriculture, House Office Building, Washington, D. C.

DEAR CONGRESSMAN COOLEY: We are informed that a hearing is scheduled April 8 before your committee to consider the Tackett bill, H. R. 565. We wish to register our support of this measure and urge that your committee report it favorable for passage.

In August 1951, the Wisconsin Conservation Commission took official action recommending this legislation which is urgently needed for the full utilization and proper management of the recreational and wildlife resources of the national forests. We are anxious to see the effect of such a 10-percent assignment of national forest receipts on the two national forests in our State.

Your consideration of this letter as a part of your discussions on April 8 will be appreciated.

Respectfully yours,

ERNEST SWIFT,
Conservation Director.

CONSERVATION ALLIANCE, INC.,
Milwaukee, Wis., March 21, 1952.

Senator ALEXANDER WILEY,
Senate Office Building, Washington, D. C.

DEAR SENATOR WILEY: We are familiar with the inability of the United States Forest Service to give proper attention to the development of the wildlife and recreational resources of the national forests because of the lack of funds for these important purposes. There have been several suggestions

made by various interested groups to remedy this situation. Of those coming to our attention, the Tackett bill, H. R. 565, appears to have received the most publicity and support.

The Milwaukee County Conservation Alliance most heartily endorses this bill to make 10 percent of national forest receipts available to the Forest Service for development of the wildlife resource and recreational facilities on the national forests. We urge your support of scheduled committee hearings at which the desirability of this legislation can be presented by interested groups such as ours.

Yours very truly,

EARL W. MAY,
President.

PROGRESS BY AMERICAN LABOR

Mr. MURRAY. Mr. President, the progress American labor has made in the past 20 years is one of the great accomplishments of liberal Democratic government. The failure of our economic system in the late twenties, which was followed by the great depression and mass unemployment, was due to the lack of purchasing power in the hands of the people. Our economy was operating on a basis which had developed an unfair distribution of the greatly increased industrial production we had accomplished. The wages of the workers were so low that they had scarcely sufficient income to meet the bare necessities of living, and were crowded out of the market generally as consumers of modern industrial products. As was pointed out by President Franklin D. Roosevelt in the early part of his administration, they were "ill-fed, ill-housed, and ill-clothed."

As a result of World War I, American industry had been geared to a system of mass production and was turning out in great quantities modern products which greatly improved the standards of living for the American people who might be able to purchase them. It was soon discovered, however, that a mass-production system such as we had developed required a greatly increased purchasing power in the hands of the people to maintain it.

As a result of these conditions, production was piling up while purchasing power was disappearing. The wealth of the country had been largely concentrated in the hands of the few, while the workers were finding it increasingly difficult to maintain their families, and unemployment was developing in many parts of the country.

The collapse came with the crash of the stock market in Wall Street, which was followed by a rapid development of unemployment throughout the Nation. Following that collapse, a Democratic administration which came into power sought to correct the evils which had developed and to bring about a better and fairer distribution of the products of industry.

I have prepared a statement which shows the great progress labor has made during the last 20 years, which has been the principal factor in making the United States the greatest industrial power in the world.

Mr. President, I ask that this statement be printed in the RECORD at the conclusion of these remarks.

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

LABOR'S 20 YEARS OF PROGRESS: WE'VE COME A LONG WAY

(Statement by Hon. JAMES E. MURRAY, chairman, Committee on Labor and Public Welfare, United States Senate)

Workers in this country have come a long way from a state of widespread poverty, low wages, and unemployment in 1932 to the present increased scale of living and full employment. This has resulted in changing the name of our economic system from "capitalism" to "the American way of life."

Even today we have much to do. Reactionary politicians and their monopolistic backers are spreading propaganda across the country, undertaking to discredit Democratic accomplishment. But let us look at the record and compare the present with 20 years ago.

I. FROM BREADLINES TO DECENT JOBS

Statistics alone can never indicate the human degradation imposed by the great depression. But let us remember that in 1932 nearly 13,000,000 men and women, a quarter of the working population, were totally and despairingly without work.

Look at the change in 1951: Sixty-one million of us with jobs. The highest employment record in the history of the United States

Nor is this full employment the result of a temporary arms boom. In 1947 and 1948, after arms spending had dropped 90 percent from the wartime peak, the American labor force was still 96.6 percent employed. For the first time in history, due to carefully planned Democratic programs like the Contract Termination Act and other legislation, we made a quick transition from a war to a civilian economy. Thus, we had a major war not followed by a major depression.

II. FROM $17 A WEEK TO $67 A WEEK

Consider the pay envelope's progress since 1932. Twenty years ago the factory worker's average pay was $17 a week, if he had a job. Even in 1929, the height of the Republican "prosperity," it was only $25. In January 1952 the average worker drew nearly $67 a week in wages.

Even allowing for the higher cost of living today, and for higher Federal taxes, the worker's weekly pay has risen 90 percent since 1932, 62 percent since 1929.

In 1929 a worker had to put out 166 hours of work to pay for a 7-tube radio set. Today he can buy a 20-inch television set for the price of 98 hours of work.

III. FROM 44 HOURS A WEEK TO 41 HOURS A WEEK, PLUS OVERTIME

Back in 1929, the best Republican days, the average factory worker labored 44 hours for that slim weekly pay of $25. Now average hours are down to 41, despite the great rise in the pay and purchasing power of the worker.

Today, moreover, most workers get time and a half for work over 40 hours. Premium overtime after 40 hours was practically unknown in the Republican heyday. Now most workers also get paid holidays. Many are getting paid vacations. Workers have more time to enjoy life. The American economic system has been strengthened.

IV. FROM POORHOUSES AND CHARITY TO PENSIONS AND INSURANCE

Under prior Republican administrations the average worker was forced to rely on private charity, the poorhouse, and his children for security in old age. Now 36,000,000 workers are entitled to social-security pensions in their old age. Now social security provides life-insurance protection worth $200 billion to 65,000,000 people (about $3,000 a person)—and the total will rise to $250,000,000 in the middle of this year. Now 37,000,000 workers have unemployment insurance, if they lose their jobs. And the free Federal-State employment service will help any worker find a new job.

V. FROM SLUMS AND SHANTY TOWNS TO DECENT HOMES

Today we no longer need live in slums. Government slum-clearance projects showed us that—and Government low-cost financing and inspection for private builders and home buyers.

As a result, 90 percent of workers' housing now has bathtubs or showers. Today 24,000,000 Americans own their own homes, compared to 14,000,000 in 1929. And Government rent controls have meant that workers in recent years paid only 16 percent of their income for rent and utilities, compared to 23 percent in the mid-1930's.

VI. FROM GOONS AND INJUNCTIONS TO COLLECTIVE BARGAINING

Many of labor's gains since 1933 have come directly from stronger unions and strong collective bargaining. Union membership now stands at 15,000,000. During Republican years it never reached 5,000,000, and in 1932 had sunk to 3,000,000. Democratic government made these gains possible when in 1933 and again in the 1935 Wagner Act it wrote into law—and enforced—the worker's right to organize freely and bargain collectively. Where would unions—and workers—now be, had the Taft-Hartley crew been in power since 1933?

VII. FROM EXPLOITATION OF THE WEAK TO LEGAL GUARANTIES

Today we no longer have child labor in our factories. Today cheap chiselers can no longer exploit working women. Today we no longer suffer starvation wages—the legal minimum is 75 cents an hour. Today the handicapped are getting government help in finding jobs. Today race discrimination in jobs is declining. For all these accomplishments we can thank our Democratic government.

VIII. FROM PARIAH STATUS FOR LABOR TO PARTICIPATION IN GOVERNMENT

Ever since the NRA in 1933, Democratic government has urged labor's leaders to participate in the Government's economic and social programs. Today labor participates in key mobilization agencies, and has lent the Government some of its best men to help in such programs abroad as the Marshall plan and point 4.

Altogether this record proves beyond a shadow of doubt that the worker's only insurance lies in Democratic government. Democratic government produces not words, but results. Since 1933 it has written into the statue books the Wagner Act, the Social Security Act, the minimum wage and child labor laws, laws for public housing and for FHA financing, the GI bill, the Full Employment Act and many others.

All students of our American economic system recognize that we have overcome the threat of communism in America by making our economic system work for the benefit of all.

Democratic government produced these results because it works—and will continue to work—toward prosperity and justice for all, and not for the benefit of any one group.

DEATH OF FORMER SENATOR WALLACE H. WHITE, OF MAINE

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that I may

speak very briefly about the death of the late distinguished former Senator Wallace H. White, of Maine.

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

Mr. SALTONSTALL. Mr. President, I feel very sorry that I was not here yesterday to hear the Senator from Maine [Mrs. SMITH] and other Senators speak about a man whom I considered one of my best friends in this body, one who was a true gentleman in the fullest meaning and sense of the word.

Senator White was modest, retiring, and always generous in his estimates of others. On the Senate floor he took the position that he always should know all the facts about a problem before he reached his conclusions. I know of no man who was more careful in his judgment than was the late Senator from Maine, Wallace White. I had the utmost admiration for the way he conducted his work in the Senate, and the greatest respect for him as a man. I think that as he grew older, he had more difficulty in reaching his conclusions, because he always saw so much to be considered on both sides of questions.

Mr. President, there are two short statements which Senator White gave me when I was a new Member of the Senate, which I should like to quote. One of them is in his own handwriting; the other one is now typewritten, since I lost the original manuscript. During my first few months here, he said to me, "Always remember what Prime Minister Disraeli said to a new member who had asked him whether he should speak. Disraeli said, 'It is better to have members wonder why you do not speak, rather than to have them wonder why you do.' "

He also quoted to me—and I have it in his own longhand writing—the statement by Horace:

> Be brief, so that the thought does not stand in its own way, hindered by words that weigh down the tired ear.

He quoted Horace further, as follows:

> More ought to be scratched out than left.

Mr. President, in adding these words to what appears in the RECORD concerning Wallace White, I wish to say that I feel I have lost one of the best friends I have made since coming to Washington as a Member of this body. Wallace White was a man whom all who knew him will always remember gratefully as a friend.

MOTIONS TO RECONSIDER MUTUAL DEFENSE TREATY BETWEEN UNITED STATES AND THE PHILIPPINES, AND SECURITY TREATY BETWEEN AUSTRALIA, NEW ZEALAND, AND THE UNITED STATES

The Senate resumed consideration of the motions of Mr. WATKINS to reconsider the votes of the Senate on Thursday, March 20, 1952, advising and consenting to the ratification of the mutual defense treaty between the United States of America and the Republic of the Philippines (Ex. B, 82d Cong., 2d sess.), and a security treaty between Australia, New Zealand, and the United States of America (Ex. C, 82d Cong., 2d sess.).

The VICE PRESIDENT. The Senate is in executive session. By unanimous consent there is an hour of debate on the motions of the Senator from Utah [Mr. WATKINS] to reconsider the votes by which certain treaties were ratified. The motion to reconsider the vote advising and consenting to the ratification of the mutual defense treaty between the United States of America and the Republic of the Philippines is pending. The motion to reconsider the vote of the Senate advising and consenting to the ratification of the security treaty between Australia, New Zealand, and the United States of America, has been entered. The agreement is that they be consolidated, not for the purpose of voting, but for the purpose of debate, with 30 minutes to a side, to be controlled by the Senator from Utah [Mr. WATKINS] and the Senator from Texas [Mr. CONNALLY].

Mr. KNOWLAND. Mr. President, I ask unanimous consent that there may be a quorum call, the time not to be charged to either side.

The VICE PRESIDENT. Is there objection? The Chair hears none. Does any Senator make the point of no quorum?

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Bennett	Hendrickson	Neely
Bridges	Hickenlooper	Robertson
Butler, Md.	Hill	Saltonstall
Cain	Hoey	Schoeppel
Carlson	Holland	Seaton
Chavez	Ives	Smathers
Clements	Johnston, S. C.	Smith, Maine
Connally	Knowland	Taft
Dirksen	Lehman	Thye
Ferguson	Martin	Watkins
Flanders	Maybank	Wiley
Frear	McClellan	Williams
Fulbright	McFarland	
George	Murray	

Mr. McFARLAND. I announce that the Senator from Connecticut [Mr. BENTON], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Maryland [Mr. O'CONOR], and the Senator from North Carolina [Mr. SMITH] are absent on official business.

The Senator from Missouri [Mr. HENNINGS] and the Senator from West Virginia [Mr. KILGORE] are absent by leave of the Senate on official business.

The Senator from Connecticut [Mr. MCMAHON] is absent because of illness.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN] and the Senator from Maine [Mr. BREWSTER] are absent on official business.

The Senator from Nebraska [Mr. BUTLER], the Senator from Indiana [Mr. JENNER], and the Senator from Oregon [Mr. MORSE] are necessarily absent.

The Senator from Missouri [Mr. KEM] is absent by leave of the Senate.

The VICE PRESIDENT. A quorum is not present.

Mr. McFARLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. ANDERSON, Mr. BRICKER, Mr. BYRD, Mr. CAPEHART, Mr. CASE, Mr. CORDON, Mr. DOUGLAS, Mr. DUFF, Mr. DWORSHAK, Mr. EASTLAND, Mr. ECTON, Mr. ELLENDER, Mr. GILLETTE, Mr. GREEN, Mr. HAYDEN, Mr. HUMPHREY, Mr. HUNT, Mr. JOHNSON of Colorado, Mr. JOHNSON of Texas, Mr. LANGER, Mr. LODGE, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. MCCARRAN, Mr. MCCARTHY, Mr. MCKELLAR, Mr. MILLIKIN, Mr. MONRONEY, Mr. MOODY, Mr. MUNDT, Mr. NIXON, Mr. O'MAHONEY, Mr. PASTORE, Mr. RUSSELL, Mr. SMITH of New Jersey, Mr. SPARKMAN, Mr. STENNIS, Mr. TOBEY, Mr. UNDERWOOD, Mr. WELKER, and Mr. YOUNG entered the Chamber and answered to their names.

The VICE PRESIDENT. A quorum is present.

Let the Chair state the situation: Under the unanimous-consent agreement, there is no agreement for the Senate to vote on both the motions together, although the unanimous-consent agreement carries with it a limitation of debate on both the motions.

It has been suggested to the Chair that, in view of the discussion as recorded in yesterday's RECORD, apparently it was intended to have both motions voted on at the same time.

If that is approved the Chair will say that, without objection, after the debate is concluded, the Senator from Utah may enter the other motion and may have both of them voted on together.

Is there any objection to that arrangement?

Mr. WATKINS. Mr. President, at the moment I do not think I shall object, but I think we should cross that bridge when we come to it.

The VICE PRESIDENT. Very well.

The Senator from Utah is recognized for 30 minutes.

Mr. WATKINS. Mr. President, recently we had before this body some very important treaties. We ratified the Japanese Peace Treaty and we ratified the so-called security treaty with Japan. On the same evening, at the end of a long day of debate, we ratified by voice vote, in a very rapid fashion, the mutual security treaties with Australia and New Zealand, and the Philippines. Those were two separate documents, one of them relating to the Philippines, and the other relating to Australia and New Zealand. Mr. President, I think we should give to those treaties more attention than they have received.

At this time I wish to yield myself 20 minutes, Mr. President, so that my attention will be called at the end of that time, for I wish to reserve 10 minutes of the 30 minutes allotted.

The VICE PRESIDENT. The Senator from Utah is recognized for 20 minutes, a part of which has already expired.

Mr. WATKINS. Mr. President, in the haste to get the treaties out of the way that afternoon, we did not make any legislative history regarding the treaties, except to the extent of their actual ratification. So far as I can ascertain, there was very little discussion of the treaties in the Foreign Relations Committtee, and there was none here on the floor of the Senate.

I have considered the various treaties into which we have entered, particularly the North Atlantic Treaty and the United Nations Charter, because I understand that these Pacific security treaties are patterned after the North Atlantic Treaty. We are extending into the Pacific area the regional security arrangements we have made in the North Atlantic area. However, I notice the absence in the Pacific pacts of some very specific language contained in the North Atlantic Pact. I am very much concerned about that omission, and I believe that the Congress and the people of the United States should also be concerned about it. That omission may have been an oversight, or it may have been necessary that the treaties be drafted as they now stand.

I shall say now, as I said last evening here on the floor, that, on the whole, I am in favor of the objectives of these treaties. Inasmuch as we have started on a collective-security program, I can see no sound reason why we should not extend it to the Pacific area.

I call attention now to the security pact between Australia and New Zealand and the United States. That pact provides, among other things, in article II the following:

> In order more effectively to achieve the objective of this treaty the parties separately and jointly by means of continuous and effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack.

Mr. President, that article is similar to article III of the North Atlantic Pact, which was the subject of considerable debate when that pact was before the Senate. As I recall, article III is the article under which the President claims to be operating now in sending troops and armed forces to certain European nations, to help garrison them prior to an aggression.

However, we should note that there is a vast difference between the pact regarding Australia and New Zealand and the North Atlantic Treaty, when it comes to article II of the latter treaty. The pact with New Zealand and Australia does not contain the same language which article II of the North Atlantic Pact contains. There is a significant omission.

Article IX of the pact with New Zealand and Australia reads in part as follows:

> This treaty shall be raitified by the parties in accordance with their respective constitutional processes. The instruments of ratification—

And so forth. The important part of that article is, as I read it:

> This treaty shall be ratified by the parties in accordance with their respective constitutional processes.

That is the end of the matter which is material to my discussion at this time.

Let us compare that part of article IX of the treaty with Australia and New Zealand with article II of the North Atlantic Pact. I shall read the part of article II which is germane to my present discussion:

> This treaty shall be ratified and its provisions carried out by the parties in accordance with their respective constitutional processes.

The language "and its provisions carried out" has been omitted from the pact with New Zealand and Australia; I had been informed that in the Pacific area pacts we were supposed to follow largely the language of the North Atlantic Pact, and that the same principles would be involved.

Mr. President, the meaning of the words "constitutional processes" is very important. It is most important not only with respect to ratification—but likewise with respect to the implementation of the treaties, as provided in the North Atlantic Pact, though not in the pacts now being considered. I point out that the President of the United States sent to Congress a message on that subject, which included a letter the Secretary of State wrote to the President regarding it. The letter of the Secretary of State outlined what the North Atlantic Pact meant. With reference to the North Atlantic Treaty provision about which I am speaking, Mr. Acheson wrote:

> The Senate resolution spoke of association of the United States "by constitutional process" with such arrangement as that established by the present treaty, and it is naturally understood, as this article provides, that both ratification of the treaty and the carrying out of all its provisions must be in accordance with the constitutional processes of the signatory nations.

The Secretary of State emphasized the words "the carrying out of all its provisions."

Then we have the report of the Senate Foreign Relations Committee on the North Atlantic Pact, in which was discussed the importance of that provision of article XI. I have already read that part of article XI, but for the sake of emphasis I shall read it again:

> This treaty shall be ratified and its provisions carried out by the parties in accordance with their respective constitutional processes.

Then the committee went on to say:

> The committee and the Senate, in Senate Resolution 239, attached great importance to assuring that any such agreement as the pact would not only be ratified in accordance with the "respective constitutional processes" of the signatory nations, but also that all its provisions would be carried out under the same constitutional safeguards.

I omit a few sentences, and then read the following:

> The committee wishes to emphasize the fact that the protective clause "in accordance with their respective constitutional processes" was placed in article XI in order to leave no doubt that it applies not only to article V, for example, but to every provision in the treaty. The safeguard is thus all-inclusive.

In the recent debate with reference to the admission of Greece and Turkey to membership in the North Atlantic Treaty alliance, a debate which arose largely as the result of an interpretative reservation which I offered, there was written some more legislative history regarding the North Atlantic Pact and what took place when the Foreign Relations Committee was considering it, before it was ever signed by the Secretary of State. In that debate a statement was made by the ranking member of the Foreign Relations Committee, the Senator from Georgia [Mr. GEORGE], from whose statement I quote the following:

> Let me say to the Senator from Ohio the only trouble which has arisen in this case has developed because of the President's interpretation of a power which the Senate never gave to him or intended to give to him with respect to the employment of troops in foreign countries under the treaty. Whatever may be the President's power generally under the Constitution is altogether a different question. When we were writing the North Atlantic Treaty it was upon my insistence as a member of the committee that article 11 was inserted.

Senator GEORGE then quotes article XI. The Secretary of State:

> The treaty shall be ratified and its provisions carried out by the parties in accordance with their respective constitutional processes.

The Secretary of State then, so the Senator from Georgia says, stated:

> The Secretary of State then interpreted that language to mean all of its provisions; which, of course, was correct.
>
> The Secretary of State, who was the spokesman for the administration, then interpreted the words "constitutional processes" to mean congressional approval insofar as a declaration of war or the employment of our troops in any foreign country was concerned, and that language was designedly inserted in the treaty. The only difficulty has arisen because of the failure of the Executive to follow a straightforward course and to act in accordance with the power delegated to him by the Congress, or, in the case, by the Senate.

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

Mr. WATKINS. I regret to say I cannot yield, because I am speaking under a time limit of only 30 minutes, attempting to cover two subjects, and unless the chairman of the Foreign Relations Committee, who has the time on the other side, can yield, I am unable to do so at this time.

Mr. MALONE. I merely desire to say that I should like to see the Senator cover the reasons for our inability to prevent the President of the United States from overstepping and taking unto himself an authority which he does not have and was not intended to have.

Mr. WATKINS. Mr. President, a question has arisen as to just what is meant by the term "constitutional processes." That term has been used in several treaties, and it is very important. Its first use of great importance was the Charter of the United Nations. It is mentioned in the third section of article III, wherein it says:

> The agreement or agreements—

That is speaking of agreements to furnish a police force to the U. N., which

were to be negotiated by the Security Council with the various member nations of the United Nations. Such agreements were to be ratified and approved by the various parties to that pact in accordance with their constitutional processes. This is what section 3 of article XLIII says:

> The agreement or agreements shall be negotiated as soon as possible, on the initiative of the Security Council. They shall be concluded between the Security Council and members or between the Security Council and groups of members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

After that, when the Senate was considering this matter, the junior Senator from Colorado [Mr. MILLIKIN] raised the question of what implementation would be. The question was discussed, and as I remember it was said it meant that the agreements would be effectuated according to our constitutional processes which, in effect, meant that Congress would implement the pact. Then, to make it absolutely certain that there would be no mistake that such agreements would be ratified according to constitutional processes, the Congress received a letter from the President of the United States, who was then in Potsdam. That letter was dated July 27, 1945. This is what the President said:

> During the debate in the Senate upon the matter of the Senate's giving its advice and consent to the Charter of the United Nations, the question arose as to the method to be followed in obtaining approval of the special agreements with the Security Council, referred to in article XLIII of the Charter. It was stated by many Senators that this might be done in the United States either by treaty or by approval of a majority of both Houses of Congress. It was also stated that the initiative in this matter rested with the President, and that it was most important to know before action was taken on the Charter which course was to be pursued.
>
> When any such agreement or agreements are negotiated, it will be my purpose to ask the Congress by appropriate legislation to approve them.

The Congress, relying on that letter from the President, passed the 1945 Participation Act. It was provided within that act that the President should have the authority to negotiate these special agreements with the Security Council, and that they must then be submitted to the Congress for ratification and approval. Of course, we know as a matter of history that it has not been possible to enter into any such agreements, at least, as of the present time, none has ever come before this body. That is one of the things about which we are contending with respect to the commitment of American forces to the operation in Korea.

Mr. President, the question arises in my mind, as I think it will arise in the minds of other Senators as they look over these new pacts, including the Philippine pact, why is it that the requirement that the treaty be implemented by constitutional processes is omitted from these Pacific pacts?

What is the significance of the omission of this language? If it was necessary for the Foreign Relations Committee to affirm that language and for the senior Senator from Georgia to insist upon its inclusion in the North Atlantic Security Pact, why is it not included in the pact with the Philippines and the pact with Australia and New Zealand? That is one question which, it seems to me, ought to be cleared up.

A long debate ensued in the Senate on the troops-to-Europe issue, which involved the question of the President's constitutional power under the North Atlantic Pact to send our Armed Forces abroad without the approval of Congress. Finally, the Senate adopted a resolution, an advisory one, it is true, in which we advised, in the interest of sound constitutional processes, that the Congress should be consulted before our troops are sent abroad. Then, in the McClellan amendment, we authorized the sending of four additional divisions and said in substance that, before any more are sent, the President should seek authorization from the Congress, or should consult the Congress.

Here we have a situation in the Pacific. The treaties now before the Senate will run much longer than the North Atlantic Treaty, in fact they contain no termination date whatever, as does the North Atlantic Pact; they go on indefinitely. The only thing we can do is, after 1 year's notice, to withdraw.

Can the President implement the Australian-New Zealand Pact and the Philippine Pact on his own authority without consultation with Congress? Does the omission of the language to which I have referred mean that we have given additional powers to the President under those pacts to permit him to implement them, or must the President do the same under those pacts as we think he is required to do, and as we have asserted he is required to do, under the North Atlantic Treaty, and that is, to have the consent of the Congress? It seems to me that is an important matter. It is just as important with respect to the sending of troops and armed forces to far-off Australia or the Philippines as it is with respect to sending them to Europe.

The Japanese Treaty, of course, is in a little different situation. I voted for the Japanese Peace Pact because it provided for agreements and authorized the President, or the executive department, to enter into agreements with respect to American bases and troops. But in the treaties now being considered the door is left wide open.

Having taken a position in the past and having insisted upon it in the advisory resolution adopted by the Senate, it seems to me we are now abandoning a principle for which we have heretofore stood.

There was no discussion of this question on the floor when these treaties were first considered; so I did not have an opportunity to ask any questions about them at that time. Action was taken so rapidly that I felt we would be justified now in ascertaining what the intention was in leaving out the language I spoke of a few moments ago. We should find out from the Foreign Relations Committee whether it can advise us with respect to the questions I have suggested.

Mr. President, how much time have I left of my first 20 minutes?

The VICE PRESIDENT. The Senator has used 17 minutes.

Mr. WATKINS. I should like then to propound this question, which I address to the Foreign Relations Committee: Does it follow that the obligations of the Australian-New Zealand Security Pact and the Philippine Pact need not be carried out in accordance with our constitutional processes? Usually in the drafting of contracts, if we employ certain language used in preceding contracts, and then later on in dealing with the same subject matter drop out that language, it means a change and probably an abandonment of the position formerly stated.

I felt that the Senator from Georgia rendered the country a great service by insisting, as he did, in the Foreign Relations Committee, on the inclusion of the language that the provisions of the treaty must be carried out by Congress or in accordance with our constitutional processes. This was interpreted by Mr. Acheson as meaning that the Congress was to have its say in the case of a declaration of war and the sending of our Armed Forces abroad.

Mr. President, we are assuming numerous international obligations. We have obligated ourselves to take care of the Atlantic Pact nations, plus two more, Greece and Turkey. We have added the Mediterranean, and now we are assuming an obligation in regard to almost the entire Pacific area. It is important to know in the future whether it was intended that Congress have something to say as to how these treaties are to be implemented or whether we deliberately turn that power over to the President.

This is not an academic question, Mr. President. It involves the power and authority of the Congress to speak for the people.

Last year I had the opportunity of visiting many of the schools and colleges in my State. I looked into the faces of the young men and young women attending those schools. It is they who are to carry the burden in the future. I frankly told them they would be carrying the burden, because the so-called cold war, the war going on in Korea, might continue indefinitely. At least, the present generation of us oldsters will probably not be carrying the burden.

The VICE PRESIDENT. The 20 minutes time of the Senator has expired.

Mr. WATKINS. I yield myself one more minute.

The younger generation will be called upon to carry the burdens and to fight the battles. The 18-year old boys are good fighters, and we are insisting on taking them into the armed services at that age. The young folks will have to pay the taxes and pay the debts. We have used our money and are still borrowing from generations of the future. Is it too much to ask that they shall have something to say, through their elected representatives? They are the ones who will be called into the service if their service should be required in implementation of these pacts which continue in force for 25, 50, or maybe 100 years. These pacts have no termination date. Let these

young people say finally, through their representatives, "It will be war or peace. We are going to make the final decision." Let them have an opportunity to do so. I am pleading for them, Mr. President.

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

Mr. WATKINS. Mr. President, I should like to have a spokesman for the Foreign Relations Committee point out the real meaning of the treaties and to answer the questions I have asked.

Mr. CONNALLY. Mr. President, I yield the Senator from Alabama [Mr. SPARKMAN] 5 minutes.

The VICE PRESIDENT. The Senator from Alabama is recognized for 5 minutes.

Mr. SPARKMAN. Mr. President, I believe I can give the Senator from Utah an answer in much less than the 5 minutes' time which has been allotted to me. I do not believe the fears he expresses with reference to the security pacts are justified. He does point out a difference in the language as between the North Atlantic Pact and the treaty from which he quoted. I believe it was the treaty with Australia and New Zealand.

First I may say it is true that the treaty is of indeterminate duration. That fact was pointed out when the treaty was being considered. The principal difference, as I understand, between the North Atlantic Pact and the security pacts to which the Senator from Utah has addressed himself today, is that the North Atlantic Pact, which is in the nature of an alliance, placing upon each nation an obligation to do what each nation deems best to do in order to carry out a mutual undertaking of defense, says in effect—I do not have the pact before me but I quote the language as I recall it—that an attack upon one nation is an attack upon all. In other words, it is a mutual undertaking that places obligations upon each one of the member nations. That language is not used in these pacts. I shall read the exact language used. It is this:

> Each party recognizes that an armed attack in the Pacific area on any one of the parties would be dangerous to its own peace and safety and declares that it will act to meet the common danger in accordance with its constitutional processes.

That lacks a good deal of going as far as does the North Atlantic Pact which says that an attack upon one nation is an attack upon all nations.

Mr. WATKINS. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. WATKINS. Do not the Australian and New Zealand Pacts say the same thing? Do they not mean that an attack upon one shall be considered an attack upon all?

Mr. SPARKMAN. The language I just read is the language in the Australian and New Zealand Pacts. I shall read it again. If the Senator will look at article 4, he will see the exact language:

> Each party recognizes that an armed attack in the Pacific area on any one of the parties would be dangerous to its own peace and safety and declares that it will act to meet the common danger in accordance with its constitutional processes.

Mr. President, that language was not accidentally inserted in the pact. It was deliberately written into it. I think the statement was made on the Senate floor at different times that, in effect, these pacts extended the Monroe Doctrine to the Pacific area. I submit, Mr. President, that it is entirely different from the undertaking in the North Atlantic Pact and that, therefore, the fears expressed by the distinguished Senator from Utah are not justified.

Mr. CONNALLY and Mr. WATKINS addressed the Chair.

Mr. SPARKMAN. I yield first to the Senator from Texas.

Mr. CONNALLY. Mr. President, let me ask the Senator from Alabama if it is not true that in article IV of the security pact with the Philippines and in article IV of the security pact with Australia and New Zealand, it is stated that each party will act to meet the common danger in accordance with its constitutional processes?

Mr. SPARKMAN. That is correct.

Mr. CONNALLY. Anything that is done by us under either one of those pacts has got to be done according to our constitutional processes.

Mr. SPARKMAN. That is certainly correct. I pointed out the distinction in the language.

Mr. CONNALLY. Exactly.

Mr. SPARKMAN. The language in that respect is identical in both the Philippine pact and the Australia and New Zealand pact.

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

Mr. SPARKMAN. I yield, if the Senator from Texas has concluded.

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

Mr. CONNALLY. I yield the Senator from Alabama sufficient time in which to answer the question of the Senator from Utah.

Mr. WATKINS. What is the meaning of "constitutional processes"? Does that mean Congress shall be consulted as to each step? For instance——

Mr. SPARKMAN. Let me answer the Senator in this way: Article II does not impose upon either the United States or the Philippines, in one instance, and Australia and New Zealand in the other instance, the obligation to move in case of attack. It simply says that each nation will undertake to maintain its own individual defenses, and, furthermore, that the respective nations may collaborate with each other in taking steps to provide mutual defense. I stated the obligation in article IV. It is merely this: First, that an attack in that area on either one of the parties will be construed as a matter of concern to each of the parties to the attack, and then that each party will proceed according to its own constitutional processes.

Mr. WATKINS. Will the Senator give his definition of "constitutional processes"?

Mr. SPARKMAN. I think I know, but I am not certain I could satisfy the Senator from Utah.

Mr. WATKINS. The Senator may not satisfy me, but he might at least make a statement for the RECORD as to the view of the Committee on Foreign Relations.

Mr. SPARKMAN. I would say that any action taken toward repelling an attack upon one of those countries would have to be submitted to Congress.

Mr. WATKINS. I did not hear all of the Senator's statement.

Mr. SPARKMAN. I said that in my opinion, in the event of an attack which would bring into play the security pact, we would have to follow regular constitutional processes, and the question would have to be submitted to Congress.

Mr. WATKINS. What about the implementation of article 2 of the Australian Pact? That has to do with the sending of troops in advance of an attack. That is what I want to know about. Does that involve constitutional processes? Can that be handled by the President alone, or must Congress have some say in the matter?

Mr. SPARKMAN. I do not think there is involved the question of sending troops to each of those countries. That is not contemplated in this treaty.

Mr. WATKINS. That is what we were told before in connection with the North Atlantic Treaty, yet troops were sent abroad, and Congress was never consulted about it.

I want to know whether the treaty means that the President can send troops to garrison Australia, the Philippines, or New Zealand, without the approval of Congress. The Senator will remember that Congress adopted a resolution providing that, in the interest of orderly process, the President should consult with Congress before he took such a step in the case of Europe, Congress authorized four divisions in an advisory way and said that if the President desired to send any more troops, he should consult with the Congress. Does the Senator agree with that resolution adopted by Congress and the interpretation which has been given to article III of the North Atlantic Pact?

Mr. SPARKMAN. Mr. President, I may say to the distinguished Senator from Utah that I certainly do not desire to open up that question. I have my own beliefs as to the powers of the President under the North Atlantic Pact, and they are different from the beliefs of the Senator from Utah.

Mr. WATKINS. I am asking the Senator a question with respect to that pact.

Mr. SPARKMAN. I think that under the North Atlantic Pact the President had a right to send troops to Europe.

Mr. WATKINS. Does the Senator think that the President has a right to send our Armed Forces to Australia, New Zealand, and the Philippines, under the two pacts we are discussing, without consultation with or the consent of the Congress?

Mr. SPARKMAN. I do not think there is anything in these treaties which gives the President such power.

Mr. WATKINS. Is there anything that prevents him from doing so?

Mr. SPARKMAN. I am not going to go into that argument.

Mr. WATKINS. That is what I should like to know about.

Mr. SPARKMAN. The President has the power to send troops to any place in the world where our national security

is involved. It is not involved in the pacts now being considered.

Mr. WATKINS. Then why is it necessary for us to enter into a pact?

Mr. SPARKMAN. I may say that if the President has the right to send troops, he has it under the Constitution, and not under the pact the Senator is discussing. This pact does not give him the right.

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

Mr. SPARKMAN. I yield.

Mr. CONNALLY. Articles IV in both pacts read:

Each party recognizes that an armed attack in the Pacific area on any of the parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

If it should be decided that we should make war, or that war was necessary, Congress would have to declare war, would it not?

Mr. SPARKMAN. Absolutely.

Mr. CONNALLY. The "constitutional processes" would be followed?

Mr. SPARKMAN. Yes. That article does not grant the President any additional powers, nor does it take away any of the powers he has.

Mr. CONNALLY. The Senator is eminently correct. It does not affect them at all.

Mr. SPARKMAN. That is exactly correct.

Mr. CONNALLY. Does the Senator from Alabama desire any more time?

Mr. SPARKMAN. I have concluded.

Mr. CONNALLY. Mr. President, I yield 5 minutes to the Senator from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. President, I should like to answer some of the questions which disturb the Senator from Utah. I think the best thing for me to do is to refer to my address on the subject of ratification of the Japanese Peace Treaty, which appears in the CONGRESSIONAL RECORD of March 17, 1952, at page 2359. In preparing that address I felt that the question now asked would be raised; therefore I tried to anticipate the issue. I said:

I wish to emphasize the difference between these security arrangements and those which we have made with the nations of the North Atlantic community. Article V of the North Atlantic Treaty states:

"The parties agree than an armed attack against one or more of them in Europe or North America shall be considered an attack against them all."

That article of the treaty means that an attack on London is an attack on the United States, and an attack on Paris is an attack on the United States. That goes back to the discussion surrounding the "troops for Europe" issue. We realized that such an article was controversial, so we did not include it in the treaties now being discussed.

I continue to read from my address:

In drawing up the security treaties for the Pacific areas it was felt by Mr. Dulles and his colleagues, and I think very wisely, that the United States was not yet in a position where it could subscribe to an article as strong as that in the North Atlantic Treaty. We were not prepared to agree that an attack upon one would be an attack upon all.

The treaties with Australia, New Zealand, and the Philippines provide in article III for consultation among the parties whenever the territorial integrity, the political independence, or the security of any of them is threatened in the Pacific.

Under article IV each of the signatories recognizes that "an armed attack in the Pacific area on either of the parties would be dangerous to its own peace and safety and declares that it would act to meet the common dangers in accordance with its constitutional processes."

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

Mr. SMITH of New Jersey. I yield.

Mr. WATKINS. I recognize that the Australia and New Zealand, and the Philippine Pact are different in these particular sections. What I wish to direct attention to is a comparison between article III of the North Atlantic Pact and article II of the Philippine Pact and the Australia and New Zealand Pact. The language in the Australia Pact is identical with the language in article III of the North Atlantic Pact. As I remember, the contention was that the President felt he was not acting under article III of the North Atlantic Pact in sending troops to Europe.

Mr. SMITH of New Jersey. No; he was acting under article V.

Mr. WATKINS. There had been no attack made upon us so that article V could be invoked. The President could not bring that into operation because article V of the North Atlantic Pact applies only in the event of attack.

Mr. SMITH of New Jersey. The language in the article to which the Senator refers is this, as the Senator knows:

ARTICLE II

In order more effectively to achieve the objectives of this treaty the parties separately and jointly by means of continuous and effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack.

That does not mean that we would send troops anywhere. It merely means that we will maintain the capacity of the respective nations, just as we are today sending aid to Nationalist China and to Formosa.

Mr. WATKINS. The Senator understands that the President under that pact does not acquire and would not have any authorization whatever to send troops to Australia, New Zealand, or the Philippines, does he not?

Mr. SMITH of New Jersey. In my judgment, none whatever.

Mr. WATKINS. If he did want to send them there, he would have to have the approval of the Congress? He could not send them without the approval of Congress, as I stated last year.

Mr. SMITH of New Jersey. I believe he would have to have the consent and approval of Congress, especially in the light of the debate last year. We tried to differentiate between the two situations.

Mr. WATKINS. That is the point on which I desired to have information. If that is the Senator's view of the construction of article III of the North Atlantic Pact and article II of these new pacts, it goes a long way toward answering the questions I have in mind.

Mr. SMITH of New Jersey. I feel, whether the President is constitutionally bound or not, he should come to Congress for authority, in order that there may be a united country behind him.

I continue to read from the debate on the Japanese Peace Treaty:

I myself think it was most essential to follow that procedure as distinguished from the procedure followed in another area of the world, where some of the problems we have in the Far East do not exist.

During the hearings before the Committee on Foreign Relations the question arose as to what type of action was contemplated in the event an armed attack should occur. When asked this question Ambassador Dulles replied that each country would have to decide the question, "in the light of the fact that there is recognition that it is a common danger, and that each will act in accordance with its constitutional processes to meet that danger."

This program for the Pacific area is similar to the Monroe Doctrine—

Actually in language it is practically identical —

which prevailed for so long in the Western Hemisphere.

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

Mr. SMITH of New Jersey. In a moment. My time has about expired.

By the Treaty of Rio de Janeiro a few years ago the Monroe Doctrine became a multilateral doctrine, participated in by all the Americas and distinguished from the unilateral doctrine which was its original form.

Mr. CONNALLY. Mr. President, I yield 2 minutes more to the Senator from New Jersey.

The PRESIDING OFFICER (Mr. PASTORE in the chair). The Senator from New Jersey has two additional minutes.

Mr. SMITH of New Jersey. Mr. President, when we drew up these new treaties, we were thinking in terms of the precedent of the Monroe Doctrine, and the same precedents, in my judgment, that apply in Monroe Doctrine area should apply in the new areas.

Mr. CONNALLY. Mr. President, does the Senator from Utah desire to yield some of his time?

Mr. WATKINS. No. I should prefer to have the chairman of the Foreign Relations Committee make such explanation as he desires in answer to the questions which I have asked. I have asked them in good faith.

Mr. CONNALLY. Mr. President, this is not a catechism. We are considering a motion to reconsider a vote. I shall speak for only a brief time.

The motion of the Senator from Utah is to reconsider, redebate, and requarrel over what the Senate has already done. He complains of article II of the treaty with the Philippines, and also the treaty with Australia and New Zealand. What does article II say?

In order more effectively to achieve the objective of this treaty, the parties separately and jointly by self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack.

What is wrong with that? That provision is found in both treaties.

The Senator from Utah complains of article IV. Article IV provides as follows:

Each party recognizes that an armed attack in the Pacific area on either of the parties would be dangerous to its own peace and safety and declares that it would act to meet the common dangers in accordance with its constitutional processes.

What is wrong with that? If we should decide that we had to make war in the Pacific, Congress would have to declare war. The President could not declare war.

The Senator from Utah points out that when it came to sending troops to Europe, the Senate acted and approved the sending of a certain number of divisions. What is the matter with this provision? What does the Senator want done? He wants to reconsider the vote by which the treaty was ratified so that he can make a speech and explain all the fantastic ideas he has about the constitutional situation. That is about all I can see to it.

Mr. President, I want every Senator to have the right to express his views; but there is nothing wrong with what the Senate has already done. I do not want to have this question reconsidered and rehashed and redebated. These articles are perfectly plain and simple. Anyone who wants to know what they mean will have no trouble in learning what they mean.

To illustrate the caution with which article IV is drawn, let me read the second part of article IV:

Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

Article IV says that the United States "would act to meet the common dangers in accordance with its constitutional processes." If the United States should decide that the threat to its peace in the Pacific was such that we ought to make war, the Congress, and the Congress alone, would determine the question of declaring war.

Mr. President, I hope the Senate will not vote to reconsider these treaties. They have been considered. The Senator from Utah had an opportunity to raise his objections and make his complaints at the time, but that was not done. The Senate voted to approve the treaties. They had been on the calendar for a long time. Now we have a motion to reconsider them, to withdraw the action which we took, on a point which has no basis in law, reason, or fact.

Mr. President, I should like to ask the Senator from California [Mr. KNOWLAND] a question.

Mr. KNOWLAND. I shall be glad to try to answer it.

Mr. CONNALLY. As I recall, yesterday the Senator from California said that he was not in favor of the motion to reconsider, on the ground that the treaties have already been acted upon, and that there is no occasion to reconsider these two treaties.

Mr. KNOWLAND. The Senator is correct. I made that statement last night. I do not intend to vote to reconsider.

Mr. WATKINS. Mr. President, at the outset of this discussion I stated that I wanted a legislative history made in regard to these treaties. I wanted an interpretation from the committee. The committee has made the interpretation. I have asked questions which I did not have an opportunity to ask on the day the treaties were ratified, because of the speed with which action was taken. I happened to leave the Chamber to answer a telephone call, and when I returned the treaties had already been ratified. I wanted to ask certain questions. I think the committee has explained the situation probably as best it can. The only way in the world for me to obtain a legislative record was to move to reconsider. The record has now been made. We have heard what the committee thinks. The committee has answered the questions, and I withdraw my motion.

Mr. CONNALLY. Mr. President, does that dispose of the question?

The PRESIDING OFFICER. Is there objection to the withdrawal of the motion to reconsider? The Chair hears none, and the motion is withdrawn.

Mr. CONNALLY. Mr. President, as I understand, under the unanimous-consent agreement these matters were consolidated, in effect, and the withdrawal of one motion also withdraws the other motion, with regard to the New Zealand and Australian treaties.

Mr. WATKINS. I made the motion in the plural. I intended to withdraw them both. I was agreeable to having them both discussed.

Mr. CONNALLY. I thank the Senator for withdrawing his motions.

Mr. WATKINS. We now have a legislative record. The only way in which I could obtain a record was to move to reconsider.

Mr. CONNALLY. I think the Senator from Utah has acted wisely. I very greatly regret that he was bothered by a telephone call which prevented him from being present when the treaties were ratified.

Mr. WATKINS. I have frequently noted the absence of the senior Senator from Texas, chairman of the Foreign Relations Committee, when we have been discussing treaties. It comes with poor grace for him to criticize me for answering the telephone.

Mr. CONNALLY. I am not criticizing the Senator. I am only suggesting that we could have saved all this time if he had not been called to the telephone. I am not objecting to the Senator answering the telephone. I think if he received more telephone calls from Utah he might be better off in the Senate.

Mr. WATKINS. I happened to have heard from Utah. That was the very reason I made the motion to reconsider; in order that a legislative record might be made. The people of Utah believe in the Constitution. The Senator from Texas suggested at one time that even a 10-year-old child could understand the treaties. However, the President did not seem to understand the North Atlantic Treaty, and the Senate had to adopt a resolution telling him what it meant.

Mr. CONNALLY. The Senator from Utah says that sometimes the Senator from Texas has not been present in the Chamber when these matters have been discussed. That is true, but there is always present some member of the Committee on Foreign Relations to represent the views of the committee; and so far the committee has been pretty successful in that regard.

CANADA — CONVENTION RELATING TO OPERATION OF CERTAIN RADIO EQUIPMENT OR STATIONS

The PRESIDING OFFICER. Does the Senator from Arizona desire to have the other treaties on the calendar considered?

Mr. McFARLAND. Yes, Mr. President, I move that the Senate now proceed to the consideration of the next treaty on the calendar.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the convention, Executive C (82d Cong., 1st sess.), a convention between the United States of America and Canada relating to the operation by citizens of either country of certain radio equipment or stations in the other country, signed at Ottawa on February 8, 1951, which was read the second time, as follows:

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND CANADA, RELATING TO THE OPERATION BY CITIZENS OF EITHER COUNTRY OF CERTAIN RADIO EQUIPMENT OR STATIONS IN THE OTHER COUNTRY

The Government of the United States of America and the Government of Canada, being desirous of establishing rules to permit the citizens of either country, upon certain conditions, to operate certain radio equipment or stations in the other country, have agreed as follows:

ARTICLE I

With respect to radio equipment installed on civil aircraft of either country and properly licensed by the country of registry for the primary purpose of navigation and safe operation of the aircraft, a United States citizen holding a pilot license and, in addition, a radio operator license issued by the United States of America, may operate such radio equipment on an aircraft registered in Canada and operated in either country, and a Canadian citizen holding a pilot license and, in addition, a radio operator certificate issued by Canada, may operate such radio equipment on an aircraft registered in the United States of America and operated in either country; provided, that the operation of such radio equipment shall be in accordance with local law and regulation and complementary to his functions or duties as a pilot; provided also, that either country may require, for security purposes or to assure familiarity with domestic radio operating regulations and procedures, the registration or examination of citizens of the other country and the issuance of a permit for the privileges set forth herein.

ARTICLE II

The respective countries agree that mobile radio stations properly licensed in one country are permitted to be operated in the territory of the other country (except that the provisions of this Article do not apply

to ship or aircraft stations and are not intended to change or modify the terms of any agreements or treaties relating to such stations) subject to local operating conditions and regulations, as follows:

(a) Mobile radio units installed in public safety vehicles, in vehicles employed in the operation or maintenance of a pipe line or other industrial facility extending across the border, or in vehicles regularly engaged in the public carriage of persons or goods between the two countries, may be operated in the course of normal rendition of service, by persons properly authorized by either country, for communication with those radio stations of either country that are licensed to be operated in the same type of radio service. For security purposes or to assure familiarity with domestic radio regulations and procedures, each country may require the registration or examination of citizens of the other country and the issuance of a permit extending the privileges stated above.

(b) Mobile radio units which are limited to communication through the common carrier radio communication companies or agencies may be operated by persons properly authorized by either country for the purpose of obtaining a like communication service while in the territory of the other country. For security purposes it may be required, however, that such mobile stations first be registered and issued a permit.

ARTICLE III

It is agreed that persons holding appropriate amateur licenses issued by either country may operate their amateur stations in the territory of the other country under the following conditions:

(a) Each visiting amateur may be required to register and receive a permit before operating any amateur station licensed by his government.

(b) The visiting amateur will identify his station by:

(1) Radiotelegraph operation—The amateur call sign issued to him by the licensing country followed by a slant (/) sign and the amateur call sign prefix and call area number of the country he is visiting.

(2) Radiotelephone operation—The amateur call sign in English issued to him by the licensing country followed by the words "fixed", "portable" or "mobile", as appropriate, and the amateur call sign prefix and call area number of the country he is visiting.

(c) Each amateur station shall indicate at least once during each contact with another station its geographical location as nearly as possible by city and state or city and province.

(d) In other respects the amateur station shall be operated in accordance with the laws and regulations of the country in which the station is temporarily located.

ARTICLE IV

The present Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

The present Convention shall enter into force on the day of the exchange of instruments of ratification and shall continue in force for a period of five years and indefinitely after that period, but may be terminated by either of the two Governments at the end of that five-year period or at any time thereafter, provided that at least six months prior notice of termination has been given in writing by either Government to the other Government.

In witness whereof the respective Plenipotentiaries have signed the present Convention and have affixed hereunto their respective seals.

Done in duplicate at Ottawa this 8th day of February, 1951.

For the Government of the United States of America:

STANLEY WOODWARD

For the Government of Canada:

LIONEL CHEVRIER

[SEAL]

[SEAL]

Mr. KNOWLAND. Mr. President, may we have an explanation of this treaty from the Foreign Relations Committee?

Mr. SPARKMAN. Mr. President, this is a noncontroversial convention to make it possible for a limited number of Americans and Canadians to operate small radio units in Canada and the United States on a reciprocal basis.

For example, the convention would enable American doctors to have radio telephones in their automobiles, and to use such telephones while in Canada on business. It would permit the United States Park Services cars, which occasionally travel for short distances on roads in Canada, to use their radio facilities. It would permit properly qualified airplane pilots to use their radio equipment while in Canada or in the United States.

The Committee on Foreign Relations has received no objections to this convention. It was unanimously agreed to by the committee.

I may add that the Civil Defense Administration also endorsed this convention, and pointed out that it might be quite helpful in the cause of defense, making it possible to have mutuality of operation of small radio equipment across the border by those who cross from time to time in carrying on their business.

The PRESIDING OFFICER. The convention is open to amendment. If there be no amendments to be proposed, the convention will be reported to the Senate.

The convention was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive C, Eighty-second Congress, first session, a convention between the United States of America and Canada, relating to the operation by citizens of either country of certain radio equipment or stations in the other country, signed at Ottawa on February 8, 1951.

Mr. CASE. Mr. President, in view of what has been said this afternoon with respect to the reconsideration of treaties I believe that the RECORD should show that the able Senator from Utah [Mr. WATKINS] has performed a very fine service for the country in raising the question, so that there may be a clear statement in the RECORD as to what the treaties actually mean. It would be very hard to establish a rule that a Senator should not answer a telephone call during the time the Senate is in session. The junior Senator from South Dakota recalls that when the treaties were before the Senate there was no discussion of them and that they were ratified without debate. I want to go on record as saying that the Senator from Utah did his duty when he felt that the question of the implementation of the treaties ought to be accompanied by some statement with respect to them and that in moving to reconsider the vote on the treaties he showed courage in standing up and taking the kind of gaff that one must take once in a while if he wants to establish a clear legislative record as to what is being done.

Mr. President, it is high time when we engage in making treaties with other countries that the record be perfectly clear that the intent of the constitutional processes shall be carried out. I for one want the RECORD to show that I believe that the thanks of the Senate are due the Senator from Utah for his courageous and able work.

Mr. KNOWLAND. Although I know of no objection to the treaties now on the Executive Calendar and certainly have no objection to them myself, in view of the importance of the treaty-making obligation of the Senate, I desire to suggest the absence of a quorum.

Mr. HUMPHREY. Mr. President, will the Senator from California withhold his suggestion of the absence of a quorum for a moment?

Mr. KNOWLAND. I shall be glad to do so temporarily.

(Mr. KNOWLAND yielded successively to Mr. HUMPHREY, Mr. THYE, and Mr. CORDON, each of whom addressed the Senate on difficult subjects. Their remarks appear in the RECORD following action on the Convention with Canada.)

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

The PRESIDING OFFICER (Mr. HUNT in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the Convention is ratified.

USE OF INSTITUTIONAL ADVERTISING AS A TAX-DEDUCTIBLE EXPENSE

Mr. HUMPHREY. Mr. President, I rise to bring to the attention of the Senate Finance Committee an abuse which, in my judgment, seriously undermines the effectiveness of our tax program. I refer to the growing practice of institutional advertising for political purposes being used as a tax-deductible business expense.

I have in my hand two full-page advertistments from this morning's Washington Post. One is a full-page ad by McGraw-Hill Publishing Co. which attempts to undermine the recommendations of the Wage Stabilization Board, and can have no effect other than to

inflame passions, distort perspective, and bring closer the threat of a serious strike in the steel industry at the expense of our national defense effort.

The second is a full-page ad by the Safeway Stores, Inc., of Oakland, Calif., a national food chain, which is an attack against the Defense Production Act and is a direct form of lobbying to oppose that act and the price-stabilization program.

I have no objection to the McGraw-Hill and Safeway corporations advertising to their hearts' content, even if those advertisements are not designed to sell their products but are rather designed as a form of political propaganda. I insist, however, that such advertisements, which are not within the line of their business but are rather political advertising or philosophical advertising, be so labeled and be so considered by the Bureau of Internal Revenue, and not be allowed as a legitimate business expense.

I have not had the occasion to study that portion of our Internal Revenue Code which relates to this problem, although I have had extensive correspondence on this subject with the Commissioner of Internal Revenue and with tax experts. If our statutes are adequate to intelligently distinguish between legitimate business advertising and political propaganda, then I call for more vigilant administrative action by the Treasury Department to regulate the growing abuse of which we are all very conscious. If our statutes are not competent to regulate this abuse, then I call upon the Senate Finance Committee to study this problem as soon as possible and bring remedial legislation to the floor of the Senate.

The problem of institutional advertising is a serious one in the light of recent congressional interest in campaign expenditures. One of the loopholes in our present laws affecting campaign expenditures is the use of political advertising by business concerns who deduct the cost of this advertising from their tax returns.

I submit, Mr. President, that the average American citizen, if he wishes to express his political views in the form of advertising, must pay for the privilege as a part of his personal expenses. Advertising of the type I have in my hand, entitled "Food and Freedom," is nothing but a wholesale attack upon the Defense Production Administration. The full-page advertisement entitled "Some Things Are Worse Than Strikes" has nothing whatever to do with the business of the McGraw-Hill Co. and, therefore, is not a legitimate business expense. Such advertisements are not related in any degree to the business activities of the corporations which affix their names to the advertisements. They are not even good institutional advertising. Institutional advertising generally relates to the institutions involved. Generally it tells the story of the growth, development, and the services performed by the institution.

Mr. President, I submit that the newspapers and other publications and periodicals of America are flooded with what amounts to outright political advertising, the cost of which is being deducted as a legitimate business expense. It is not only discriminatory in terms of other taxpayers, but it is an open form of lobbying. It influences legislation and public opinion by paid lobbyists and public-relations experts who prepare this type of advertising. I submit that they should be properly listed.

Mr. KNOWLAND and Mr. SCHOEPPEL addressed the Chair.

Mr. HUMPHREY. I shall be glad to yield after I have concluded my statement on this subject.

The effect of this practice is to have the American people pay for such advertising. The effect likewise is to seriously undermine legislation dealing with campaign expenditures because these subtle advertising costs go unreported, yet are tremendously effective in formulating political attitudes.

I plan to make a further study of this subject and again to bring this matter to the attention of the Senate and to the attention of the Treasury Department.

Now I am glad to yield.

Mr. KNOWLAND. Mr. President, the Senator from California has the floor. He temporarily yielded to the Senator from Minnesota. I do not want the occasion to pass without my making at least a few observations with respect to the question raised by the Senator from Minnesota.

I suggest that when the Senator from Minnesota is making his study with reference to institutional advertising and with reference to businesses and institutions using their own funds to protect themselves from being destroyed by OPS legislation, he will be just as diligent in investigating the practice of OPS in getting out advertising material at the expense of taxpayers. I have seen some copy which is intended to be used on billboards and presumably on television and radio programs, as well as in the form of newspaper hand-outs, in all of which cases presumably money of American taxpayers is to be used for the purpose of selling to the American people the benefits of OPS. Certainly under those conditions it would seem to me that business might have the right to protect itself from what it may feel to be certain inequitable regulations threatening to drive small businesses out of existence.

Mr. HUMPHREY. I respect the point of view expressed by the Senator from California. I would say that the Members of Congress, 531 of them, are elected by the citizens of the country, and these representatives of the people have passed the Defense Production Act, under which the Office of Price Stabilization was established. Furthermore, at any time that Congress wants to stop the OPS from publishing its pamphlets or whenever it wishes to circumscribe its so-called propaganda, it can very easily do so, as it has done on other occasions, by amending the Defense Production Act.

I desire to make it perfectly clear that I am not opposing any right of a corporation or of any person to expound political views. I respect that right regardless of whether I agree with the point of view expressed. What I am saying is that it is not a legitimate business expense. It has nothing to do with the product sold by a corporation, whether it be Safeway, McGraw-Hill, Standard Oil, or any other corporation.

Advertising is a blessing. It is the life blood of American business. I respect advertising. I want more and more of it. But I submit that advertising by a corporation is a proper legitimate tax deductible item only when it relates to its own business.

It should be remembered that many Americans hold the opposite point of view with reference to the Defense Production Administration. How many Americans, who believe in OPS and want to state their point of view with respect to that belief—housewives, for example—can place full page ads in the 400 newspapers across the country and deduct the expense from their income tax? It is not possible for the average American citizen to do that. If companies want to pay the costs of such advertising, that is their privilege, but it should not be done at the taxpayers' expense. It does no good to say, "Well, the Government does it also." We are the Government. At any time the public does not want the OPS to issue a pamphlet Congress has the authority to make an order forbidding the practice.

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

Mr. KNOWLAND. I yield to the Senator from Kansas.

Mr. SCHOEPPEL. With the consent of the Senator from California, I should like to ask the distinguished Senator from Minnesota one question. I note that he makes reference to the McGraw-Hill advertising. Is the view of the Senator from Minnesota the same with reference to the series of advertisements by the Latex Corp. as it is with regard to the advertisements by the McGraw-Hill Corp.?

Mr. HUMPHREY. Indeed, Mr. President, I care not what the company or corporation may be, whether it be one which expounds the political point of view I hold or whether it be one which expounds the political point of view of anyone else; in any case, it has a right under the principle of free speech to express any view it holds. However, I submit that the cost of publishing such views in advertisements is not properly regarded as a business-expense deduction for income-tax purposes, for it is not related to the business expenses of such a corporation or company.

In that connection, let us consider the Squibb Co. That company does institutional advertising in the field of pharmaceutical preparations. Of course, institutional advertising is commonly done by many corporations and companies, and no one questions their right to do so or the desirability of such advertisements. Similarly, the Standard Oil Co. also conducts institutional advertising which is related to its field of activity, and I have no objection whatever to that.

I merely say that in American business there is developing a practice of publishing advertisements which relate to almost everything except the services the respective companies perform. Such advertisements are all right, if the companies pay for them; but I say they

should pay the bill and should not be permitted to have the cost of such advertisements considered as a business-expense deduction for income-tax purposes. If I or another Senator wish to publish similar advertisements or articles we should pay the bill and should not be permitted to charge the cost of such advertisements to some sort of business expense.

Mr. SCHOEPPEL. Mr. President, if the Senator from California will yield further to me——

Mr. KNOWLAND. I yield.

Mr. SCHOEPPEL. Let me ask a question: Does not the Senator from Minnesota know that that practice is indulged in on the floor of the Senate, in the insertion in the RECORD of matters which are not germane to the subject matter then before the Senate?

Mr. HUMPHREY. I have no doubt of that; and we can stop it, too.

Mr. SCHOEPPEL. Then why should we object to the publication of statements by a company which may have some potency with its customers or with the American public?

Mr. HUMPHREY. I do not object to the publication of such advertisements if the companies who make use of them pay the cost and are not permitted to charge the cost to their regular business expenses, and thus obtain a deduction for income-tax purposes. I object to the method of handling the expense item, not to the advertisements themselves. In other words, I submit, with Voltaire, that "I will fight unto the death for your right to say it"—but not at the taxpayers' expense, not until it is possible for every farmer, every school teacher, and every other person in the United States who wishes to do so, to have similar advertisements published in the newspapers and to charge the cost of the advertisements as a deduction for income-tax purposes.

So I submit that if the Safeway Corp. wishes to publish in the newspapers advertisements of the sort to which reference has been made, and wishes to charge the cost of such advertisements as a deduction for income-tax purposes, then every housewife who enters a Safeway store should be able to do the same thing. However, the housewives cannot do that.

Mr. SCHOEPPEL. I am sure the Senator from Minnesota is aware of the fact that businesses all over the United States have, at the encouragement of the Government, published advertisements strictly related to the sale of Government bonds, and not at all related to their respective businesses. Does the Senator from Minnesota object to that?

Mr. HUMPHREY. All I say is that if the Government of the United States has to rely upon private advertising for the sale of Government bonds, then the Government would be better off to pay for those advertisements, and not permit them to be used as a cover-up for other advertising which is not strictly institutional. As a matter of fact, the United States Government spends a considerable amount of money in advertising for recruiting for the armed services, as we have heard stated here on the floor of the Senate, and also for the sale of Government bonds.

I do not think it is valid to argue that if a company wishes to advertise the sale of Government bonds, which is necessary in the public interest and for the safety of the Nation, that is justification for the abust of overextended political advertising which is charged by the various companies carrying on such advertising to their business expenses.

APPROPRIATION FOR ESTABLISHMENT OF LABORATORIES FOR RESEARCH AND STUDY OF FOOT-AND-MOUTH DISEASE AND OTHER ANIMAL DISEASES—INTRODUCTION OF A BILL

Mr. THYE. Mr. President, will the Senator from California yield to me at this time, to permit me to make a unanimous-consent request?

The PRESIDING OFFICER (Mr. HUNT in the chair). Does the Senator from California yield to the Senator from Minnesota?

Mr. KNOWLAND. I yield. However, we are in executive session, and I wish to suggest the absence of a quorum, so that we can proceed with work on the treaties.

However, I yield for the purpose requested by the Senator from Minnesota.

Mr. THYE. Mr. President, as in legislative session, I ask unanimous consent to introduce and send to the desk, for appropriate reference, a bill which I should like to discuss for several minutes at this time.

Mr. President, I send to the desk a bill to provide for the immediate appropriation of $25,000,000 for the establishment of laboratories for research and study of the foot-and-mouth disease and other animal diseases; and I ask unanimous consent to make a brief statement with reference to the bill and to insert in the body of the RECORD, as a part of my remarks, an article entitled "Let's Get That Foot-and-Mouth Lab," from the April issue of the Farm Journal.

A most serious situation has developed, Mr. President, as a result of the outbreak of foot-and-mouth disease in Canada, which endangers the entire livestock industry of the United States.

We know what happened in Mexico; and we know how the prompt and effective work done by the Department of Agriculture, upon the express authorization of Congress, prevented the spread of the disease across the border. Now we are threatened from another sector. The Bureau of Animal Industry has assured the Senate Committee on Agriculture and Forestry that a sufficient border patrol has been established and that every possible cooperation will be given the government of Canada to make certain that the disease will be held in check.

This action is not sufficient, however, to prevent the possibility that the disease will infect cattle within this country. The experience in Canada shows how easily this deadly infection can get started and how it can race through a farm community before it is detected. Congress recognized this when Public Law 496 was passed in April 1948 to authorize the establishment of laboratories. Funds were subsequently appropriated, amounting to $500,000, of which $48,000 has been expended, for preliminary plans and the acquisition of a site. There the matter stands. We have the plan for the needed research in discovery and control of the disease; but some objection has arisen as to the proposed location of the laboratory, and the balance of the funds appropriated have been placed in a budgetary reserve.

That is where we stand in this situation today. Immediate action is imperative. A delay would be costly. The Farm Journal, in the article which I submit for the RECORD, states the matter in this way:

> Surrounded by a world aflame with foot-and-mouth disease, we're sitting like a dry haystack next to a burning barn.

So, Mr. President, I ask unanimous consent to have printed in the RECORD the article from the Farm Journal, to which I have referred, and also an excerpt from the report of the House Committee on Appropriations on the Department of Agriculture appropriations bill, 1953.

There being no objection, the article and excerpt from the report were ordered to be printed in the RECORD, as follows:

[From the Farm Journal of April 1952]

LET'S GET THAT FOOT-AND-MOUTH LAB

Livestock farmers—and everybody who eats meat and drinks milk—are sitting on a volcano that could blow sky-high. The Canadian outbreak might set it off.

But this new threat to the north is only part of the danger. And maybe the least part.

You haven't been hearing so much about other angles, but here they are:

A new strain of the disease—which popped up from nowhere—is sweeping Western Europe like a prairie fire. And no vaccine in the world will hold it. Europeans are working feverishly to get a vaccine that will hold—haven't got it, at the last report.

Three new types of foot-and-mouth have been found in South Africa recently. No vaccine now exists that can protect against them, either. Other types could spring up anywhere, any time.

An outbreak in Mexico last August shows that after spending 5 years and $123,000,000 we still haven't wiped out the threat just south of us.

A traveler could bring in any of these new strains any day, accidentally and innocently. Or, a ruthless enemy could walk right past our customs officers with the virus in a bottle labeled perfume—and could turn it loose in our stockyards, or at our fairs. It could spread from coast to coast before we knew what had happened.

Any would-be enemy already realizes this perfectly well. But do you?

Why are we sitting here without protection? Are we waiting for an outbreak smack in the middle of the Chicago stockyards? What does it take to get protection, and why aren't we getting it?

The most important thing we can do is to establish a virus laboratory where we can develop better and cheaper vaccines—and make them in great quantities if we need to. We need to study the virus itself to find out how it spreads; how long it will live in barns, in manure, in bedding, in meat; and how to kill it.

All this would help us fight other viruses, too—for which no cures exist today—both in animals and humans. The discoveries

wouldn't be limited to foot-and-mouth disease.

Such a laboratory would cost perhaps $25,000,000—a fifth of what we've already spent in Mexico, and peanuts compared with the $400,000,000 that farmers would lose each year if foot-and-mouth got established here.

WE'VE GOT THE THREAT

Then why haven't we got the laboratory? Well, that's something Farm Journal suggests that you ask your Congressmen and Senators—and ask now, individually and in groups. Next year's budget is being made up right now. It's going to take 2 or 3 years to build the lab after we get the money. We can't twiddle our thumbs a moment longer.

Actually we've got—and have had—everything that's needed except an appropriation by Congress:

Take another look at that map on the opposite page. See how 75 percent of the world is ablaze with the disease. We're surrounded by it—east, west, south, and now north. We're like a dry haystack standing next to a burning barn—several burning barns.

Our livestock industry is tailor-made for spreading foot-and-mouth. No other country ships livestock from one end of the land to the other as we do; feeder cattle and sheep from the range to the Corn Belt, dairy cattle from one part of the country to another, breeding stock to all parts of the country. Every day hundreds of thousands of animals flow to and from stockyards, in and out of sales barns.

Our livestock industry is built on this kind of rapid movement. Foot-and-mouth disease would cripple that. Farmers in infected areas would be cut off from markets by quarantines. Livestock values would fall; many farm investments would be wiped out.

In severe cases of foot-and-mouth, fat hogs shrink to skeletons. They have to walk on their knees for weeks because their hoofs are gone. Fat steers lose 200 to 500 pounds, and are barely able to walk; some can't. Milk cows dry up, and stay dry until they freshen.

Livestock with sore feet can't travel our ranges looking for grass. Animals with peeled, tender tongues can't eat dry hay or hard grain.

Slaughtering all animals in infected zones is the only method that has ever successfully stopped foot-and-mouth. But this is frightfully expensive in big outbreaks. We'd better be ready to vaccinate, or find other ways of stopping this disease; particularly if it were to hit us hard during war, severe inflation, or heavy defense build-ups—when meat would be scarce and prices and expenses abnormally high.

WE'VE GOT THE LAW

We don't have to start from scratch. There's already a law on the books which authorizes the Secretary of Agriculture to build this laboratory. It was passed on April 24, 1948, at the height of the outbreak in Mexico. As we gradually gained the upper hand, we relaxed; the money was never appropriated. We didn't foresee that it was such a big mistake—but it became clearer every day.

Congress did decide one thing definitely: That the laboratory was to be in this country, just off our shores. There are sound reasons for that, instead of having it in Mexico, or spending the money in European laboratories.

A laboratory in Mexico would need to be run cooperatively by us and the Mexicans, some of whom would be less well-trained than workers in a laboratory in the United States. This would offer an easier chance for the virus to escape and race to our border. Even if such an outbreak were checked while still in Mexico, the people there might insist that the lab be closed down to prevent such a thing from happening again. We would have completely lost a valuable piece of property.

A laboratory in Mexico—compared to one in the United States—would also be harder for us to protect against bombing or sabotage in case of another world war.

Sending American scientists to foreign countries to work in their foot-and-mouth laboratories has never been very satisfactory. The foreign facilities are already overcrowded; equipment is inadequate; and research is interrupted regularly to manufacture vaccine to cope with outbreaks. We have to work at the foreigner's pace, under his direction, and on his problems. You can't get an outstanding American scientist to stay very long under those conditions.

We need the lab most in case of war. Yet within the past 10 years, 8 out of 10 of the European labs have fallen into the hands of our enemies. We want the lab where we can control it, peace or war, and be able to use it to study other diseases when we have licked foot-and-mouth.

WE'VE GOT THE PLAN

At the request of Congress, the Bureau of Animal Industry drew up plans for the laboratory back in 1948. Before they finished, the Bureau scientists had studied the good and bad points of other virus research centers all over the world.

Every known precaution is in those plans. This would be the safest laboratory in the world—safer than the wartime secret laboratory in the St. Lawrence River where we studied deadly rinderpest.

In 18 months in that laboratory, scientists progressed from an expensive, slow-to-make vaccine against that deadly killer to a cheap, strong, simple-to-make vaccine. When they got through we could make—in a week—all the vaccine we'd need to vaccinate every head of cattle in the United States and Canada. That's what a good laboratory can do.

Senator CLINTON ANDERSON, who was Secretary of Agriculture during the Mexican outbreak, predicts to Farm Journal that "Within a short time after the laboratory is finished foot-and-mouth disease would no longer be a serious threat." And here we sit without it.

We've got the best virus-disease talent in the world; but no place for them to work on foot-and-mouth disease.

WE'VE GOT THE DEMAND

Farm Journal has taken a poll of livestock and farm organizations, and finds them unanimous in demanding a laboratory.

"It is now high time that Congress give serious consideration to this matter," wires the American National Cattlemen's Association.

"Our association has been on record since 1948 favoring this appropriation," replies the National Wool Growers.

"Our committee on foot-and-mouth disease emphasizes the necessity of setting up the laboratory," declares the United States Livestock Sanitary Association.

The American Farm Bureau, the National Grange, and the Farmers Union all favor starting the laboratory immediately.

Many other farm groups and livestock organizations feel the same way.

The Senate and House Agriculture Committees likewise want action now. Senator ALLEN ELLENDER and Representative HAROLD COOLEY, chairmen of the two committees, both tell Farm Journal that they favor the appropriation. So do Senators ANDERSON, of New Mexico; HICKENLOOPER, of Iowa; HOLLAND, of Florida; MUNDT, of South Dakota; and YOUNG, of North Dakota—all members of the Senate Agriculture Committee.

In the House, these members of the Agriculture Committee told Farm Journal that the money should be appropriated now: ALBERT, ANDRESEN, BRAMBLETT, DAGUE, GATHINGS, GRANT, HILL, HOEVEN, HOPE, LIND, LOVRE, PATTEN, POAGE, SIMPSON, SUTTON, THOMPSON, and WHEELER.

Who, then, is opposed to the lab? Apparently nobody is, publicly, and if some groups are privately, it's time to smoke them out. Some beef cattlemen have been suspected of hoping privately that Argentina is never so clean that her beef could compete with ours; but even these men don't argue that we shouldn't protect our own livestock.

WHAT'S THE NEXT STEP?

The place for action to start is in the Appropriations Committee of Congress. All these committees have to do is recommend that the money be appropriated. Congress would doubtless follow through. So our poll indicates.

Some might say that Government expenses, which are mostly for defense and foreign aid, are high now. But it's important to keep that defense machinery humming—with a healthy livestock industry that can continue to supply much of the food. The cost of the lab is less than that of building a Navy destroyer.

We have spent $26,500,000,000 in grants to foreign nations in the past 5 years. It might be argued that the cost of this lab—a drop in the bucket by comparison—is necessary for important work here at home. It's more than that: hardly anything we could do would help foreign countries more than setting up a really good foot-and-mouth laboratory here. The discoveries we could make would help foreign nations fight this crippling disease that is cutting down the food supply in three-fourths of the world. And every case of foot-and-mouth that we help stamp out in foreign lands also reduces the threat to us.

No one knows when this shadowy disease will steal onto a farm—yours as easily as any other—and burst into a community epidemic, sending fine herds and life-long farm investments into burial trenches as it is doing in Canada now.

Even more serious than this is the bare fact that we're living in a jittery world. We are locked in a life-and-death struggle that sometimes breeds the lowest and most desperate tactics. The threat of an intentional foot-and-mouth national epidemic is too great a risk to do so little about.

[Excerpt from H. Rept. 1673 on the Department of Agriculture appropriations bill, 1953 (H. R. 7314), pp. 20–21]

Eradication of foot-and-mouth and other contagious diseases of animals and poultry: Since 1948, appropriation acts have authorized the Secretary to transfer from the Commodity Credit Corporation amounts necessary to finance the eradication of foot-and-mouth disease, subject to reimbursement the following year. The bill for 1953 provides for the cancellation of notes in the amount of $11,240,532 to offset the funds expended by the Commodity Credit Corporation for this work in the fiscal year 1951.

According to a recent press release issued by the Secretary, Mexico will be declared free of foot-and-mouth disease on September 1, 1952, provided no further outbreaks occur before that time. After that date a small group of Mexican and American workers will remain on duty to investigate reports of disease symptoms and to operate the laboratory in Mexico City for the diagnosis of questionable cases. The committee wishes to commend the Department of Agriculture and the Joint Mexican-United States Commission for the excellent job done in ridding Mexico of this disease. In the opinion of the members of the committee this program is an outstanding example of successfully solving a very dangerous and difficult problem through close international cooperation.

The recent outbreak of foot-and-mouth disease in Canada has caused the committee

to review this subject. It will be recalled that the Second Deficiency Appropriation Act of 1949 appropriated $500,000 for plans and acquiring options on a site for a foot-and-mouth disease research laboratory, and established a limitation of $25,000,000 for construction. In July 1950, an estimate was submitted to Congress for this expenditure with the proposal that it be located on Prudence Island, a resort area a few miles off the coast of Rhode Island.

The Congress disapproved this request with the recommendation that such research be conducted in cooperation with other countries already engaged in this work, including the Netherlands, Denmark, and England. The Department is spending $233,000 for this type of research in 1952 with those countries, and the same amount is provided for 1953. In connection with the program in Mexico a laboratory was constructed to serve as a research center for this disease. This country supplied most of the money for the equipment and the major portion of all control expenses, so that the Mexican Government was enabled to construct these buildings from its funds. This country has spent approximately $122,750,000 eradicating the disease in Mexico through last December 31. However, the Bureau of Animal Industry, after spending these funds, has not utilized this facility for the purpose intended, because it is afraid of having this virus in Mexico under joint control.

The principal problem involved in the construction of such a laboratory in or adjacent to this country is the serious danger of infection. The outbreak in Canada occurred thousands of miles from any known source of infection. The Mexican outbreak, according to the best information available, resulted from the importation of several bulls from an infected country. The disease is so terrible that it has been necessary to establish quarantine areas and close the borders to prevent spread into this country, even though the infected area in Mexico is hundreds of miles from the border. In England, where such research has been going on for a number of years, the country has been repeatedly infected and reinfected—even when the laboratory was located on a ship off the English coast.

The arrangement at Prudence Island provided that the Department would use only a part of the island, with no control over the rest of the area. A large part of this island is used by private individuals, whose animals and pets would be in constant danger of infection and thereby would be a source of reinfection. While this site is near large cities and away from the beef cattle country, there are large dairy herds in the general area.

All agree that research on a cure for this terrible disease should be intensified. The question is where to locate such a facility. The committee is aware that many people, including a number of members of the Agriculture Committees of both Houses, feel that the Department should go ahead with plans for a laboratory at this site on Prudence Island. A majority of the Agriculture Subcommittee of the House Appropriations Committee is of the opinion that it should not take the responsibility for bringing this highly contagious disease just off our shores, notwithstanding the desire of the Bureau of Animal Industry to have such a laboratory and the firm intent of its officials to prevent the escape of the virus. No other country experimenting with such virus has ever succeeded in containing it.

Mr. THYE. Mr. President, the Senator from South Dakota [Mr. MUNDT] has just requested that he be allowed to join me in sponsoring this bill. I am delighted to have him do so.

Mr. CASE. Mr. President, will the Senator from Minnesota yield to me?

Mr. THYE. Indeed, I yield.

Mr. CASE. Let me say that I think South Dakota generally would like to support this measure. Our colleague in the House of Representatives, Representative BERRY, has introduced a similar bill in the House of Representatives. If the Senator from Minnesota will permit me to do so, I should like to join him and my colleague from South Dakota [Mr. MUNDT] in sponsoring the bill the Senator from Minnesota is introducing.

Mr. THYE. Mr. President, I am delighted to have the junior Senator from South Dakota [Mr. CASE], as well as the senior Senator from South Dakota [Mr. MUNDT], join me in sponsoring this bill. Likewise, I would be delighted to have the Senator who now is the Presiding Officer, the Senator from Wyoming [Mr. HUNT], join in sponsoring the bill, and also any other Senators who may desire to join as cosponsors, because it is obvious that what the bill proposes should be done. If there is an outbreak of foot-and-mouth disease in the United States, our livestock industries will lose a tremendous sum of money. However, above all, such an outbreak of the disease would jeopardize the meat supply to the consumers.

Mr. President, I believe this need should receive the immediate attention of the entire Congress. I now ask unanimous consent to introduce the bill, and to request its appropriate reference.

There being no objection, the bill (S. 2962) to appropriate $25,000,000 for the establishment of laboratories for research and study of foot-and-mouth disease and other animal diseases, as authorized by section 12 of the act of May 29, 1884, as amended, introduced by Mr. THYE (for himself, Mr. MUNDT, Mr. CASE, and Mr. HUNT), was received, read twice by its title, and referred to the Committee on Appropriations.

MESSAGE OF GOV. LUIS MUÑOZ-MARÍN TO THE LEGISLATURE OF PUERTO RICO

Mr. CORDON. Mr. President, will the Senator from California yield, to permit me to request an insertion in the RECORD?

Mr. KNOWLAND. I yield.

Mr. CORDON. Mr. President, on the 20th of March of this year, the Honorable Luis Muñoz-Marín, Governor of Puerto Rico, delivered the Governor's message to the Legislature of Puerto Rico. His message is an outstanding one, and I believe it should be read by every Member of this body. Therefore, I ask unanimous consent that it be printed in the body of the RECORD at this point, as a part of my remarks.

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

MESSAGE OF LUIS MUÑOZ-MARÍN, GOVERNOR OF PUERTO RICO, TO THE SEVENTEENTH LEGISLATURE AT ITS FOURTH REGULAR SESSION

Gentlemen of the Legislative Assembly, I appear before you to report on the state of affairs in the island and to outline a program of action for what we now have a moral right to call the Commonwealth of Puerto Rico. The present time is a period of extraordinary significance for Puerto Rico and of very real importance for the American Union and for the promotion of understanding among freemen in all America.

For you as legislators and for me, there is added significance in the fact that this is the last message from the Executive during the period for which all of us were elected to office in 1948.

This legislature, either in its regular session or in a special session, will probably have the duty of enacting measures to implement the guaranties and liberties provided for in the Constitution just adopted by our people. The present generation and the new generation that is now assuming the responsibilities of Puerto Rican life—both being represented in the legislature, in the other branches of government, and in the electorate—both have the duty of discerning the deep realities of this new era and expressing them in laws, in constitutional development, in education, and in the liberation of the great spiritual forces of the Puerto Rican people.

OUR CONTRIBUTION TO FREEDOM

The present position of Puerto Rico is that of a frontier of understanding between two different ways of cherishing freedom, that of North America and that of South America. Naturally, this understanding will not cause other peoples, nor is there any reason why it should cause them, to adopt a relationship similar to that existing between Puerto Rico and the United States of America. There is no historical situation like the one out of which the Commonwealth of Puerto Rico has been created, nor can such a situation conceivably emerge. But this relationship between Puerto Rico and the United States can be useful, and men of good will throughout the continent must endeavor to make it useful, in showing how the deep meaning of freedom is revealed and its basic values are enriched through expression in different cultures.

For over a half century we have lived in association with the people of the United States. In the course of these 54 years of struggle and effort many Puerto Ricans have given their lives to the worthy cause of broadening the real freedom, the full and peaceful freedom of our people. In some respects, these have been years of confusion, for there is confusion in every process of growth. But they have also been years of vision and creation. They have seen the development of the kind of imagination that recognizes difficult realities for what they are and does not try to escape them by conjuring up easly illusions. Without that sort of imagination there can be no growth. Someone has said that at times confusion is the receiving room of understanding. Let us hope that the minority of our compatriots who are still in the receiving room will soon join their Puerto Rican brethren in full fraternal understanding.

OUR TWOFOLD HERITAGE OF FREEDOM

In truth, the political life of Puerto Rico does not date back more than a century. For about half of this period it was linked with the country of our origin, and for the other half with the United States. We take pride in our racial and cultural heritage. Toward our fellow citizens of the United States we have come to feel the sincere affection that goes with the common citizenship under which we have developed our economic efforts and our democratic principles. The Spanish people have a democratic strength deep in the marrow of their soul, but it is more closely connected with respect for the dignity of man and for the freedom of the mind than with the free, sound, and stable organization of the state. The people of the United States are a towering symbol of democracy in sound governmental organization as well as in respect for the individual. We have tried to honor these two sterling

qualities in our democratic heritage by using them in the right way, and to contribute something of our own to their historic manifestation by adding the fervor of our aspirations.

Thus Puerto Rico, although it does not make a monetary contribution to the United States Treasury, contributes with deep satisfaction to the better understanding of the Union throughout the Americas, to the better understanding of the peoples of our same origin on the part of the people of the United States, and to the betterment of democracy among all peoples. Although we are poor as money goes, we are rich in these other things, and I believe that our contribution is a highly creditable one.

A LONGER AND RICHER LIFE

In the half century under review we have also made progress in other basic aspects of civilization. Puerto Rico today is fighting more efficiently than ever against death, disease, involuntary ignorance, and extreme poverty. This is seen in three fields: in the span of human life, a noble and sacred thing, the beginning and foundation of everything else; in education, which enriches life and enlarges its control over nature while preserving the traditional values of our culture; and in production for export, a clear index of economic growth, which provides us not only bread and shelter but also a basis for the higher things of life—for learning, for art and science, and for freedom of the spirit.

A child born in Puerto Rico in 1900 could hope for a life span of 33 years. Let us think of the many potential workers, artists, scientists, farmers, businessmen, and political and religious leaders who died in infancy or in early life, before they could fully contribute to production and to the progress of their people; before they could repay, in the way that we all should repay, the efforts of their parents and of society in bringing them up through childhood and youth and in training them for the years to come when they could help secure the welfare of all. Today the average span of life in Puerto Rico is 60 years, almost double what it was in 1900. Now there is time enough to repay what is due and to add a little more, which is the way of social growth. There is more time and there are more means to learn what should be done and how best to do it.

Fifty years ago there were 22,000 children enrolled in school and four-fifths of the population of the island did not know how to read or write. There was no university. Today we have nearly 500,000 children in school and four-fifths of our population can read and write. On the higher levels of learning and guidance we have an excellent university with 11,000 students. It is beyond human calculation to figure out how much intelligence, work and struggle have been saved and put to use, enlarging the creative genius of the people of Puerto Rico. And although man cannot live by bread alone, the fact is that 50 years ago our export trade amounted to only $8,000,000 whereas today it amounts to more than $300,000,000.

In last year's message to you I described the accomplishments of the previous 10 years. I pointed out the lessons we have learned about how to do a better job in the next 10 years. I outlined, in general terms, the effort that we all must make in Puerto Rico.

RECENT ACHIEVEMENTS

This being the last message to you in the period of my administration, I must point out the things that have been efficiently accomplished during the last 3 years with your cooperation, your criticism and your initiative. We have witnessed a remarkable acceleration of the industrialization program. Although this is still slow in view of the great goals that it must achieve for our people, the program is gathering steady momentum. We have witnessed the expansion of the public services and of a multitude of useful public works. And as I said before, we have witnessed the most important step forward taken by our people during the hundred years of our modern political history.

In 1948 we were skeptical of our ability further to reduce the death rate, because of the low rate Puerto Rico had already achieved in comparison with that or other agricultural commodities in the Tropics. In 1948 only 12 out of every 1,000 people died. The child that was living when I read my first message to you 3 years ago could hope for a life span of 56 years. But today his life span is 60 years. During recent months the death rate in Puerto Rico has dropped to 9 per 1,000 population, i. e., the same average rate prevailing in the United States. This is a great tribute to wise legislation, to science, to the efforts of the Government and of nobly inspired private organizations—and it is also a tribute to our policy of developing our economic wealth and distributing its benefits more justly.

In 1948 there were 411,000 children enrolled in school; today there are 477,000. The total value of our production then was $750,000,000. Today our production is worth $913,000,000 in terms of 1948 dollars. Production, health, and education are marching forward on the long road to the top of the hill.

Last year I urged that we rededicate ourselves to a policy of economic growth, giving highest priority to investment rather than to mere spending, no matter how useful or justified spending might be. Out of economic expansion will later come the good things of which we are depriving ourselves during the present period of austerity. If, however, we fail to maintain the austerity demanded by these priorities, we shall never reach an adequate expansion but will instead plunge ourselves into the inevitable and tragic austerity of misery without hope.

We have made substantial progress during the past year. We have increased the direct investment of public funds in industrial development. Appropriations were made for the study and planning of projects for agricultural expansion. More money was earmarked for agencies charged with the promotion of production—the shock troops in the battle for production, a battle against hunger and extreme poverty.

INVESTMENT FOR PRODUCTION

Every community that has to travel the hard road toward satisfactory living standards must emphasize investment as against spending. The government of Puerto Rico is showing the way, although I believe we ought to allocate a still larger proportion of our resources to investment today in order to attain greater production tomorrow. Even now consumption in our private economy is disproportionate, and in part unnecessary, in view of the difficulties faced by Puerto Rico. Of course, we cannot expect investment from people in the lower-income brackets, among whom the needs for even a modest standard of welfare are below desirable levels. But citizens on higher-income levels ought to make a conscientious effort to turn into productive investment what now goes into unnecessary spending. In this manner they will be adding what is now more or less luxury spending to their personal security and to the security of their families. Thus the good of the citizen and of his family would coincide with the needs of our community.

To the extent that taxes collected out of general income are devoted to the development of the economy, the Government is using such taxes as collective savings put to investment for the common good. If the Government were forced to increase taxes in order to enlarge this collective investment, it would be achieving the goal we all want but without any direct benefit to the taxpayer. Both objectives can be accomplished if citizens develop the habit of making their own investments. Investments per se, however, will not solve the problem. Investments ought to be made in the most effective manner for the economic development of our country. What Puerto Rico urgently needs is not investment in the purchase of land, in expensive buildings not intended for production, or in excessive handling of goods already produced. There is no need for two stores instead of one, just for the sake of dividing up the same volume of sales. Rather the need is for two manufacturing plants where there was only one, so that the volume of wealth and jobs available to the people is doubled. There is no need for one man to buy a farm from another just in order to produce the same amount of sugarcane, and for the man who sells his farm to use the money to purchase an automobile or to build a luxurious home. The need is for increased production from the land for the benefit of its owner, of those who work it and of everyone in Puerto Rico.

Rededication to this effort will improve its results. Last year we inaugurated the one-hundredth industry, just 9 years after the creation of the Industrial Development Company and 4 years after the start of the present industrial policy. A month ago, within a year after the one-hundredth plant, we inaugurated the one hundred and fiftieth plant. Today, 30 days later, the one hundred and sixty-second factory is in operation.

In view of the things that must be done, this is still a modest achievement. But the going is good, our muscles are strong, our hopes are high. All around the island, in the towns, in the rural areas, and along the highways the results leap to the eye. From 1950 to 1951 manufacturing production has increased by $20,000,000. Our investment in one of the great hotels of the Americas—not merely a luxurious resort for the traveler but the great plant of the tourist industry in Puerto Rico—has been a great success. The government has no need for profits from this enterprise. It is intended to benefit not the government but the Puerto Rican economy. Yet the government has made a profit of $1,000,000 in 2 years, and this money is now being used to promote other industries. Directly and indirectly the economy of Puerto Rico so far has benefited by no less than $6,000,000 from this wise investment in the physical plant of our tourist industry.

STRENGTHENING THE NATIONAL ECONOMY

At this point I wish to emphasize that the industrial growth of Puerto Rico, encouraging as it is to us but insignificant as compared with the economic life of the United States as a whole, is not depriving any region of the continental United States of any of its established industries. We do not intend to do so. On the contrary, it is our deliberate policy not to do so. We are aware of our moral responsibility not to use our good economic relations with the United States as a means of harming any part of the mainland. We are conscious of the fact that we must use our good relations to the limit by creating new wealth in that part of the economy of the United States known as Puerto Rico, and not by transferring wealth from one section of the economy to another. That is why, by a resolution of the executive council, no tax exemption is granted to any firm that closes a plant in any part of the United States in order to open one in Puerto Rico.

The economy of the United States generates more than $25,000,000,000 of new capital each year. Out of this new and enormous capital wealth Puerto Rico is legitimately seeking an investment of $30,000,000 or $40,000,000 of new capital a year—I repeat, of new capital, not transferred capital. The American citizens living in Puerto Rico compose 1½ percent of the population of the

United States. And our industrial plan calls for less than one-fifth of 1 percent of the new capital generated, not without the modest collaboration of Puerto Rico, by the American economic system every year. It would seem clear that, as good citizens, we need have no fear that the industrial system of the United States is in danger of destruction at the hands of Puerto Rico.

I already indicated in a previous message to you that the system of tax exemptions for specific industries is not the best method, although it is the only one in the present circumstances that can produce results. It would be more desirable to develop a general taxation system that would stimulate economic expansion in agriculture and services as well as in industry, and that would apply to both new and already established enterprise. Under the economic conditions that still prevail in Puerto Rico it is not easy to develop such a system, due to the fact that low taxation is one of the main factors stimulating investment and expansion. This expansion, however, is impossible without preserving certain standards of health, education, security, and social services which cannot be maintained on the proceeds of low taxes. This is the contradiction that we face, and our people deserve credit for the way that they are handling such a serious dilemma.

For the present, we have resolved this paradox by granting tax exemptions to new industries while maintaining a system of reasonably high taxes for successful industries in operation before the tax-exemption program began. Let me emphasize that obviously this is not the long-range solution to the problem. The ideal solution would be a tax system suited both to industrial expansion and to the public services required by the people and by economic development itself. The people of Puerto Rico will reach this point, as every great economic enterprise reaches it, when the volume of production is sufficiently great that low taxes per unit of production will raise revenue adequate to supply the needs of the community for health, education, welfare, security, and other services. In fact, intensive studies of this matter have been in progress since last year, and although we are not yet in a position to recommend changes I believe that they can soon be made. I do not need to say, as I did on a previous occasion, that all enterprises that have been granted full and partial tax exemption up to 1962 will retain it no matter what changes are made in the tax-exemption policy between now and the expiration date. This is only just, for tax exemption is a contract that cannot be violated by subsequent legislation.

FEDERAL EXPENDITURES

On the eve of the new constitutional relationship between Puerto Rico and the United States, it seems especially appropriate to look a bit into the future. Although the Federal Government spends a good deal of money in discharging its functions in the island, the sums it specifically contributes to aid Puerto Rico are relatively small. Two-thirds of the Federal funds spent in Puerto Rico are for the Army, for the Navy, and for payments to veterans. These expenditures are made not with the purpose of aiding Puerto Rico but because of the military needs and commitments of the whole Union.

In Puerto Rico, as in each of the States, there are a number of Federal agencies of a civil character whose funds are not in any way granted to or handled by the government of Puerto Rico. Such agencies are the post office, the office of immigration, the lighthouse service, etc. Other agencies use Federal appropriations jointly with Puerto Rican appropriations for road building, vocational education, certain health services, etc. These Federal funds, properly termed grants-in-aid, do not exceed $17,000,000 this year. Taxes on rum shipped to the States may be properly described as Puerto Rican taxes levied on Puerto Rican industry. Customs duties, paid by Puerto Rican importers, go into the treasury of Puerto Rico but they are not designed in all respects to serve the best interests of Puerto Rico. Sugar compensation payments are uniform throughout the American sugar industry and they are everywhere subject to restrictive conditions.

All this is briefly pointed out in order to show that Federal grants-in-aid are not the decisive factor in the economic struggle of our people. A large factor is that Puerto Rico is a part of the American Union and does not contribute to the Federal Treasury and to the running expenses of the Union. Obviously the right to be a part of a union of peoples and states without paying a proportionate share of the common expenses involved cannot be maintained as a principle. The respectable principle is that those who can pay should pay their share into the common treasury. There is also the principle that great associations help, during the period when help is required, those members of the association that cannot at the time pay their proportionate share. This is a great principle, a profoundly Christian and civilized principle which in our case is based on common citizenship. There is another great principle that no taxes should be collected from people who do not have adequate representation in the bodies levying the taxes.

OUR FUTURE ECONOMIC RESPONSIBILITIES

If we take these three principles together, the possible future development of our people emerges rather clearly. Puerto Rico ought to pay its share into the Federal Treasury as soon as it is in an economic position to do so, in the same way that it is now contributing morally to the good democratic reputation of the Union. It would, however, be un-Christian, uneconomic, un-American and extremely foolish to exact such a contribution to the Federal Treasury if that were to mean aggravating instead of ameliorating poverty, surrendering health to disease, closing instead of opening schools, lowering instead of improving standards of living, increasing instead of decreasing unemployment, and abandoning hope to desperation. But a day will come when this will not be so. And when that day arrives we ought not to wait until we are asked to share in the expense; we should rather be the ones to propose the sharing and to pay for it ourselves in the exercise of our own democratic authority and our own sense of responsibility as members, in a new way, of a great Union. For when Puerto Rican standards of living are approximately the same as those of other areas of the Union, there ought not to be any difference in taxation here.

Until such time arrives it is appropriate and just that the basic economic relations, which have existed for 50 years and upon which the economic structure of Puerto Rico has been reared, should remain secure and stable in order that they may continue to be used to solve the problems of Puerto Rico in accordance with the democratic judgment of a people who have fully shown their ability to face those problems and to maintain the austere priorities necessary for solving them.

A moment ago I was talking about the magnitude of these problems. On the one hand we are gaining ground in our fight to eliminate unemployment. On the other hand, our needlework industry is, temporarily we hope, diminishing its employment opportunities for reasons entirely beyond our control or that of the Federal Union. As a result, in the ups and downs of the economic struggle, we have to cope with an unemployment problem suddenly arising out of conditions hitherto unknown in Puerto Rico. We also have to deal with unemployment arising out of the adoption of new techniques which are needed to improve living standards but which temporarily decrease employment opportunities in the island. Yet our productive effort has the general aim and effect of eliminating the backlog of unemployment, providing jobs for a labor force that increases year by year, improving the standards of living of the people, lessening our dependency on small Federal grants-in-aid and on large incidental expenditures of the Federal Government, and enabling ourselves some day to contribute our fair share of the expenses of the American Union.

Fortified by the fine spirit of our people, by our great cultural heritage, and by the greater stature we now have in the American world, we must work our way out of all these difficulties, manifesting always the good faith and high hopes of our people.

ACHIEVING A WAY OF LIFE

We are still climbing a steep hill. We are far from the top but already we can see it in the distance. Let us look at it even from afar. What are we going to find there when we reach it?

We are going to find in part what we want to find, what we can conceive and dream to be worthwhile. For people like us do not search exclusively for objectives that are there although time keeps them at a distance from us. There is an inner destiny in us that is pulling us to the top. What is it we want to find, what it is we want to carry with us and display at the top of the hill?

It is something more than the improvement of our economic standards of living. It is a way of life, a culture. The economy is intended to sustain and further a culture, a way of life. Culture is only in a degree the tool of economics. What a people with spiritual values want is a way of life. Their economic effort must be made to serve that purpose.

Our culture is our natural way of expressing and realizing our ideals of life. It is our conception of good and evil, of duty and right, of creating and acquiring things, of give and take. Of course no pattern can be drawn to take in so much ground, but a people can make an effort to formulate an ideal of their own that mirrors their hearts' desire and to adapt to that ideal their economic life, their government and their educational system.

I see at the top of the symbolic hill a people well housed—very few of them in luxurious homes and none in wretched huts or shacks. I see the opportunity for honest work at a rate of pay moderate but adequate to a good and peaceful life. I see families that are tranquil in the thought that their children will be educated to the maximum of their abilities, and happy in the knowledge that they will have security against sickness and old age and the hazards of fortune. I can see that some will have more than this as a result of their own effort, and in some cases much more than this. But none will have less than this. I can see that all of us will work with enthusiasm, freedom, and a sense of duty and respect for the rights of others. I see private initiative for the common good conceived of as a duty rather than only as a right.

MEN OF GOOD WILL

A life of freedom well lived is part of the ideal in the hearts of our people. The negation of freedom and the abuse of freedom are uncivilized and are contrary to the higher traits of the human spirit. As between these two, the abuse of freedom is preferable to the negation of freedom. But far better than both is the culture that uses freedom with the dignity that freedom deserves. Our fraternal feelings toward all men are also a part of this idea. I believe that we will come to realize even better that which we already know well: that all men are more alike than they are different from one another. Our friendly people will become a

brotherly people, and Puerto Rico will be an example and a solid bastion of resistance against the nationalistic spirit that is destroying peace and hope among men everywhere.

I see at the top of the hill how, with the strictest separation of church and state, we can live our daily lives in the friendly presence of God within the familiar framework of eternity, in terms of which—what should be more familiar to man?—natural inequalities and the workings of favorable chance will be used more to diminish than to increase injustice. I see our heartfelt concept of equality more fully realizing itself as we near the top. I see there that we will be more displeased to reap without planting than to plant without harvesting. I see—to resume—a culture based on work, on peace of mind, on generosity; a people sheltered in modest but comfortable homes, satisfied with their tasks, secure against misfortune, possessed of abundant and simple food, happy in their recreation, without poverty and without extravagance; a land in which a man is esteemed for what he wants to do rather than for what he proposes to get; a community profoundly respectful of God and thereby free from spiritual conflicts.

Have I not been describing the seed, the root, the potential future development of that most respectable creature of God that is the Puerto Rican jíbaro (the Puerto Rican countryman)? Is this not the personality of our jíbaro transformed by production, education and justice? Let us pay him homage and help him to enlarge and not diminish his virtues, that they may extend beyond his native hills and fields. As the people of Puerto Rico increase in the cities and diminish in the countryside, let the basic folk-wisdom of the jíbaro be preserved as one of the great accomplishments of urban development instead of becoming one of its first victims. Let us not exchange wisdom for mere instruction; let us give the tool of education to the noble hand of native good sense. The educated jíbaro, the jíbaro who has grown with education but has lost none of his splendid wisdom, the jíbaro in his rural setting or away from it, in Puerto Rico or elsewhere: that is a worthy reality to try to achieve at the top after the hard uphill struggle of our people.

Respectfully submitted.

LUIS MUÑOZ-MARÍN,
Governor.

AMENDMENTS TO INTERNATIONAL LOAD LINE CONVENTION

The Senate, as in Committee of the Whole, proceeded to consider Executive Q (82d Cong., 1st sess.), a proposal by the Government of Canada and a proposal by the Government of Australia relating to changes in the delimitation of certain of the seasonal zones established in Annex II of the International Load Line Convention, signed at London on July 5, 1930, which was read the second time, as follows:

DEPARTMENT OF STATE,
Washington, October 2, 1951.

The PRESIDENT,
The White House:

The undersigned, the Acting Secretary of State, has the honor to refer to the International Load Line Convention, which was signed at London on July 5, 1930, and entered into force with respect to the United States on January 1, 1933 (Treaty Series 858; 47 Stat. 2228). Modifications of the provisions of annex II of the convention have been proposed, respectively, by the Government of Canada and the Government of Australia. It is recommended that the President, if he approve thereof, request the Senate to authorize acceptance by the United States of the two proposed modifications, the texts of which are set forth below.

Both of the proposed changes in annex II of the convention have been communicated to the Government of the United States by the Government of the United Kingdom of Great Britain and Northern Ireland in accordance with the provisions of article 20, paragraph 1, of the International Load Line Convention, which reads as follows:

"Modifications of this Convention which may be deemed useful or necessary improvements may at any time be proposed by any Contracting Government to the Government of the United Kingdom of Great Britain and Northern Ireland, and such proposals shall be communicated by the latter to all the other Contracting Governments, and if any such modifications are accepted by all the Contracting Governments (including Governments which have deposited ratifications or accessions which have not yet become effective) this Convention shall be modified accordingly."

As was the case with respect to a previous modification of the International Load Line Convention, which modification became effective on August 23, 1938 (Treaty Series 942; 53 Stat. 1787), both of the present proposals relate to changes in the boundaries of certain zones laid down in annex II of the convention, which are based on considerations of geography and climate and govern the depth to which ships within them may be safely loaded.

It is the proposal of the Government of Canada that the southern boundary of the northern "winter seasonal" zone on the Pacific coast of North America should be moved northward to 55°, the boundary at present being set at 50°. Specifically, the Canadian Government proposes that the first paragraph of annex II be amended to read:

"The southern boundary of the northern 'Winter Seasonal' Zone is a line drawn from the east coast of North America along the parallel of latitude 36° N. to Tarifa in Spain; from the east coast of Korea along the parallel of latitude 35° N. to the west coast of Honshu, Japan; from the east coast of Honshu along the parallel of latitude 35° N. to longitude 150° W., and thence along a rhumb line to the west coast of *British Columbia at latitude 55° N.*, Fusan (Korea) and Yokohama to be considered as being on the boundary line of the northern 'Winter Seasonal' Zone and the 'Summer' Zone."

The italics have been supplied to indicate that the words "British Columbia at latitude 55° N." would replace the present wording "Vancouver Island at lat. 50° N."

In explanation of the foregoing change the Canadian Government has stated that the port of Prince Rupert, British Columbia, is included within the present area of the northern "winter seasonal" zone and it is believed that no additional hazard would result if the boundary were shifted so as to include Prince Rupert in the "summer" zone.

The amendment proposed by the Government of Australia relates to the northern boundary of the southern "winter seasonal" zone and has as its object the creation of a corridor extending approximately 20 miles south of the southwest corner of Australia in order to permit ships to remain in the "summer" zone on voyages between the Indian Ocean and mainland ports of southern and eastern Australia.

To accomplish this change the Australian Government has suggested the following modification:

That annex II to the convention be amended by omitting from the paragraph describing the northern boundary of the southern "winter seasonal" zone the words: "to the west coast of Australia at lat. 35° S., thence along the south coast of Australia to Cape Arid"—

and inserting in their stead the words:

"to the point lat. 35°30'S., long. 118° E., off the southern coast of Australia."

As thus amended, the fifth paragraph of annex II would read in its entirety as follows:

"The northern boundary of the southern 'Winter Seasonal' zone is a line drawn from the east coast of South America along the parallel of lat. 40° S. to long. 56° W., thence along a rhumb line to the point lat. 34° S., long. 50° W., thence along the parallel of lat. 34° S. to the west coast of South Africa; from the east coast of South Africa at lat. 30° S. along a rhumb line *to the point lat. 35° 30' S., long. 118° E., off the southern coast of Australia,* thence along a rhumb line to Cape Grim, Tasmania, thence along the north coast of Tasmania to Eddystone Point, thence along a rhumb line to the west coast of South Island, New Zealand, at long. 170° E., thence along the west, south and east coasts of South Island to Cape Saunders, thence along a rhumb line to the point lat. 33° S. long. 170° W., and thence along the parallel of lat. 33° S. to the west coast of South America, Valparaiso, Cape Town and Durban to be considered as being on the boundary line of the southern 'Seasonal Winter' and 'summer' zones."

The italics have been supplied to indicate the place of the proposed modification.

In this connection the Australian Government has stated that the proposed modification is based on more recent data now available on the frequency of gales in the area off the southwest coast of Australia. Whereas at the time the International Load Line Convention was formulated a gale frequency of 10 percent or more was adopted as a criterion for winter loading and data available indicated that in an area extending 5° south of the southwest coast of Australia the frequency of gales during winter was well above 10 percent, present data indicates that in a less extensive area, nearer to the coast, the winter gale frequency is considerably less than 10 percent.

To indicate the nature of the contemplated change in the northern boundary of the southern "winter seasonal" zone the Australian Government has furnished a map, a copy of which is enclosed herewith.

Adoption of the foregoing amendments is recommended by the Chairman of the Shipping Coordinating Committee in a letter of August 30, 1951, in which it is stated that the membership of that committee, namely, representatives of the Department of Commerce, the Department of Defense, the Department of State, the Department of the Treasury, and the Bureau of the Budget (nonvoting member), is in agreement on the desirability of the proposed modifications.

Respectfully submitted.

JAMES E. WEBB,
Acting Secretary of State.

(Enclosure: Map.)

The PRESIDING OFFICER. The proposal is open to amendment. If there be no amendment to be proposed, the proposal will be reported to the Senate.

The proposal was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The Chief Clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive Q, Eighty-second Congress, first session, a proposal by the Government of Canada and a proposal by the Government of Australia relating to changes in the delimitation of certain of the seasonal zones established

in annex II of the International Load Line Convention, signed at London on July 5, 1930.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification.

Mr. GREEN. Mr. President, I am directed by the Foreign Relations Committee to state that it has considered this proposal, and that it reports it favorably, without amendment or reservation; and I move its ratification.

Mr. KNOWLAND. Mr. President, may we have a brief explanation as to what the proposal does?

Mr. GREEN. In 1931, the Senate approved the International Load Line Convention. That convention, to which most of the leading maritime nations of the world are parties, prescribed the depths to which ships engaged in international voyages may be loaded. The load-line depths are fixed, consideration being given to the safety of the vessel, and bearing in mind the waters in which the ship can operate, the seasons of the year, and the prevalence of good or bad weather in particular areas.

The proposal now before the Senate concerns slight changes in the Load Line Convention which will enable more heavily laden ships to enter Prince Rupert, Canada, and certain Australian ports. The two countries, Canada and Australia, have requested these changes, and they must be confirmed by all the nations who are parties to the International Load Line Convention, of whom there are about 24. The interested executive agencies of the Government of the United States have recommended these changes, which were originally proposed, as I have said, by the Canadian and Australian Governments. There have been no objections so far as the Foreign Relations Committee is concerned. All departments of the Government interested have expressed their approval, and there has been general approval by the various shipping companies of the country. The changes will go into effect when all the parties to the 1930 Load Line Convention have approved them.

Mr. KNOWLAND. Mr. President, I thank the Senator for the explanation he has made. I think it is well in the case of treaties or international agreements to have something in the RECORD to show their nature.

Mr. GREEN. I think that is true; and I am glad to have been able to give the explanation.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the proposal is ratified.

CANADA—SUPPLEMENTARY EXTRADITION CONVENTION

The Senate, as in Committee of the Whole, proceeded to consider the convention, Executive G (82d Cong., 2d sess.), a supplementary convention, signed at Ottawa on October 26, 1951, to the supplementary convention between the United States of America and Her Majesty for the mutual extradition of fugitive criminals, signed at Washington, December 13, 1900, which was read the second time, as follows:

SUPPLEMENTARY CONVENTION TO THE SUPPLEMENTARY CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND HER MAJESTY FOR THE MUTUAL EXTRADITION OF FUGITIVE CRIMINALS, SIGNED AT WASHINGTON, DECEMBER 13, 1900

The United States of America and Canada, being desirous of modifying and supplementing in certain respects the list of crimes on account of which extradition may be granted under the Treaties and Conventions in force between the United States of America and Canada, particularly the Convention concluded by the United States of America and Her Britannic Majesty on December 13, 1900, so as to comprehend any and all frauds which are punishable criminally by the laws of both contracting states, particularly those which occur in connection with transactions in securities, have decided to conclude a Supplementary Convention for that purpose and have appointed as their respective Plenipotentiaries:

The United States of America:
Don C. Bliss, Minister of the United States of America at Ottawa, and
Canada:
Lester Bowles Pearson, Secretary of State for External Affairs in the Government of Canada, and
Stuart Sinclair Garson, Minister of Justice and Attorney-General in the Government of Canada.

who, having communicated to one another their respective full powers, found in good and due form, have agreed as follows:

ARTICLE I

The enumeration numbered 11 in Article I of the Supplementary Extradition Convention signed on December 13, 1900, between the United States of America and Her Britannic Majesty, is hereby amended to read as follows:

11A "Obtaining property, money or valuable securities by false pretences or by defrauding the public or any person by deceit or falsehood or other fraudulent means, whether such deceit or falsehood or any fraudulent means would or would not amount to a false pretence.

11B "Making use of the mails in connection with schemes devised or intended to deceive or defraud the public or for the purpose of obtaining money under false pretences."

ARTICLE II

The present Supplementary Convention shall be ratified and the instruments of ratification shall be exchanged at Ottawa.

The present Supplementary Convention shall enter into force on the day of the exchange of the instruments of ratification and it shall continue in force as though it were an integral part of the Supplementary Convention of December 13, 1900, subject to the provisions of Article II of that Supplementary Convention with respect to termination.

In witness whereof, the undersigned Plenipotentiaries have signed the present Supplementary Convention and have affixed thereto their respective seals.

Done in duplicate at Ottawa, this 26th day of October, 1951.

For the United States of America:
DON C. BLISS
For Canada:
L. B. PEARSON
STUART S. GARSON

The PRESIDING OFFICER. The convention is open to amendment. If there be no amendment to be proposed, the convention will be reported to the Senate.

The convention was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The Chief Clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive G, Eighty-second Congress, second session, a supplementary extradition convention between the United States of America and Canada, signed at Ottawa on October 26, 1951.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification.

Mr. KNOWLAND. Mr. President, may we also have an explanation of this convention?

Mr. SPARKMAN. Mr. President, the extradition convention of 1889 between the United Kingdom and the United States sets forth the basic crimes for which extradition is granted as between the United States and Canada. In 1900 that convention was amended by a supplementary convention which added to the list of crimes for which extradition would be granted the crime of obtaining money or valuable securities by false pretense. The supplementary convention which is now before us is designed to broaden this provision so that fraudulent stock operators in Canada who prey upon American investors may be brought to this country to stand trial where the crime is committed. It is designed solely to protect United States citizens.

Mr. President, the files of the Foreign Relations Committee show no objections whatever to the pending supplementary convention. The convention has the unanimous support likewise of the Banking and Currency Subcommittee, of which the distinguished Senator from Delaware [Mr. FREAR] is chairman. That subcommittee participated with the Foreign Relations Subcommittee in the hearings on this convention.

I should like to take this opportunity to thank the able Senator from Delaware, who is chairman of the Securities, Insurance, and Banking Subcommittee of the Senate Committee on Banking and Currency, and who gave valuable assistance in the consideration of this question. In view of the unopposed support of both the full Foreign Relations Committee and the full Banking and Currency Committee, I believe this convention should be approved in the interest of protecting many American investors and of promoting good relations with the people of Canada.

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

Mr. SPARKMAN. I shall be happy to yield to the Senator from Michigan.

Mr. FERGUSON. Do I correctly understand that the treaty permits extradition of persons from the United States to Canada and from Canada to the United States in case of a fraudulent sale of corporate stock or bonds, if the transaction is in interstate commerce? If a man in Canada fraudulently sells

stocks in the United States through the mails or through telephone conversations across the line, can he be extradited from Canada, or if he makes a fraudulent sale here and then flees to Canada, or makes a fraudulent sale in Canada and flees to this country, is that an extraditable offense?

Mr. SPARKMAN. If the offense is committed against the laws of the United States, he may be extradited to the United States for trial. The reason why I word it in that way is because sending fraudulent matter through the mail would be a violation of United States laws, even though the person involved were never in this country; or if he were in this country and made a sale and fled to Canada, I think it would reach either case. Of course, the convention does not change the law of the United States under which he could be prosecuted, but it broadens the provision under which he may be extradited.

Mr. FERGUSON. I appreciate the fact that in the recent past there have been fraudulent sales of stocks from Canada to the United States, and I think that should be an extraditable offense. Do we add only this one new crime?

Mr. SPARKMAN. That is correct.

Mr. FERGUSON. Just the one?

Mr. SPARKMAN. I may say, in reference to the language "just one new crime," we broaden the definition. In other words, obtaining funds under false pretenses is already an extraditable offense, but under a construction given by the Canadian courts it was not sufficient to meet all cases which are in violation of our laws, and we are endeavoring to cover such cases.

Mr. FERGUSON. Does the Senator feel that in those cases this treaty will clear the matter so that we can extradite the accused persons and try them in this country?

Mr. SPARKMAN. If the Senator is talking about the ex post facto effect, I do not know. I do not want to go into that question.

Mr. FERGUSON. Ex post facto does not apply to extradition; it contemplates only making a crime of something which was not previously a crime.

Mr. SPARKMAN. This treaty will certainly increase the number of extraditable cases.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention is ratified.

Mr. McFARLAND. Mr. President, I ask unanimous consent that the President be notified of the ratifications of the treaties which have been acted on today.

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

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. HUNT in the chair) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

INTERNATIONAL AGREEMENT TO REGULATE PRODUCTION AND MARKETING OF SUGAR—REMOVAL OF INJUNCTION OF SECRECY

The PRESIDING OFFICER. The Chair lays before the Senate a message from the President of the United States, transmitting Executive O, Eighty-second Congress, second session, a protocol dated in London August 31, 1951, prolonging for 1 year after August 31, 1951, the international agreement regarding the regulation of production and marketing of sugar signed at London on May 6, 1937.

Mr. McFARLAND. Mr. President, I move that the injunction of secrecy be removed from the protocol, that the message from the President, together with the protocol, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

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

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of a protocol dated in London August 31, 1951, prolonging for 1 year after August 31, 1951, the international agreement regarding the regulation of production and marketing of sugar signed at London on May 6, 1937.

I also transmit, for the information of the Senate, the report made to me by the Secretary of State with respect to this matter.

HARRY S. TRUMAN.

THE WHITE HOUSE, *April 1, 1952.*

(Enclosures: (1) Report of the Secretary of State. (2) Certified copy of protocol of August 31, 1951.)

LEGISLATIVE BUSINESS

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate proceeded to the consideration of legislative business.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had passed, without amendment, the following bills of the Senate:

S. 430. An act for the relief of Mark G. Rushmann;

S. 554. An act for the relief of Boutros Mouallem;

S. 588. An act for the relief of Juan Sustarsic;

S. 590. An act for the relief of Francesco Gaber;

S. 715. An act for the relief of Ana Cobo Alonso;

S. 858. An act for the relief of Mrs. Pauline J. Gourdeaux;

S. 931. An act for the relief of Bernard Kenji Tachibana;

S. 970. An act for the relief of Esther V. Worley;

S. 985. An act for the relief of Agnes Anderson;

S. 1052. An act for the relief of Maria Rhee;

S. 1226. An act for the relief of Emelie Simha;

S. 1426. An act for the relief of Yoshiyuki Mayeshiro;

S. 1428. An act for the relief of John Tzanavaris;

S. 1458. An act for the relief of Joe W. Wimberly;

S. 1469. An act for the relief of Julie Bettelheim and Evelyn Hirsch;

S. 1604. An act for the relief of Truman W. McCullough;

S. 1668. An act for the relief of Pansy E. Pendergrass;

S. 1682. An act for the relief of Daniel J. Crowley;

S. 1749. An act for the relief of Gordon E. Smith;

S. 1949. An act for the relief of Hattie Truax Graham, formerly Hattie Truax;

S. 1998. An act for the relief of J. Hibbs Buckman and A. Raymond Raff, Jr., executors of the estate of A. Raymond Raff, deceased;

S. 2004. An act for the relief of Mr. and Mrs. David H. Perkins;

S. 2005. An act for the relief of Harriet F. Bradshaw;

S. 2100. An act for the relief of Robert Joseph Vetter;

S. 2113. An act for the relief of Martha Brak Foxwell;

S. 2150. An act for the relief of Joachim Nemitz;

S. 2418. An act for the relief of Britt-Marie Eriksson and others; and

S. 2440. An act for the relief of Hanne Lore Hart.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 58) favoring the suspension of deportation of certain aliens.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

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; and

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.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5715) to amend sections 201 (a), 301 (e), 302 (g), 508, 527, and 528 of Public Law 351, Eighty-first Congress, as amended; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. VINSON, Mr. BROOKS, Mr. KILDAY, Mr. SHORT,

and Mr. ARENDS were appointed managers on the part of the House at the conference.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

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

S. 690. An act to permit certain lands heretofore conveyed to the city of Canton, S. Dak., for park, recreation, airport, or other public purposes, to be leased by it so long as the income therefrom is used for such purposes;

S. 1184. An act to extend the Youth Corrections Act to the District of Columbia;

S. 1212. An act to amend section 2113 of title 18 of the United States Code;

S. 1669. An act to amend the War Claims Act of 1948, as amended, with respect to payments for the benefit of persons under legal disability;

S. 2085. An act to further amend section 5136 of the Revised Statutes, as amended, with respect to underwriting and dealing in securities issued by the Central Bank for Cooperatives;

S. 2266. An act to authorize and validate payments of periodic pay increases for temporary indefinite employees of the Department of the Navy within the period of March 17, 1947, to July 1, 1948;

S. 2408. An act to amend the act authorizing the negotiation and ratification of certain contracts with certain Indians of the Sioux Tribe in order to extend the time for negotiation and approval of such contracts;

S. 2549. An act to provide relief for the sheep-raising industry by making special quota immigration visas available to certain alien sheepherders;

S. 2677. An act to restore to 70 pounds and 100 inches in girth and length combined the maximum weight and size limitations for appliances, or parts thereof, for the blind sent through the mails; and

S. J. Res. 140. Joint resolution to permit the Federal National Mortgage Association to make commitments to purchase certain mortgages.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, April 1, 1952, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 690. An act to permit certain lands heretofore conveyed to the city of Canton, S. Dak., for park, recreation, airport, or other public purposes, to be leased by it so long as the income therefrom is used for such purposes;

S. 1184. An act to extend the Youth Corrections Act to the District of Columbia;

S. 1212. An act to amend section 2113 of title 18 of the United States Code;

S. 1669. An act to amend the War Claims Act of 1948, as amended, with respect to payments for the benefit of persons under legal disability;

S. 2085. An act to further amend section 5136 of the Revised Statutes, as amended, with respect to underwriting and dealing in securities issued by the Central Bank for Cooperatives;

S. 2266. An act to authorize and validate payments of periodic pay increases for temporary indefinite employees of the Department of the Navy within the period of March 17, 1947, to July 1, 1948;

S. 2408. An act to amend the act authorizing the negotiation and ratification of certain contracts with certain Indians of the Sioux Tribe in order to extend the time for negotiation and approval of such contracts;

S. 2549. An act to provide relief for the sheep-raising industry by making special quota immigration visas available to certain alien sheepherders;

S. 2677. An act to restore to 70 pounds and 100 inches in girth and length combined the maximum weight and size limitations for appliances, or parts thereof, for the blind sent through the mails; and

S. J. Res. 140. Joint resolution to permit the Federal National Mortgage Association to make commitments to purchase certain mortgages.

DAYLIGHT-SAVING TIME IN THE DISTRICT

The PRESIDING OFFICER (Mr. HUNT in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2667) to authorize the Board of Commissioners of the District of Columbia to establish daylight-saving time in the District, which was, to strike out all after the enacting clause and insert:

That the Board of Commissioners of the District of Columbia is authorized to advance the standard time applicable to the District 1 hour for the period commencing not earlier than the last Sunday of April 1952 and ending not later than the last Sunday of September 1952. Any such time established by the Commissioners under the authority of this act shall, during the period of the year for which it is applicable, be the standard time for the District of Columbia.

Mr. NEELY. Mr. President, on February 25, 1952, the Senate passed and sent to the House S. 2667, to authorize the Board of Commissioners of the District of Columbia to establish daylight-saving time for the District each year. But the House, by amendment, restricted the operation of the bill to the year 1952.

In my opinion the Senate must either accept the House amendment or become partially responsible for the deprivation of the people of the District of the benefits of daylight-saving time.

In the circumstances, I reluctantly move that the Senate concur in the amendment of the House.

The motion was agreed to.

AMENDMENT OF WAR CLAIMS ACT OF 1948

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1415) to amend section 7 of the War Claims Act of 1948, which were to strike out all after the enacting clause and insert:

That subsection (a) of section 6 of the War Claims Act of 1948, as amended (62 Stat. 1240), is hereby amended by inserting after the words "as used in" the following: "subsection (b) of"; and such section 6 is further amended by adding a new subsection (d) as follows:

"(d) (1) As used in this subsection the term 'prisoner of war' means any regularly appointed, enrolled, enlisted, or inducted member of the military or naval forces of the United States, who was held a prisoner of war for any period of time subsequent to December 7, 1941, by any government of any nation with which the United States has been at war subsequent to such date.

"(2) The Commission is authorized to receive, adjudicate according to law, and to provide for the payment of any claim filed by any prisoner of war for compensation—

"(A) for the violations by the enemy government by which he was held as a prisoner of war, or its agents, of such government's obligations under title III, section III, of the Geneva Convention of July 27, 1929, relating to labor of prisoners of war; or

"(B) for inhumane treatment by the enemy government by which he was held, or its agents. The term 'inhumane treatment' as used herein shall include, but not be limited to, violation by such enemy government, or its agents, of one or more of the provisions of articles 2, 3, 7, 10, 12, 13, 21, 22, 54, 56, or 57, of the Geneva Convention of July 27, 1929.

"(3) Compensation shall be allowed to any prisoner of war under this subsection at the rate of $1.50 per day for each day he was held as a prisoner of war on which he alleges and proves in a manner acceptable to the Commission—

"(A) the violation by such enemy government or its agents of the provisions of title III, section III, of the Geneva Convention of July 27, 1929; or

"(B) any inhumane treatment as defined herein. Any claim allowed under the provisions of this subsection shall be certified to the Secretary of the Treasury for payment out of the war claims fund established by section 13 of this act. In no event shall the compensation allowed to any prisoner of war under this subsection exceed the sum of $1.50 with respect to any one day.

"(4) Claims pursuant to subsection (d) (2) shall be paid to the person entitled thereto, or to his legal or natural guardian if he has one, and shall, in case of death of the persons who are entitled be payable only to or for the benefit of the following persons:

"(A) widow or dependent husband if there is no child or children of the deceased;

"(B) widow or dependent husband and child or children of the deceased, one-half to the widow or dependent husband and the other half to the child or children of the deceased in equal shares;

"(C) child or children of the deceased (in equal shares) if there is no widow or dependent husband; and

"(D) parents (in equal shares) if there is no widow, dependent husband, or child."

SEC. 2. Section 7 of the War Claims Act of 1948, as amended, is amended by inserting "(a)" after the section number, and by adding at the end thereof the following new subsections:

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

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

outbreak of the war, irrespective of what disposition was made subsequently of the land, buildings, and contents.

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

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

"(f) All claims under subsections (b) and (c) must be filed on or before October 1, 1952; and not later than March 31, 1953, the Commission shall adjudicate according to law and provide for the payment of any claim filed pursuant to this section. In any case in which any money is payable as a result of subsections (b) and (c) to a religious organization or its personnel functioning in the Philippines, such money shall be paid upon request of such organization to its affiliate in the United States: *Provided*, That all money thus paid to such affiliated religious organization in the United States shall be used by such affiliate for the purpose of restoring the educational, medical, and welfare facilities described in subsections (b) and (c) and located in the Philippines.

"(g) The Commission shall expedite the payments under this section without reducing payment of claims of American civilian internees and prisoners of war filed before March 31, 1953, pursuant to the provisions of section 5 and 6 of this act."

SEC. 3. Claims for compensation under subsection (d) of section 6 of the War Claims Act of 1948, as amended, must be filed with the War Claims Commission within 1 year after the date of the enactment of this act.

SEC. 4. Nothing in this act, or in the amendments made by this act to the War Claims Act of 1948, as amended, shall operate to extend the life of the War Claims Commission for any period of time.

And to amend the title so as to read: "An act to amend sections 6 and 7 of the War Claims Act of 1948."

Mr. KNOWLAND. May we have an explanation of the House amendments?

Mr. McCARRAN. Mr. President; section 1 of S. 1415 is an amendment added to the bill by the House of Representatives, to provide for the payment of compensation to prisoners of war for the labor of these prisoners of war and for inhumane treatment administered to them by the enemy government by which they were held. This compensation is to be awarded at the rate of $1.50 per day for each day that the prisoner of war was held and on which he alleges and proves in an acceptable manner to the War Claims Commission either (a) that he was compelled to labor in violation of title 3, section 3 of the Geneva Convention of July 27, 1929, or (b) that he was subjected to inhumane treatment in violation of the Geneva Convention. Payment of these claims is to be made from the war claims fund, the proceeds of which stem from liquidated property originally seized or vested by the Office of Alien Property. In the event that the prisoner of war is no longer living, payment would then be made to (1) the widow if there are no children; (2) one-half to the widow and one-half to the child or children of the deceased prisoner of war; (3) to the child or children of the deceased prisoner of war if there is no widow; or (4) to the parents in equal shares if there is neither a widow nor a child.

Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

AMENDMENT OF DISTRICT OF COLUMBIA CODE OF 1901, AS AMENDED, RELATING TO GARNISHMENT

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1368) to amend subsection (a) of section 1107 of the District of Columbia Code of 1901, as amended by section 2 of the act of December 20, 1944 (D. C. Code, sec. 15-403 (a)), and to amend section 467 of the District of Columbia Code of 1901 (D. C. Code, sec. 16-323), which was, on page 2, line 16, strike out all after "contractu" down to and including "section" in line 20.

Mr. KNOWLAND. Mr. President, may we have an explanation of the House amendment?

Mr. JOHNSTON of South Carolina. Mr. President, on October 19, 1951, the Senate passed and sent to the House, S. 1368, to increase the exemption from garnishment in the District of Columbia of the earnings of a family head from $100 to $200 per month. The House amended the bill by merely eliminating the provision "That food, shelter, or clothing received as part of earnings, salary, insurance, annuities, or pension or retirement payments, shall not be included in computing income for the purposes of this section."

That is the only amendment to the bill.

I move that the Senate concur in the amendment of the House.

The motion was agreed to.

LEGISLATIVE PROGRAM

Mr. McFARLAND. Mr. President, I wish to make an announcement with respect to the legislative program.

Following disposition of the unfinished business the Senate will consider Calendar No. 1273, H. R. 4394, to provide certain increases in the monthly rates of compensation and pension payable to veterans and their dependents, and for other purposes.

Following disposition of H. R. 4394, the Senate will consider Calendar 1274, H. R. 4387, to increase the annual income limitations governing the payment of pension to certain veterans and their dependents and to preclude exclusions in determining annual income for purposes of such limitations.

Following disposition of H. R. 4387, the Senate will consider Calendar No. 1285, S. 2728, to amend the act of July 22, 1950 (Public Law 609, 81st Cong.), as amended, so as to extend free mailing privileges to members of the armed forces of foreign nations serving under the United Nations command in Korea, on a reciprocal basis, and for other purposes.

MINERAL LEASES ON CERTAIN SUBMERGED LANDS

The Senate resumed the consideration of the joint resolution (S. J. Res. 20), to provide for the continuation of operations under certain mineral leases issued by the respective States covering submerged lands of the Continental Shelf, to encourage the continued development of such leases, to provide for the protection of the interests of the United States in the oil and gas deposits of said lands, and for other purposes.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. SMATHERS. Mr. President, I am happy to yield to the Senator from Utah [Mr. BENNETT] such time as he may desire, but before yielding to him I shall yield to the Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. I thank the Sentor from Florida.

I should like to ask the majority leader if he expects to take up any other business than the submerged lands bill this afternoon?

Mr. McFARLAND. It is not the intention to take up any other bill this afternoon, unless it be some noncontroversial bill. If that should occur, I should be very glad to confer with the Senator from Massachusetts.

The PRESIDING OFFICER. There is no limitation on debate this afternoon.

Mr. SMATHERS. Mr. President, I yield to the Senator from Utah [Mr. BENNETT] such time as he may desire.

Mr. BENNETT. Mr. President, as I study the so-called tidelands issue, I am more and more convinced that there is one fundamental issue involved which transcends all others in importance, namely, whether the Congress will make it unmistakably clear that it will not stand for the whittling away and destruction of rights which are guaranteed to the States under our Constitution and the law as understood and applied for long periods of time. I think it is incumbent upon the Members of the Senate to demonstrate to the executive and judicial branches that it intends that the Federal system as established in the Constitution shall be preserved and that the States shall not be eaten up by doctrines of paramount rights or other newly conceived theories of law which might be concocted by the executive officials and ultimately accepted by the courts.

Mr. President, I am not a lawyer and do not pretend to know the intricacies and ramifications of the law. However, as I have understood the conclusions of well-qualified lawyers, as they are expressed in ordinary lay language, I am of the impression that the legal profession in great part is convinced that the

tidelands decisions were departures from settled law and represent another encroachment by the Federal Government on the rights of the States.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BENNETT. I shall be glad to yield to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, I should like to say to the Senator from Utah that in the opinion of the chairman of the Committee on Interior and Insular Affairs, and certainly in the opinion of the Supreme Court, the decisions of the Supreme Court, in the three cases of California, Texas, and Louisiana, do not whittle away any rights of the States. If the Senator will indulge me, I should like to state the issue very succinctly.

The problem of State or Federal control over lands of the open ocean with respect to the oil under such lands never arose in the history of the Government. The joint resolution which is pending before the Senate does not take away from the coastal States any control they now have with respect to lands submerged by harbors, bays, inlets, or sounds. Inland navigable waters are not affected. Every single decision of the Supreme Court quoted by those who have been seeking to convince those who represent interior States that lands submerged by rivers and lakes are in danger referred only to inland navigable waters.

The Federal Government has not sought to change that rule of law in any respect, and the joint resolution pending before the Senate does not change it. The only issue is whether the Federal Government or the States shall exercise jurisdiction over lands which are submerged by the open sea. From the time of Thomas Jefferson, who first asserted the doctrine of the 3-mile limit, until the present President of the United States, in September 1945, asserted jurisdiction over the entire Continental Shelf, which extends in some cases 150 or 160 miles into the sea, there never has been any doubt that the Federal Government is the power which controls in that area.

The quitclaim bills which have been passed have sought to assert State rights, State ownership, and State control in an area which, as I have said, from the time of Thomas Jefferson, Secretary of State under George Washington, until this hour have been within the domain of the Federal Government. The raid is not on the States; the raid is on the Federal Government in the form of the quitclaim bills.

Mr. BENNETT. Mr. President, I appreciate the fact that that is the position of the honorable Senator from Wyoming.

As I said earlier, I am not trained in the law, and if the Senator will bear with me until I proceed a little further with my argument, he will see the purpose of my statement.

I have indicated that I have gathered the impression that the tidelands decisions were departures from settled law. As I understand the conclusions of many of the lawyers, a new theory of law was developed in the tidelands cases.

I have been advised that the legal periodicals contain discussions and reports of issues and decisions of significance, and that they represent a cross section of legal thinking. With this thought in mind, I have had my staff prepare for me an abstract of the conclusions expressed in those periodicals, as they are stated in lay language, and not the legal rationale behind the ultimate opinon, as to the state of the law on the tidelands issue prior to the decisions of the Supreme Court, and as to the propriety of those decisions. I think that the picture those abstracts paint would be of interest to the Senate, because I have had included expressions both for and against the point of view of the States, wherever such expressions appear in the periodicals. I have included expressions made before the tidelands decisions, and since they were rendered.

Mr. President, I ask unanimous consent that the memorandum which I have had prepared be printed in the body of the RECORD at the end of my remarks and as a part thereof.

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

(See exhibit 1.)

Mr. BENNETT. Mr. President, I realize that the authors of many of these articles come from States with an interest in the tidelands and that some of them have taken an active part in the controversy. However, a number of the other authors do not have a partisan position. The memorandum is, I think, worthy of consideration along with other material available to the Senate. Since this memorandum was prepared, it has come to my attention that the Attorney General of Texas recently remarked that 43 articles in law reviews and legal periodicals in 20 States and England have considered the tidelands cases, and that 40 of the 43 are critical of the principles and procedures followed by the Supreme Court.

In conclusion, Mr. President, I wish again to allude to a fact which has been expressed here before. I wish to note that even though the issue before the Senate now involves only the oil of the tidelands, the new doctrine of paramount rights in the Federal Government may well be extended some day to other resources and other situations, unless the Congress unqualifiedly expresses its objection on behalf of the people.

Mr. LONG. Mr. President——

Mr. SMATHERS. Mr. President, I yield to the Senator from Louisiana, in order that he may ask a question of the Senator from Utah.

Mr. LONG. I assume that the Senator from Utah knew that the American Bar Association appointed a committee to make a study of this question, and that the committee concluded that the decisions in the California, Texas, and Louisiana cases were completely in conflict with the doctrine which had been laid down by innumerable cases for 160 years. I should also like to ask the Senator if he knows that the American Bar Association is on record as favoring the position of the States, as also is the National Chamber of Commerce, which has made a study of the matter.

Mr. BENNETT. I knew that, but I thought perhaps the abstracts from a number of legal articles written in law reviews might add to the information available to the Senate.

Mr. LONG. I thank the Senator.

EXHIBIT 1

ABSTRACTS OF CONCLUSIONS BY AUTHORS OF ARTICLES IN LEGAL PERIODICALS AS TO THE CORRECTNESS OF TIDELANDS DECISIONS

Report of special committee of American Bar Association on proposed resolutions regarding tidelands (73 Reports American Bar Association 436 (1948): [1]

"The Supreme Court in this case (California) held that California does not own the seaward areas wthin its boundaries, contrary to principles established in a long line of prior decisions by the court."

Joseph A. Loret,[2] Louisiana's 27-Mile Maritime Belt (13 Tulane L. R. 252 (1939)) (commenting on the Nye resolution and action by Federal executive officials to claim Federal ownership):

"When he heard of the introduction of that bill in Congress, the Honorable Gaston L. Porterie, attorney general of Louisiana, was very much surprised at the attack therein made upon the title of the various Coastal States to the sea bottom within their respective borders, as he had always considered their ownership thereof beyond dispute."

Gordon Ireland,[3] Marginal Seas Around the States (2 La. L. R. 252, 447 (1940)):

"The United States has * * * no ownership rights in the bed or soil under the marginal sea, except such incidents or easements as are necessary in support of the exercise of Federal delegated powers."

Edwin Borchard,[4] Resources of the Continental Shelf (40 American Journal of International Law 53 (1946)):

"Since the general principle is uniformly followed, and has no exception so far as we are aware, it is safe to say that it is thoroughly established that all the tidelands whether on the coast or on rivers are the property of the adjacent State. All tidelands, meaning waters and submarine land up to the 3-mile limit counting from low-water mark, are included in the general rule."

"There is no settled law which the Court need consider binding with regard to the lands in question" (56 Yale L. J. 356 (1947)).[5]

"In deciding between the Federal Government and California, the Court had little in the way of law or precedent to bind it, and was free to reach a decision that was the most reasonable under present-day condition" (33 Va. L. R. 657 (1947)).

"California's claim of ownership is, of course, generally favored by those decisions of State courts in which the type of question has arisen. But Federal cases, which should control this determination as between Nation and State, do not adequately support the claims of either litigant in the present suit" (5 Washington and Lee L. R. 85 (1947)).

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[1] Appointed committee reported to house of delegates and their recommendations and report were adopted February 23, 1948; see also 34 American Bar Assn. J. 279 (1948), 33 Mass. L. Q. 55 (1948).

[2] Special assistant attorney general of Louisiana, former assistant attorney general of Puerto Rico, lecturer in law at Louisiana State University.

[3] Professor of law, Portio Law School, formerly professor of law, Louisiana State University.

[4] Professor of law, Yale University Law School, former Assistant Solicitor, Department of State.

[5] Where citation only is given, the article is a student comment or note.

W. Page Keeton,[6] Federal and State Claims to Submerged Lands Under Coastal Waters (25 Texas L. R. 262 (1947)):

"In the opinion of the writer, the judicial decisions will support the claim of the States to submerged land at least to the extent of 3 miles from low-water mark. In view of this fact and in view of the fact that property rights are in question, it is unlikely that the Supreme Court will see fit to disregard this long-standing rule of property, notwithstanding there was originally a reasonable argument for a contrary position."

"This case [California] marked the initial instance in which the specific question of ownership of the bottom of the open seas was raised before the United States Supreme Court. * * * It is noted that the decision in the instant case continues the trend toward the centralization of Government which has been steadily extended under the commerce, tax, and war powers of Congress" (14 Brooklyn L. R. 118 (1947)).

"Ever since the creation of the Federal Government it has been thought that as an incident of State sovereignty all lands under navigable waters and all tidelands belong to the respective States in which such lands are situated. * * * These principles were reaffirmed by the Supreme Court in a long and unbroken line of decisions, many of which dealt with tide and submerged land of the sea."

[After commenting on the California case.] "While this may seem to be a rather inaccurate summary, it is true that the principal case is the first in which the United States itself claimed ownership to the 3-mile belt" (35 Calif. L. R. 605 (1947)).

"None of the American cases, however, involved disputes over the open sea or lands beneath" (3 Intramural L. R. (New York University) 44 (1947)).

Ownership of the sea bed (24 British Yearbook of International Law 382 (1947)):

[After commenting on the Pollard case.] "This case has been followed in numerous decisions, in some of which the word 'tidelands' has been used ambiguously, and there have been dicta which suggest that the rule in the Pollard case applies not only to the soil above low-water mark but also to the soil beneath the waters to the seaward of low-water mark. There was sufficient weight of opinion to lead Professor Borchard to the firm conclusion that the rights in question belonged to the States individually, and not the United States."

Hiram M. Dow,[7] Implications of Decision of *United States* v. *California* (Report of Annual Meeting New Mexico State Bar, 1947, p. 35):

"We may sum it up by saying that for 171 years our State and Federal Governments had recognized State ownership of all submerged lands within their respective boundaries."

John E. Thomason, *United States* v. *California;* Paramount Rights in the Federal Government in Submerged Coastal Lands (26 Texas L. R. 304 (1948)):

"No authorities cited sustain the statement that such 'broad dominion and control * * * asserted under international law' entitles it to set aside the resources of these lands to its own use as against the claims of a competing State."

"There are no cases prior to the present opinion in which it is said that the Federal Government owns the marginal sea, while there are many cases with statements to the effect that the States are the owners of the marginal seas" (21 Southern California L. R. 208 (1948)).

(Goes on to conclude the California case was decided in error.)

[6] Dean of law, University of Oklahoma.

[7] Of the New Mexico bar and member of Board of Bar Examiners of New Mexico.

Elton M. Hyder, Jr.,[8] *United States* v. *California* (19 Miss. L. J. 265 (1948)):

"In the face of repeated and uniform recognition by the Supreme Court of the United States of State title to submerged lands underlying coastal waters, there is no justification for applying any different rule or rationale."

Robert E. Hardwicke,[9] Carl Illig,[10] and C. Perry Patterson,[11] The Constitution and the Continental Shelf (26 Texas L. R. 398 (1948)):

"It is submitted that legal, political, and practical reasons, as well as history and precedent, support the conclusion that the United States should vest in, or recognize as already vested in, the littoral States the title to, and dominion and control over the Shelf and its resources, subject to the exercise of Federal delegated powers, such as regulation of navigation. * * *

"The decision against California was astounding and the reasoning behind it even more so. The declaration * * * was something novel in our law."

[After commenting on the Pollard case.] "In subsequent cases involving the application of this rule there frequently appeared language clearly indicative that the Court at that time considered State ownership to include the bed of the marginal sea, at least within the 3-mile limit, although in no case was the Court called upon to extend State ownership beyond the low water mark" (8 La. L. J. 578 (1943).

Julius F. Parker, Problems in Florida and Other Coastal States Caused by the California Tidelands Decision (1 Fla. L. R. 44 (1948):

"That the reasons advanced and conclusions reached in the majority opinion would evoke strong dissents was to be expected. * * *

"Conceding that support for State ownership of territorial waters could be stronger than it is, the fact remains that there is no support whatever for Federal ownership as against the States, unless * * * there be some practical argument inducing Federal seizure."

"The question of ownership in these offshore areas had never before been brought to the attention of the Court. * * *

"Little authority can be found relating to the proposition that the United States owns the tidelands" (36 Ill. B. J. 292 (1948)).

Herbert H. Naujoks,[12] Title to Lands Under Navigable Waters (32 Marquette L. R. 7 (1948)):

"In recent years (but before the California Tidelands decision), it had been thought that the United States Supreme Court decisions had settled authoritatively the long-established rights of the various States to the lands underlying the ocean waters off their shores. * * * The many decisions of the United States Supreme Court which held that the several States had paramount rights in the title to the submerged lands underlying the tidewaters adjacent to their shores now have all be overruled by the California Tidelands decision. * * *

"The author submits that the United States Supreme Court is wrong in its decision."

E. J. Sullivan,[13] The Tidelands Question (3 Wyoming L. R. 10 (1948)):

"From the time of the American Declaration of Independence until the decision against California in the Tidelands Case, State and Federal governments had recognized State ownership of all submerged lands within their respective boundaries. * * *

"Since the beginning of the Republic, State ownership of submerged lands, inland and in principle offshore, has been confirmed and reaffirmed through 52 Supreme Court decisions, 244 Federal and State court decisions, 49 Attorney General opinions, and 31 Department of Interior opinions. During all this time, a monumental precedent was built up without a single dissent."

Price Daniel,[14] Texas Title to Submerged Land (1 Baylor L. R. 237 (1949)):

"Texas has two separate and distinct claims in support of its ownership of submerged lands and minerals. First in the general rule of law which has existed in our country for over 170 years recognizing that the separate States own the lands beneath all navigable waters within their respective boundaries. * * *

"This general rule was recognized and applied by all the States, both inland and coastal, and by all Federal courts and executive departments for more than 100 years."

Melvin J. Richards,[15] Tidelands and Riparian Rights in Florida (3 Miami L. Q. 339 (1949)):

"There seems to be a popular misconception that the Supreme Court of the United States in that case [California] changed the law of the land as previously laid down. There can be little doubt but that it holds contra to the intimations of all previous holdings of the same Court and the rules laid down by the highest courts of the individual States, but the majority opinion in that case held that the State-Federal conflict arose in this case for the first time, that the Supreme Court of the United States was never before called upon to decide and had never before ruled upon the issue involved."

"The 13 original States never surrendered the subsoil of their navigable waters to the Federal Government. Thus it was consistently held that to deny ownership of these lands to the States admitted to the Union subsequent to its formation would deny them admission on the 'equal footing' guaranteed by their acts of admission (99 Pa. L. R. 259 (1950)).

Richard Wait,[16] Supplementary History of Title of Massachusetts to Submerged Sea Lands (36 Mass. L. Q. 17 (1950):

[After commenting on the rationale of the Supreme Court in the California case.] "This is an interesting theory, but its major flaw is in its premise, for the law did recognize property in submerged offshore lands long prior to 1800."

James Munro,[17] The Supreme Court and the Marginal Sea (4 Wyo. L. J. 181 (1950)):

"The California decision is debatable only to the extent that it asserts the Federal right to paramount jurisdiction rather than title in the United States. * * * Here again the Court may be on solid historical ground, for as the assertion of jurisdiction over the 3-mile limit had arisen solely from considerations of national defense, and so was not primarily concerned with the bed of the sea, the right to extract oil, stemming from exactly the same considerations, should be similarly limited."

"In extending the principle of the California decision the Supreme Court again applied a unique conception of the equal-footing doctrine. * * * The Court erred in omitting important historical evidence bearing upon the Texas case" (24 Temple L. Q. 377 (1950)).

[8] Assistant attorney general in charge of oil and gas division for State of Texas—an address before Jackson, Miss., Junior Bar Association Second Annual Law Institute.

[9] Fort Worth bar.

[10] Houston bar.

[11] Professor of government, University of Texas.

[12] Wisconsin and Illinois bars, assistant attorney general of Wisconsin.

[13] Wyoming bar.

[14] Attorney general of Texas.

[15] Florida bar.

[16] President of Massachusetts Bar Association.

[17] Illinois and Wyoming Bars, Assistant Professor of Law, University of Wyoming, 1945–46.

"The position of the Government and of the majority of the Court toward the Thirteen Original States, of which Massachusetts was one, cannot be supported. Why? Because the Court did not discuss the muniments of title of the Original Thirteen States.

"We respectfully submit that the majority of the court was mistaken in its history, its law, and its vision in the California opinion and that the public interest of the people of the United States call for the overruling of that opinion." (35 Mass. L. Q. 1 (1950)).[18]

"Until the California case it was generally accepted that the title to tidelands was in the respective States. * * * The principle was indeed well settled. * * *

"It is felt that these decisions might better have been decided in favor of the States. This would have been in accord with established case law, and would have left to Congress the task of acquiring new territory for the United States." (21 Tenn. L. R. 676 (1951).)

"The United States Supreme Court has followed and reasserted the basic doctrine of the Pollard case many times. In doing so, it has used language strong enough to indicate that the Court then believed that the States not only owned tidelands and soil under navigable inland waters, but also owned soils under all navigable waters in their territorial jurisdiction, whether inland or not. * * *

"Although it has been suggested that there was no settled law for the court to follow in the *United States* v. *California*, the *Abby Dodge, Pollard's Lessee* v. *Hagan* and the many cases cited therein seem to constitute a reasonably definite line of authority." (15 Albany L. J. 85 (1951)).

John Hanna,[19] *The Submerged Land Cases* (3 Stanford L. R. 193 (1951)):

"California, both in its exhaustive briefs and oral argument, made an impressive showing of historical research, opinions of international law authorities, judicial opinion, and official Government rulings and practices. Such arguments had convinced Senate and House Judiciary Committees, the American Bar Association, the Conference of Governors, the National Association of Attorneys General, the National Institute of Municipal Law Officers, and many representatives of official lawyer's organizations."

"That the submerged land cases announced 'a startling proposition,' 'a revolutionary idea,' and 'an unprecedented doctrine' is clear from comments of others in this symposium and in legal periodicals of the Nation" (3 Baylor L. R. 115 (1951)).[20]

Mr. SMATHERS. Mr. President, I wish to thank the Senator from Utah [Mr. BENNETT] for his very constructive and informative statement regarding the tidelands question. I recognize, just as he does, that the position stated by the distinguished chairman of the Committee on Interior and Insular Affairs, the able Senator from Wyoming [Mr. O'MAHONEY], is merely his own viewpoint, which has not been agreed with by the best constitutional lawyers of the Nation today or those of the past. It had not been agreed to by the Supreme Court in some 52 decisions prior to the decision in the California case. Again I thank the Senator from Utah.

It is not my intention this afternoon to discuss the so-called Hill amendment to Senate Joint Resolution 20, other than to say that I and the other sponsors of S. 940, which is also known as the Holland substitute, do not take a back seat to the Senator from Alabama or any of the cosponsors of his amendment.

When it comes to a sincere desire to see the very serious school problem which confronts the Nation settled, and settled intelligently—I am certain I speak for many other Senators who are opposed to Senate Joint Resolution 20 and to the Hill amendment when I say that we have a deep and abiding concern about the shortage of schools and the lack of adequate salaries for the school teachers of the United States.

I feel that the questions with respect to the lack of schoolrooms and buildings and of the inadequate pay of school teachers should be considered by Congress in an effort to find an intelligent and proper way by which the Federal Government can help State officials solve these most pressing problems.

I congratulate the able Senator from Alabama for his interest in education; but toward the Hill amendment I share the feeling of the able and distinguished Senator from New Mexico [Mr. ANDERSON], a coauthor of Senate Joint Resolution 20, who said before our committee while the Hill amendment was being discussed that while he believed in the purposes of the Hill amendment, nevertheless, he recognized that it had nothing whatsoever to do with the big question raised by Senate Joint Resolution 20, and that the Hill amendment, as a matter of fact, should be considered by a different committee than the one which considered and reported the pending joint resolution.

In order to keep the record straight, I quote from page 35 of the hearings before the Committee on Interior and Insular Affairs on this question, where it appears the Senator from New Mexico said this in reference to the Hill amendment:

> This question as to how you are going to handle Federal aid to education, it seems to me, properly comes before another committee.

Every one of us recognizes that the Hill amendment, laudable in its purposes, appealing in its intentions, has, nevertheless, in effect, been offered in order to sweeten Senate Joint Resolution 20 and to make it more palatable to Senators. Obviously, it is difficult for anyone who believes that the school situation should be improved, as most of us believe it should be, to vote against the Hill amendment; and if the Hill amendment were adopted, it would be even more difficult to vote against Senate Joint Resolution 20. But the Hill amendment and all that it envisions should stand on its own feet. It should come before the Senate as separate legislation. It should not be attached to Senate Joint Resolution 20 to confuse the issue actually before us. It should not be injected into the present discussion, which involves the question of whether or not the Federal Government is a government of delegated powers or whether it is superior to State governments in all matters, and for that reason has paramount rights and ownership with respect to lands which heretofore the States have always claimed as their own.

If the Hill amendment were modified to such an extent as to provide that the money realized by the Federal Government from the sale of oil in the submerged lands should be used to hire more tax collectors, or for the development of new and secret weapons of warfare, it would not command the symathetic consideration which it now receives because it is concerned with schools. Yet the principle of the Hill amendment would be exactly the same; and if the proceeds were to be used for something aside from schools, I am sure that the majority of the Senate would agree that the Hill amendment actually had nothing whatsoever to do with the question of who has paramount rights in or owns the submerged lands. The Senate would vote down the Hill amendment with the statement that it should be considered subsequently, and as separate legislation.

We are now trying to settle the issue of ownership—not what should be done with the proceeds from the sale of lands or resources whose ownership is at the moment in doubt. It is my hope that this sweetening of Senate Joint Resolution 20, the sauce which has been applied to it, the appealing seasoning in which it has been smothered, in the form of the Hill amendment, will not be so seductive to Senators that they will, by voting for it, forget or upset the constitutional principle which has been enunciated by all constitutional writers—a principle written by the founding fathers in article X of the Bill of Rights, which provides that—

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Mr. HOLLAND. Mr. President, will my colleague yield for a question?

Mr. SMATHERS. I am happy to yield to my very able colleague from Florida.

Mr. HOLLAND. I fully and completely agree with my colleague in his analysis of the Hill amendment. I wonder if he does not feel that, in addition to all the highly objectionable features of that amendment as applied to this particular measure, perhaps the gravest danger incorporated in it is its utter failure to safeguard to the States their independence and their complete control of their own public-school systems.

Mr. SMATHERS. I heartily agree with my distinguished colleague that that is another objection to the Hill amendment. That is another reason why the Hill amendment should be brought before the Senate in the form of separate legislation, so that all the dangers which are inherent in it—even though it has a very laudable purpose—can be discussed intelligently on the floor of the Senate.

[18] A special edition devoted by the Massachusetts Bar Association to the Problem of Federal Ownership of Submerged Lands.

[19] Professor of law, Columbia Law School.

[20] Abstracts from the individual articles in this masterful symposium have not been included. This symposium includes articles and papers by Dean Roscoe Pound, former dean of Harvard Law School, Prof. James William Moore of Yale Law School, Prof. Charles Cheney Hyde, Prof. John Hanna, Ireland Graves, a prominent Texas attorney, Price Daniel, Attorney General of Texas, and includes the Memorandum in Support of Rehearing 'n United States v. Texas.

Mr. President, in discussing the issue of who owns or has the paramount rights to submerged lands lying underneath coastal waters, it is essential that terms be clear, and that they have the same meaning for everyone. Otherwise, it might easily develop that some of us would be using the same language, but with different meanings in mind. To avoid such confusion, I wish briefly to define a few of the words so often used in connection with this subject.

Although this controversy is popularly known as the tidelands issue, the actual tidelands, as they are now defined, are not in dispute. The tidelands are those areas along our coasts lying between mean high tide and mean low tide. State ownership of those areas is not now contested by the Federal Government.

However, the Federal Government is asserting claim to the ocean bottom seaward from the low-water mark. Title to a portion of that area is in dispute because recognized State boundaries extend into the oceans and the Gulf of Mexico for at least 3 miles. The area lying below the low-water mark but within the admitted boundaries of the coastal States is properly called "marginal lands." It is the ownership of that relatively narrow strip which is now in dispute.

The problem here arises, therefore, because the individual coastal States contend that they have always owned their marginal lands, while the Federal Government, since 1947, in the case of United States versus California, has asserted the claim that the Federal Government had the right to the resources in those lands.

The States' claims to ownership are fully supported by a historical study of the legal chain of title. When the Thirteen Original Colonies won their independence from England they were 13 separate, sovereign States. Article 1 of the definitive treaty of peace between the United States of America and England contained this statement:

> His Britannic Majesty acknowledges the said United States, viz, New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia to be free, sovereign, and independent States; that he treats with them—
>
> Not "with it," but "with them"—
>
> as such; and for himself, his heirs and successors, relinquishes all claims to the government, proprietary and territorial rights of the same, and every part thereof.

Under the terms of that peace treaty each of the Thirteen Original States succeeded the King in all rights of ownership previously enjoyed by the King within the boundaries of the individual Colonies.

In tracing the title and ownership from the King of England to the States, with which he made a peace treaty, we must agree that there can be no question that before the Colonies won their independence from England the King of the British Isles was the owner of the seas and lands underneath the sea which lay along the coast. As early as 1610 the Privy Council of England in the case of Royal Fisheries of the River Bane said:

> The reason for which the King hath an interest in such navigable river, so far as the sea flows and ebbs in it, is because such river participates of the nature of the sea so far as it flows * * * and the King hath the same branches of the sea and navigable rivers, so high as the sea flows and ebbs in them, which he hath in the high sea.

Dean Roscoe Pound, of the Harvard Law School, recently wrote in the Baylor Law Review this statement, which was placed in the RECORD a moment ago by the able Senator from Utah [Mr. BENNETT]:

> As to the common law, from the time of Sir Matthew Hale's classical treaties De Portibus Maris, it has been settled that the title to the soil of the sea below high water mark is in the sovereign except so far as an individual or a corporation has acquired rights in it by express grant or by prescription or usage.

There can be no doubt, therefore, that the King of England was the sovereign of the coastal waters; and, as a matter of fact, it was because he was the owner of the adjoining seas that it was held that he also owned the navigable rivers, harbors, and streams, because they were merely fingers of the sea.

A number of colonial charters granted the isles of the adjoining seas to the grantee of the land on the mainland. For example, the grant by King Charles I to Lord Baltimore in the year 1632 included the isles 30 miles off the Eastern Shore. All the evidence, therefore, supports the contention that the King exercised the prerogative of ownership of the coastal waters of the lands within his domain.

Each original colony, therefore, acquired from the British King ownership and domain of its coast, as each colony was the successor in title to all the privileges of ownership enjoyed by the King.

The proponents of Federal ownership to the marginal lands would have us believe that the concept of a State owning waters and lands 3 miles offshore was created only after the American Revolution and after the ratification of the Constitution, and that, therefore, the colonies, as distinguished from States, never claimed ownership beyond the low water mark. As a matter of fact, the very able senior Senator from Wyoming [Mr. O'MAHONEY] on the floor of the Senate this afternoon stated that the concept of the 3-mile limit was originated by Thomas Jefferson, and only came into usage and being after the Constitution was adopted.

Facts prove otherwise. As I have previously mentioned, the evidence shows that the King of England exercised the rights of ownership over the adjoining seas. The extent of his claim of domain is evidenced by the statement of Johann Julius Surland who in 1750 said:

> The jurisdiction of harbors, shores, coasts and banks extends as far as the waters washing thereon can be contested with cannon.

At that time 3 miles.

Mr. LONG. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I am very happy to yield to the very able Senator from Louisiana, who has done so much to present a clear picture of the real problem which now confronts the Senate.

Mr. LONG. Mr. President, I thank my friend, the distinguished Senator from Florida, and I wish to congratulate him on his masterly speech on the subject, as well as on the work he has done in connection with it as a member of the Committee on Interior and Insular Affairs.

I believe the Senator from Florida is familiar with the fact that the concept of the 3-mile limit was really one of delimitation. There being no question about the fact that the Sovereign owned the beds of the sea, the only question was as to how far he could exercise his ownership, namely, whether he could exercise his ownership 3 miles, 8 miles, or 10 miles out to sea. There was a question involving the determination of the limitation of that ownership. But, there was never any doubt as to whom the land belonged. When the question arose as to how far out the United States of America claimed its sovereignty extended and how far the sovereignty of the States extended, there was no doubt at all that the States owned the beds of their streams; and the only question was how far out to sea their ownership extended.

Mr. SMATHERS. I heartily agree with the Senator from Louisiana. The question of 3 miles being the delimitation was discussed at the time the Thirteen Colonies were under the direct jurisdiction of the King. It was not a concept which had its birth in a dream, so to speak, as has been suggested as an explanation on the floor, in the days of Thomas Jefferson or after the Constitution was signed. I thank the distinguished Senator from Louisiana.

History shows then that when the Thirteen Original Colonies became independent States they obtained the ownership of their coastal waters and for at least 3 miles seaward.

When in 1787 the 13 States joined together under one Federal Government, that Government acquired only such rights and only such lands as were specifically granted to it by the Constitution. All other powers, properties, and rights were left vested in the States.

Article 10 of the Bill of Rights states:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The marginal lands were as much a part of each State as were the uplands and the lands below the rivers and harbors. The Constitution granted none of these to the Federal Government. Since then, there is no instrument or even any claim of any act or deed by which the coastal States either explicitly or impliedly conveyed the marginal lands to the Federal Government.

In the following years as each new State entered the Union, it did so on an equal footing with the original 13 States. It was understood and accepted

that this "equal footing" meant that each coastal State retained its ownership over its submerged lands.

In decision after decision, the Supreme Court of the United States has given judicial confirmation to the belief that the ownership of the tidelands and marginal lands was vested in the respective coastal States.

In 1842, in the case of Martin against Waddell, the Supreme Court of the United States had this to say:

> For when the revolution took place, the people of each State became themselves sovereign; and in that character hold the absolute right to all their navigable waters and the soils under them for their own common use subject only to the rights since surrendered by the Constitution to the General Government.

The rights so surrendered by the States were, of course, paramount authority in the fields of navigation, interstate, and foreign commerce, and defense, which are quite apart and different from ownership.

In the case of Smith against Maryland, decided in 1855, the Supreme Court of the United States said:

> Whatever soil below low water is the subject of exclusive propriety and ownership, belongs to the State on whose maritime border, and within whose territory, it lies, subject to any lawful grants of that soil by the State or the sovereign power which governed its territory before the Declaration of Independence.

In 1867, in the case of Mumford against Wardwell, the Supreme Court of the United States said:

> It is the settled rule of law in this Court that the shores of navigable waters and the soils under the same in the original States were not granted, by the Constitution, to the United States; but were reserved to the several States; and that the new States since admitted have the same rights, sovereignty, and jurisdiction in that behalf as the original States possess with their respective borders. (Quoting from *Pollard* v. *Hagan*.)

Since the inception of our Nation, the accepted law of the land has been that the States had full rights, sovereignty, and jurisdiction of all navigable waters within their respective borders, subject only to the Federal Government's navigational rights and use for defense purpose.

Mr. LONG. Mr. President, will the Senator from Florida yield.

Mr. SMATHERS. I am very happy to yield.

Mr. LONG. The Senator from Florida is reading language from the many cases which laid down the rule that the beds of all tidewaters belong to the States, and that the lands beneath the navigable waters belong to the States. No distinction was ever made by the Court in enunciating the broad rule, which was obviously correct, that lands beneath these waters within their boundaries belonged to the States.

As the Senator from Florida well knows, that rule and that doctrine were laid down and announced very clearly. There was no doubt in anyone's mind that what the Court was saying in these cases—even though they involved the beds of rivers or bays—was that these properties belonged to the States. That was the clear expression of the Court for 160 years. So when the Justices of the Supreme Court attempt today to say that the question of who owned the property out in the open sea or off the shore of the Gulf, the Atlantic, or the Pacific had not been settled, at least it can be stated that the Court had on innumerable occasions said that the property belonged to the States. Perhaps it did not have the exact facts before it in all cases, but in 52 cases the Court did state that the property belonged to the States, before the present New Deal Court decided to change the law.

Mr. SMATHERS. I thank the Senator from Louisiana. To prove exactly his point I should like to quote from the decision written by Mr. Justice Hugo Black when he wrote the majority opinion in the case of United States versus California, which case first denied State ownership in marginal land. He said:

> This Court has followed and reasserted the basic doctrine of the Pollard case many times. And in doing so it has used language strong enough to indicate that the Court then believed that States not only owned tidelands and soil under navigable inland waters, but also owned soils under all navigable waters within their territorial jurisdiction, whether inland or not.

What the able Senator from Louisiana has stated is certainly substantiated in the opinion written by Mr. Justice Hugo Black. He certainly admitted all the obiter dicta in these 52 cases, which had well established the belief that the States owned the marginal lands lying off their coasts. Suddenly, and apparently without sound reason, at least so far as I can understand, he upset a doctrine which had been in effect for more than 100 years.

Mr. LONG. Mr. President, will the Senator from Florida yield, to permit me to ask a question?

Mr. SMATHERS. I am happy to yield to the Senator from Louisiana.

Mr. LONG. Certainly the quotation from which the Senator from Florida has read shows that in that instance Mr. Justice Black, who wrote the decision against the States, himself said, in his own words, that he realized that the Court had said for 110 years that this property belonged to the States, but he wanted to reverse that decision.

Mr. SMATHERS. Exactly. When the able chairman of the Committee on Interior and Insular Affairs stands on the floor of the Senate and says, as he did a little while ago, that it had been established forever that the States did not own the lands under their marginal sea, he was taking direct issue with what Justice Hugo Black stated when he said that for all those years it had been the opinion of the Supreme Court that the States owned the lands under the navigable waters within their jurisdiction, whether or not.

Mr. LONG. Mr. President, will the Senator from Florida yield for another question?

Mr. SMATHERS. I am happy to yield to the Senator from Louisiana.

Mr. LONG. Does not the Senator from Florida agree that in the earlier decisions involving waters, whether a bay or a river or an estuary, the facts were such that the courts had to find, in effect, that the States owned the bed of the sea, in order to determine that the States owned the bed of the inland waters, because the possession of the inland waters was based on the theory that they were merely a branch or an arm of the sea, and that the ownership of those waters and the beds under them was derived from the doctrine that the King owned the bed of the sea and that the States succeeded to the right of the King.

Mr. SMATHERS. Exactly.

Mr. LONG. I thank the Senator.

Mr. SMATHERS. I thank the Senator from Louisiana for his very helpful contribution.

So, Mr. President, as I have pointed out, even Mr. Justice Black admitted that, previous to his decision, the Supreme Court of the United States believed the States owned the marginal lands.

It has always been my concept of the constitutional division of powers that only the legislative branch of the Government has the right to change the law. Now, however, we have an instance where six justices have taken upon themselves the legislative function of overturning what even they admit was the accepted rule of law on submerged lands, as we have just demonstrated by referring to the words of Mr. Justice Hugo Black.

The States and the courts were not the only ones adhering to the belief of State ownership of submerged lands. On numerous occasions the Department of the Interior evidenced its support of that principle. As recently as 1933, the then Secretary of the Interior, the late Harold L. Ickes, refused to grant Federal oil leases on marginal land under the Pacific Ocean within the boundaries of California, for he then said:

> Title to the soil under the ocean within the three-mile limit is in the State of California, and the land may not be appropriated, except by authority of the State.

Throughout the history of our Nation the Federal Government had recognized, consented to, and supported the belief that each coastal State owned its own marginal lands. It was not until relatively recent times, with the discovery of valuable oil fields under the sea, that claim to these areas was made by the Federal authorities.

Mr. LONG. Mr. President, will the Senator from Florida yield to me for a question at this point?

Mr. SMATHERS. I am happy to yield to the distinguished junior Senator from Louisiana.

Mr. LONG. As a matter of fact, we we not confronted today with the unusual situation that the advocates of Federal ownership concede that it is not a proper Federal Government function to attempt to regulate or control the marginal sea, insofar as the reclaiming of land is concerned or in so far as the regulation of fishing or the catching of shrimp or the taking of oysters or clam shells or kelp or sponges or similar articles is concerned; but only when some oil is found there, after the doctrine that that land belongs to the States has been

maintained for 110 years, do they attempt to say that the Federal Government should have it?

Mr. SMATHERS. Yes; for 110 years, so long as nothing of value was found in those lands, those who advocated Federal control were happy to adhere to the belief that the States owned their marginal lands, as the Senator from Louisiana has pointed out.

However, after oil has been discovered in those lands, in order to get control of the oil, the advocates of Federal control wish to upset 110 years of constitutional precedents confirming the ownership of those lands in the States.

Mr. LONG. Mr. President, will the Senator from Florida yield further to me?

Mr. SMATHERS. I am happy to yield to the Senator from Louisiana.

Mr. LONG. I wonder whether the Senator from Florida has noticed how much of the New Deal and the Fair Deal attention seems to concentrate on everything relating to fuel or power. If those who subscribe to the New Deal or the Fair Deal doctrines wish to nationalize anything, it seems that fuel or power comes first to their attention. I do not understand why that should be. However, it seems that when the gas industry wishes to transport gas, it is subjected to the theory that any small, independent gas producer should be completely controlled by the Federal Government.

We also see that many of those who take that view have recommended that the coal mines be nationalized.

We further see that such persons think the Federal Government should attempt to take over the entire field of the generation of power and the transmission of power.

So it seems strange that those who would like to take the Nation further down the road to socialism are quite willing to go into high gear, so to speak, at any time with regard to any matter which can be shown to relate to either fuel or power.

Mr. SMATHERS. Mr. President, I am not an expert on socialism. However, from reading generally about socialism, I believe that the basic plan of the Socialists is to have the Central Government take over control of the communications system and the power and fuel industries, as the Senator from Louisiana has so well pointed out.

I am not sure that that is the intent in this case at all. Neither the Senator from Louisiana nor I would make such a charge. However, the facts, as the Senator from Louisiana has presented them, seem to indicate that every time a question relating to fuel or power arises there is concerted effort on the part of some persons to get the fuel, power, or other resources into the hands of the Federal Government.

Mr. President, in 1945 the United States Attorney General initiated an original action in the Supreme Court against the State of California over the question of which government had jurisdiction over the marginal lands.

In 1947 the Supreme Court of the United States, in ruling on the California case, rendered an opinion which, instead of settling the controversy, has resulted in further confusion and bewilderment as to just what government—State or Federal—does have title to the marginal lands. In that case, concurred in by only six Justices, the Supreme Court ruled that the Federal Government had the authority to take the oil extracted from the marginal lands because, in the words of Justice Black:

> We decide for the reasons we have stated that California is not the owner of the 3-mile marginal belt along its coast and that the Federal Government, rather than the State, has paramount rights in and power over that belt, an incident to which is full domain over the resources of the soil under that water area, including oil.

It is interesting to observe, Mr. President, in the decision by Mr. Justice Black, that he did not say that the Federal Government owned or had title to the submerged lands; he merely said that California did not own that land.

Mr. LONG. Mr. President, will the Senator from Florida yield to me for another question?

Mr. SMATHERS. I am happy to yield to the Senator from Louisiana.

Mr. LONG. In that case, the Supreme Court held that the Federal Government had paramount rights; but I am sure the Senator from Florida knows that there was no declaration by the Court that the State had no rights. As the able Senator from Texas [Mr. CONNALLY] pointed out, when it is said that the Federal Government has paramount rights, that implies, in itself, that some other rights do exist.

Mr. SMATHERS. That is correct. Of course, the phrase "paramount rights," in its accepted meaning, connotes the paramount rights of the Federal Government to control matters relating to national defense, interstate and foreign commerce, navigable streams, and similar matters. That is all that "paramount rights" ever meant until the 1947 opinion, when the Supreme Court ruled in the case of United States versus California.

Mr. LONG. Mr. President, will the Senator from Florida yield at this point?

Mr. SMATHERS. I am happy to yield.

Mr. LONG. I believe that in some of the earlier decisions involving submerged lands, the courts—many years previously—had said that the States owned the land, subject to the paramount rights of the Federal Government in the field of navigation and in the field of national defense. However, they did not then seem to believe that such paramount rights had a way of coalescing, so as to take away the property belonging to someone else.

Mr. SMATHERS. Apparently, in the eyes of the Supreme Court, the paramount rights were expanding and extending.

Mr. President, since the California case there have been two additional cases which have further added to the confusion. On June 5, 1950, the Supreme Court of the United States, in the case of United States against Louisiana, speaking through Justice Douglas, decided that the 13 original colonies never acquired ownership in the marginal land and that, therefore, the rest of the States, admitted on an equal footing, do not own their marginal lands, either. The implication of this decision was that if a State had owned its marginal sea at the time of entry into the Union, it would continue to do so. However, on the same day, June 5, 1950, the Supreme Court handed down its decision in the case of United States against Texas, involving the marginal lands of Texas. In this case, the Court decided that even though Texas as a sovereign republic before its admission to the Union owned its marginal lands, nevertheless upon entering the Union it lost full authority and ownership of its marginal lands.

Justice Felix Frankfurter, who is not generally regarded as a reactionary or the tool of any oil lobbies or a Southern obstructionist, had this to say in disagreeing with the majority opinion:

> The submerged lands now in controversy were part of the domain of Texas when she was on her own. The Court now decides that when Texas entered the Union she lost what she had and the United States acquired it. How that shift came to pass remains to me a puzzle.

I may add that it remains a puzzle for a number of other persons in the United States, certainly including myself, and also including, I am sure, the senior Senator from Florida [Mr. HOLLAND] and the junior Senator from Louisiana [Mr. LONG].

The Supreme Court, by three vague opinions, based on strange, strained, and unusual reasoning, has, in effect, reversed the law which had been well established for more than 100 years.

In all three of the Supreme Court cases which I have mentioned oil has been the immediate subject of controversy. It seems that the underlying theory of the Department of the Interior for claiming dominion over this resource was that oil is essential to our national defense, that defense needs are paramount, and that therefore the Federal Government owns the oil in the submerged lands. This theory was substantially the basis of the Supreme Court decision in the California case, as recognized by Justice Douglas in his majority opinion in the case of United States against Louisiana, in which he cited the California decision, and said:

> National interest, national responsibilities, national concerns are involved. The problems of defense, national defense, relations with other powers, war and peace, focus there. National rights must, therefore, be paramount in that area.
>
> That is the rationale of United States against California.

Justice Douglas, in writing the majority opinion of the Louisiana case, said:

> Today the controversy is over oil. Tomorrow it may be over some other substance or mineral, or perhaps the bed of the ocean itself. If the property, whatever it may be, lies seaward of low-water mark, its use, disposition, management, and control involve national interest and national responsibilities.

The Supreme Court in that decision of but four Justices—two of the Justices took no part, two dissented, and the fifth, Justice Frankfurter, wrote an opinion disagreeing with the majority—has by judicial decree transferred to the Federal Government the basic right

to regulate—or even confiscate—the sponges, the oyster beds, or whatever else may be affixed to the soil of our coastal border.

The scope of these decisions is so alarming and of such import to the future stability of property rights that it demands the close scrutiny of every Member of this Senate. Admittedly, the Department of Interior and the Department of Justice are today asserting no desire to control fishing and other related industries. However, if we acquiesce in this transfer by judicial decree, we are on notice that at any time the Federal Government can assert its rights as the alleged owner of our subsoils below the low-water mark, we shall be in a constant state of uncertainty, operating and regulating our own businesses on a sufferance basis rather than as owners.

Merely because the officials in the Department of the Interior and the Department of Justice are not now insisting upon control and regulation of resources and other activities in the marginal seas does not preclude them from some day changing their mind and, relying upon the Supreme Court decisions, claiming such resources as the property of the Federal Government. And, as the able Senator from Louisiana pointed out, it may depend upon how valuable those resources may be.

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

Mr. SMATHERS. I am happy to yield.

Mr. LONG. As a matter of fact, Mr. Perlman when before our committee said he did not think any Solicitor General would be worthy of the job if he claimed the inland waters. But on the other hand, was it not Mr. Perlman, as Solicitor General, who went before the court, asked it to overrule innumerable prior decisions announcing the so-called "separate but equal" doctrine, which dealt with the subject of civil rights?

Certainly, as the Senator knows, if we were to tie in the aid-to-education amendment as a part of this measure, and if the school-teacher lobby should ask the Solicitor General to claim the inland waters for the school teachers of the country, someone, yielding to political pressure, as apparently Mr. Perlman may have done, might then proceed to put in a claim to the inland waters. Certainly the Court has given every opening for such a claim to be made, in view of the doctrine which the Supreme Court laid down in the California, Texas, and Louisiana cases.

Mr. SMATHERS. I thank the Senator from Louisiana.

It is true that an amendment to Senate Joint Resolution 20 would permit the States to regulate, manage and administer the taking, conservation and development of all fish, shrimp, oysters and other marine, animal and plant life within the marginal lands. However, I submit that such an amendment is merely a consent on the part of this Congress for the States to continue operating in a field of authority which is rightfully theirs alone. The amendment does not say that the United States recognizes that the States have sole authority to so regulate, but merely gives a temporary permission to the States, a permission which could be withdrawn by any later Congress.

Furthermore, it would take little stretching by the present United States Supreme Court in its judicial gymnastics to include in its general gift to the Federal Government all of a State's tidewaters and inland waters which are capable of being navigated. As a matter of fact, the Attorney General, in his brief in the case of United States against California, expressed disapproval of the case of Pollard against Hagan, which is the decision upon which State title to inland navigable waters was established.

Some of the Members of the Senate advocated an amendment to Senate Joint Resolution 20 which would disclaim Federal ownership of all navigable inland waters including the Great Lakes. The very able and very fine senior Senator from Illinois [Mr. DOUGLAS] has, on that basis, professed his support of Senate Joint Resolution 20, as he would under such circumstances, if that amendment were adopted, no longer have any fear or concern over any Federal claim being made to the lands below the shore line of his State.

However, I submit that there is no logical distinction between the shores of the Great Lakes and the shores of the Atlantic and Pacific and the Gulf of Mexico. When the Supreme Court of the United States, in the case of Illinois Central Railroad against Illinois, had determined the ownership of the bed of Lake Michigan adjoining the city of Chicago, it was decided that the same rule of law should be applicable to the Great Lakes as that which applies to the coastal States.

The Supreme Court in that case—One Hundred and Forty-sixth United States Reports, page 387—in the year 1892, had this to say:

> It is the settled law of this country that the ownership of and dominion and sovereignty over lands covered by tidewaters, within the limits of the several States, belong to the respective States within which they are found, with the consequent right to use or dispose of any portion thereof, when that can be done without substantial impairment of the interest of the public in the waters, and subject always to the paramount right of Congress to control their navigation so far as may be necessary for the regulation of commerce with foreign nations and among the States. * * *
>
> The same doctrine is in this country held to be applicable to lands covered by fresh water in the Great Lakes over which is conducted an extended commerce with different States and foreign nations. These Lakes possess all the general characteristics of open seas, except in the freshness of their waters, and in the absence of the ebb and flow of the tide. In other respects they are inland seas, and there is no reason or principle for the assertion of dominion and sovereignty over and ownership by the State, of lands covered by tidewaters that is not equally applicable to its ownership of and dominion and sovereignty over lands covered by the fresh waters of these Lakes.

I submit that at the time this decision was rendered, the Supreme Court of the United States considered its definition of tide-waters to mean navigable waters, and was not then narrowly defined so as to only include that strip rising between high and low tide—One Hundred and Forty-sixth United States Reports, page 435. Consequently, the ownership of the States bordering the Great Lakes to the lands below the waters adjacent to their coast rises or falls with the ownership of the coastal States to their marginal lands. As the Supreme Court has said, the Great Lakes are in all respects open seas and there is, therefore, no logical reason for distinguishing between the coast of the Great Lakes and the coasts of oceans.

Because the new Supreme Court is of the opinion that the Federal Government now owns the marginal lands due to its relationship with other nations, that same reasoning is now applicable to the marginal lands in the Great Lakes. It is no wonder that some Senators who support Senate Joint Resolution 20 also support the proposed amendment to it, which specifically excludes claim of Federal ownership to marginal lands in Great Lakes. I ask, Is it not the grossest sort of discrimination to disclaim title to the subsoil off the shore of one State and not of the other States? It would be just as great a discrimination as if we were to disclaim title to the marginal lands off California but not off the coast of Texas. I am surprised that Senators would advocate what amounts to special legislation in behalf of their own States while asking that the Federal Government take over the marginal lands off the coasts of other States. What would happen if oil were discovered in the bed of Lake Michigan?

According to the amendment, the Federal Government would have no claim to such oils. It is therefore very easy for Senators to support this legislation, which would take the oil proceeds of coastal States and spread them among all the school systems throughout the country, even in Illinois, Michigan, and the other States. But if any oil is discovered off the Great Lakes' coastlines it would belong to the adjoining States. Certainly it seems to me that this question must be settled on an equal and fair basis, with the same decision applying to every State. If we decide that the marginal lands of California belong to the Federal Government, then those of Florida should belong to the Federal Government. And, likewise, if the marginal lands of Florida belong to the Federal Government, the same is true for the State of Illinois, the State of Michigan, and the other States which are sponsoring the amendment. To exclude them, in the words of Sam Goldwyn, "to include them out," in the event this Federal ownership doctrine ever becomes the law of the land, would be highly unfair and discriminatory.

But the subsoils under the marginal and inland waters are not the only areas of resources which are in jeopardy due to the Supreme Court's thinking. If the Federal Government can establish a principle which allows it to usurp the authority of the individual States on the grounds of the needs of defense, then it can likewise appropriate for itself other resources wherever they may lie and to whomever they may belong. The same reasoning could equally well apply to the

coal mines of Pennsylvania, the gold mines of Colorado, the silver mines of Nevada, and the uranium deposits recently found in Polk County, Fla., from which the distinguished senior Senator from Florida [Mr. HOLLAND] comes.

This is not a far-fetched interpretation dreamed up by me as a straw man. Supreme Court Justice Reed recognized this very danger in his dissenting opinion in the case of United States against Texas. He said:

> The needs of defense and foreign affairs alone cannot transfer ownership of an ocean bed from a State to the Federal Government any more than they could transfer iron ore under uplands from State to Federal ownership. National responsibility is no greater in respect to the marginal sea than it is toward every other particle of American territory.

Dean Roscoe Pound of Harvard, who I am sure every Senator will agree is a man who knows something about the laws of the United States and who is certainly a great constitutional lawyer, had this to say on this very point:

> If sovereignty with responsibility for defense and international relations did necessarily and inseparably involve dominium, that is, ownership of land, all private ownership of land would have to be given up.
>
> (a) When defense for practical purposes meant defense from attack by sea within the range of the ordnance of the time, it could have been said that jurisdiction over the marginal sea was required for defense. But now that the whole country is potentially threatened from the air and defense may have to be made from every part of the land, not merely the seacoast but every locality up and down the land may call for defensive activities of the National Government. Today, defense, in a time of long-distance bombing and long-distance invasion by air over the whole territory of a belligerent must involve a power of defense from one end of the land to the other. If exercise of sovereignty for defense requires that the Government be owner, then there can no longer be private or state ownership of land. Under the conditions of warfare today the argument for national defense would make the United States owner of the whole land as well as of the shore of the sea and the sea adjacent to our territory.

Mr. LONG. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I am very happy to yield to the Senator from Louisiana.

Mr. LONG. Does not the Senator think that those who tell us we need not worry about the Government's taking all these properties and nationalizing various other things are, in many respects, the same gentlemen who approve the Government's taking over the practice of medicine, the Government's extended powers into the field of public power, the regulation of the production of fuels and various other things, and extending its power into the field of agriculture and, in the estimation of some of us, practically socializing agriculture? They say, "Do not let us worry about it; that is not our intention." But there are those who believe that the Government is doing just that in many fields.

Mr. SMATHERS. I agree with the Senator from Louisiana. I cannot understand how any person who believes in article 10 of the Bill of Rights, who believes the teachings of Jefferson, Madison, and other great founders of our Government, can vote for Senate Joint Resolution 20.

Some effort seems to have been made in the debate on this subject to confuse the issue by making it appear that the Holland substitute would surrender the Federal Government's paramount rights of navigation and defense in the marginal lands. Nothing could be further from the actual facts. Ownership of the resources in the soil has nothing whatever to do with the Federal Government's paramount rights of navigation and defense.

The senior Senator from Illinois would like for us to disclaim title to the subsoils in Lake Michigan. Does he thereby contend that the Federal Government would lose its paramount rights of navigation and defense in Lake Michigan?

The senior Senator from Wyoming would have us disclaim title to the river beds and the harbors. Does he thereby contend that the Federal Government would lose its paramount rights to navigation and defense over all navigable streams, rivers, and harbors in the United States?

Of course not, and the same is applicable to the marginal lands of the coastal States.

In further considering the ramifications of the Supreme Court's reasoning, I believe it should be remembered that the sole legislative authority of the Federal Government is vested in the Congress of the United States. Courts are not authorized and are not supposed to indulge in writing legislation. As every lawyer knows, in numerous instances in our Federal and State judicial history, courts for one reason or another have rendered decisions which amounted to writing new laws. In some instances this was the only course that the Court could take because the law which they were called upon to interpret was so ambiguous that their interpretation amounted to legislating. In other instances the courts, by judicial decision, have filled a legislative void which also amounted to the writing of laws. In such cases, however, the courts have never intended to usurp the legislative function, and it has always been within the power and the duty of the legislative branch either to affirm or disavow a court's decision when the court had, for one reason or another, engaged in legislating.

It seems to me that we have such an issue before us today. The Supreme Court has admittedly, by the decision of Justice Hugo Black, indulged in the writing of new law, when he said, in effect, "We admit the law has been this way for 100 years, but we are going to change it." So as the Court has indulged in the writing of new law, it is not only our right, but our duty, in view of the confusion which has arisen, to clarify what this legislative body believes to be the law on the subject.

In the opinion of the junior Senator from Florida, Senate Joint Resolution 20 is not the proper legislation to clarify the situation. Although it was introduced and is presented as a so-called interim measure, in truth and fact it is not an interim proposal either as to time or substance.

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

Mr. SMATHERS. I yield.

Mr. LONG. The proposal has been occasionally called an interim proposal and a compromise proposal. Actually, it is neither. If it passes as it stands at this moment——

Mr. SMATHERS. Did the Senator say "interim" or "enter in"? It appears to me to be an "enter in" proposal.

Mr. LONG. The Senator is correct. If the resolution passes in its present form it would simply mean that the Federal Government would take over the lands of States within the 3-mile limit. As a matter of fact, it has been stated that it is a compromise proposal, when there is no compromise involved. It is simply a case of drawing up a piece of proposed legislation offering some very slight concessions to the States and, upon that basis, saying that it is a compromise. With whom is it a compromise? It is simply an effort to make the proposed legislation more palatable.

Mr. SMATHERS. It is a compromise such as the judge in New York will make with Willie Sutton, giving him either 80 years in prison or 75 years in prison.

Senate Joint Resolution 20, by an amendment now withdrawn, would have provided that for a period of 5 years after its enactment the States would have some voice in the issuing of oil leases, but after that time, unless the Congress enacted some new legislation, the full authority to act would vest in the Secretary of the Interior. In the absence of additional legislation, then, this proposal would give permanent authority to the Federal Government. Such a measure could scarcely be termed "interim."

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

Mr. SMATHERS. I yield.

Mr. LONG. Of course, that provision has been removed from the resolution. The distinguished chairman of the committee one day, after discussing the matter, but without any agreement with anyone, had that amendment incorporated in the resolution. When the resolution was reported, he decided that apparently that provision did not make the resolution any more palatable, and he withdrew it without objection on the part of anyone. It is one of those things called a compromise by those who take the Federal side of the controversy.

One day they put a provision into the measure and the next day they take it out and say they are compromising with someone, when there is no compromise involved.

Mr. SMATHERS. A compromise indicates each side giving up something. I do not know what the other side has given up in this so-called compromise measure.

It becomes obvious that the pending joint resolution is not an interim measure, but amounts to a very definite declaration on the part of Congress that it has the authority to dispose of the minerals in the marginal lands, if we adopt the resolution in its present form.

Furthermore, the enactment of Senate Joint Resolution 20 would leave unsolved the boundaries of the State authority, therefore leaving undetermined titles to improvements, piers, and beaches along the coasts of the United States.

The Senators from Florida have joined with 33 other Senators in sponsoring S. 940, now the Holland substitute, which we believe would properly and thoroughly settle this entire problem.

I may say here that the very able senior Senator from Florida [Mr. HOLLAND], when he discussed this resolution, pointed out that Senate Joint Resolution 20 would leave completely unsettled the question of who should pay taxes, even, for example, on the many hotels, piers, and similar structures which today are built on filled-in land off the coast of the State of Florida.

The senior Senator from Florida has recently offered his substitute for Senate Joint Resolution 20, his substitute being in essence the provisions of S. 940, with certain minor refinements of language. The so-called Holland substitute would provide legislative confirmation of the common law as it applied to marginal lands and as the law has been understood for more than 100 years. It would give congressional recognition to the coastal States' title to marginal lands within their boundaries as recognized at the time the States were admitted into the Union, or as later recognized by Congress.

The problem of the tidelands involves two important questions, first, the necessity, in the interest of national defense, of immediately developing the oil resources of the marginal lands; and second, of settling, once and for all, the title to areas over which there will be much dispute because of the Federal claim to the marginal lands.

Senate Joint Resolution 20 offers only an unsatisfactory so-called compromise on the first question, while leaving untouched the second. On the other hand, the Holland substitute would dispose of both problems and settle the law once and for all.

This is not a debate about whether we will turn over our resources in marginal lands to private oil companies. The truth of the matter is that oil companies do not care whether the Federal Government or the States have those lands, because in either case they will get leases and will have to pay royalties to lessors. The same development work will be done by the same people, no matter who owns the lands. To say that it is necessary to have this question included in the program in order to have oil developed is certainly a strange point, not supported by the facts. As a very practical matter, it is only good, common sense that the States, which have for more than a hundred years exercised their authority over the coastal waters and lands underneath, should continue their ownership out to their territorial boundaries.

It is also important that Congress once again reaffirm the principle that the Federal Government has paramount rights only in matters in which the Federal Government has been specifically delegated rights by the States or by the Constitution. We should not permit to develop in the United States a doctrine or a principle which in essence holds that the Federal Government existed prior to the State governments, and that the Federal Government has paramount rights and authority in all matters where it may wish to claim such rights and authority.

We should not permit to be developed on the basis of the present Supreme Court decisions a doctrine which is contrary to the conception of democratic government as envisioned by Jefferson, Madison, Monroe, and all the other great founders of our Government. We should not permit an unsound principle such as this to stand, for it is a principle which, if ignored, can some day easily destroy State boundaries, and not only take away State property, but ultimately individual property, and make us all subservient to the all-powerful State.

This issue transcends the question of who will get title to the oil or where the proceeds of the oil will go. The monetary value of oil is of insignificance when compared to the overpowering question of the type of government we in the United States are to live under in the future.

The Holland substitute is the only proposal yet offered that can bring permanent order out of chaos and restore stability from the present confusion. Historically and legally the Holland substitute is fair and just. From a practical standpoint, it is the only logical and sensible solution to this problem. Therefore, I urge Senators to give overwhelming approval to the Holland substitute.

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

Mr. SMATHERS. I am happy to yield to the Senator from Louisiana.

Mr. LONG. The Senator from Florida has made an admirable address on the subject before the Senate. Inasmuch as he adverted to the proposed aid-to-education amendment, I would appreciate it if the Senator would permit me, by unanimous consent, to place in the RECORD at this point a telegram I have received from Mr. Allan B. Kline, president of the American Farm Bureau Federation, who said that the settlement of the tidelands issue should not become confused with the Federal aid-to-education issue.

Mr. SMATHERS. I thank the Senator for that contribution.

Mr. LONG. I ask unanimous consent that the telegram may be printed in the RECORD.

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

CHICAGO, ILL., *April 1, 1952.*

HON. RUSSELL B. LONG,
Senate Office Building,
Washington, D. C.:

It is the position of the American Farm Bureau Federation that Federal aid to education should be decided on its merits in the effort to tie it to tidelands oil issue. Federal aid to education seems merely to be a ruse. We oppose the combination as a most unsatisfactory approach to the legislative problem involved in each.

ALLAN B. KLINE,
President, American Farm Bureau Federation.

Mr. HOLLAND. Mr. President, will my colleague yield?

Mr. SMATHERS. I yield to the senior Senator from Florida.

Mr. HOLLAND. I wish to express my very warm congratulations to my distinguished colleague. I think he has made a most able address, and a real contribution to this debate.

I particularly appreciate, as I believe all other Members of the Senate likewise will appreciate, the fact that the Senator ended on the note that he did, namely, that, after all, the major consideration in this debate is whether it is sound Government to set up a superstate, with powers transcending anything the Federal Government has ever dreamed of having before, governing the whole submerged belt surrounding the Nation, and each of the maritime States, and calling for tens of thousands of additional employees, and for the making of decisions in hundreds and thousands of matters which vitally affect the local life and growth of communities along our coast line.

I think that is the gist of the subject. The oil question is a temporary matter, which will be completely disposed of within 20 or 25 years at the most. The permanent problem is one which should give deep concern to the people of the Nation, because we are now planning the kind of Government which we shall have during the hundreds of years, nay, thousands of years, during which all of us hope and believe in our hearts that our Government will continue to exist as the greatest democratic power on earth.

I warmly thank my distinguished colleague, the junior Senator from Florida.

Mr. SMATHERS. I thank my colleague, the senior Senator from Florida, and I yield the floor.

Mr. ELLENDER. Mr. President, I wish to join with the senior Senator from Florida [Mr. HOLLAND] in his compliments to the junior Senator from Florida [Mr. SMATHERS] for the able address he has just delivered.

While we are complimenting Members of the Senate for their contributions to the debate, I wish to pay my respects to the distinguished senior Senator from Florida [Mr. HOLLAND] for the able work he has been doing in this great fight.

I also wish to compliment my colleague the junior Senator from Louisiana [Mr. LONG] for the able work he has been doing in this fight on the tidelands issue. I do not have the ego to feel that I could add much to what has already been said on this subject, except perhaps by way of emphasis.

In discussing the tidelands subject, which is the unfinished business of the Senate, I should like to bring to the attention of the Senate a few concrete examples that show the slow but steady progress of bureaucracy in this country toward a strong centalized government. I believe such a discussion appropriate at this time in view of the fact

that the same brand of bureaucracy has been at work for over a decade in an effort to bring tidelands under Federal ownership and control. I do not propose to discuss every field of endeavor by the bureaucrats in that direction. I shall content myself with dealing with the question as it relates to labor legislation. I have chosen labor because most of the inroads in that field have occurred since I have been in the Senate, through the administration of the Walsh-Healey Act, the Fair Labor Standards Act, the Wagner Act, and the Taft-Hartley Act.

Mr. President, in the early days of the New Deal it was sought by the administration to regulate the wages and working hours of labor by means of industrial codes promulgated by the President. That policy was followed for quite some time, until the Supreme Court stepped in and declared unconstitutional the National Industrial Recovery Act, which supplied the authority for the Executive orders.

Soon thereafter a scramble started in the Congress to enact laws to take the place of these Executive orders. The so-called Walsh-Healey Act was first enacted, more as a stopgap than anything else, because it was contemplated at that time that there would also be enacted a minimum wage law. But because of the fact that a minimum wage law might be looked upon in the same way as were the NIRA codes, and because it was feared that a Fair Labor Standards Act based on the commerce clause might be declared unconstitutional, the so-called Walsh-Healey Act was enacted as an interim measure.

The provisions of that act dealt solely with the power of Government to fix wages and hours for employees of those manufacturers who did work for the Government. It was thought that since the Government itself was a contractor, it could get from the Congress a law which would give the Government the power within this restricted field, to fix wages, to regulate hours, and to do everything which might be accomplished on a more comprehensive basis through a wage and hour act.

When the Walsh-Healey bill was first introduced, and as it was passed by the Senate, it provided specifically that it was to apply not only to prime contractors, but also to subcontractors and suppliers. A similar bill was introduced in the House, but minus the provision that it was to be applicable to subcontractors and suppliers. In conference the language pertaining to subcontractors and suppliers was stricken.

It seems to me that such action by Congress was an indication of the congressional intent not to make the law apply to any other than prime contractors. But ever since the enactment of that bill, efforts have been made—and, in a measure, successfully—to extend the coverage of the act by making its provisions applicable not only to prime contractors, but to subcontractors and suppliers as well.

On March 8, of this year, the Administrator published in the Federal Register a set of proposed regulations for enforcement of the Walsh-Healey Act, to become effective July 1, 1952, unless revised before then. According to these proposed regulations a principal contractor will be required to stipulate in his bid that, with certain exceptions, he will be responsible for compliance by all persons engaged in producing the goods or services—whether employed by him or not—with the wage-and-hour and child-labor provisions of the act. In other words, although the act specifically applies only to principal contractors, and it is questionable whether or not a subcontractor is covered by the act, the Administrator now seeks to bring all subcontractors under the act by making Government acceptance of the bid conditional on the prime contractor's binding himself to accept responsibility for compliance by all persons engaged in producing the goods or services, whether employed by him or not.

Mr. President, I ask permission to have printed in the RECORD at this point an analysis that has been furnished me of this major change in the Walsh-Healey Act regulation.

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

MAJOR CHANGE

Apparently the main purpose of the new regulations is to require the principal contractor to stipulate in his bid that he will be responsible for seeing to it that all persons who work on the contract (with certain stated exceptions which will be hereafter discussed) will work under conditions which conform to the wage-hour and child-labor standards of the act whether employed by him or not. The requirement that such an undertaking be inserted in the contract is distinctly novel and goes much further than the language of the statute itself.

It will be recalled that when the Walsh-Healey bill originally passed the Senate the text of the proposed legislation required that stipulations to conform to the labor provisions were required not only of the prime contractor but also of subcontractors and suppliers. The House amended this bill so as to restrict its scope so far as the wage-hour and child-labor provisions were concerned to employees of the principal contractor. Only the subsection requiring that the contract work be performed under working conditions which are neither unsanitary nor dangerous was not thus limited. Since there are no monetary penalties prescribed for failing to comply with this subsection, however, the breadth of its language created few, if any, enforcement problems. After the House amendment resricting the major provisions of the bill to prime contractors was adopted the Senate concurred in the House version.

As a result, when the problem of issuing the regulations to carry out the new act first confronted the department, the administrators feared that the whole purpose of the act might be frustrated by bidders who would obtain Government contracts and then have the entire work performed by some other employer who of course would not be under any duty to comply with the labor provisions of the act. In order to prevent the intent of Congress from being circumvented in this respect the original regulations sought in three ways to prevent any such evasion of the act:

1. The term "regular dealer" was defined as covering only persons who had in stock the kind of materials described in the Government's invitation for bids. Thus dealers who were merely brokers were virtually excluded from the Government contract field unless they acted as manufacturer's agents;

2. Where the bid was submitted in the name of a third person but the materials were actually furnished by a manufacturer who shipped directly to the Government, that manufacturer was deemed to be the principal contractor, not because of having entered into any contract stipulation but by reason of the common law doctrine of principal and agent. Whether or not the regulation stating this principle was valid has apparently not been tested in court. Its validity would seem to depend upon whether the bidder was in fact an agent. Since under other Government regulations, a bidder must disclose the source of supply, it may be presumed that in most instances an agency relationship between the bidder and the manufacturer did in fact exist prior to performance of the contract. Nevertheless, such a fact would undoubtedly have been a matter of proof, rather than of conclusive presumption had the Government sought to penalize a noncomplying "principal."

3. The term "manufacturer," the only other class of bidders other than "regular dealers," was defined as a person who operated a factory which produced "on the premises, the materials required under the contract." Thus, a manufacturer to be eligible to bid could not have some other firm do the Government contract manufacturing for him without misrepresenting his own status under the definition.

Actually, none of these regulations was designed to impose coverage upon secondary contractors as the term is used in the new regulations. It was taken for granted that any manufacturer who in the performance of his Government contract did the same thing with respect to the purchase of materials or component parts that he would have done if he were filling an order for a private customer, had no concern with the labor conditions which existed in the plants of his suppliers. In view of the fact that questions were soon raised about this, however, the Administrator of the Division issued a ruling shortly after the act was passed which is known as the normal industry practice ruling. Under this ruling, if a manufacturer, contrary to usual practice, sublet a portion of his Government contract to another manufacturer, the second manufacturer was deemed a substitute manufacturer and in the view of the department was jointly responsible with the principal contractor for complying with the labor provisions of the act.

During the war, however, when the demand for orders upon some industries, notably aircraft, brought more manufacturers of parts into the picture, this regulation was relaxed. In reality, it was more of a threat than anything else, because it was not until very recently that the department ever attempted to hold the substitute manufacturer responsible in enforcement proceedings. Consequently, the authority of the department to police labor conditions in plants of substitute manufacturers is questionable, as a matter of law.

OBJECT OF SECTIONS 201.2 AND 201.5

Under the old regulations there was a requirement that the procurement agencies of the Government insert certain stipulations relating to the Walsh-Healey Act in the contract specification unless the contract was for a definite amount not in excess of $10,000. The old regulations, however, did little more than paraphrase the act. The technique of the new regulations is to require the principal contractor to make undertakings not contemplated by the act with respect to labor conditions in the plants of secondary contractors.

Under section 201.2, the stipulations include an agreement by the bidder, whether a dealer or a manufacturer, to (1) notify all

secondary contractors that the materials and articles ordered by him are for a Government contract subject to the Walsh-Healy Act and (2) to obtain compliance by the secondary contractor with all the stipulations respecting labor standards to which he himself has agreed.

What the Department obviously hopes to achieve by this device is, by contract, rather than by force of statutory law, to compel bidders to agree to certain labor standards for persons not employed by them above and beyond the requirements of the act itself. Thus, if a bidder signed the new stipulations, he would be estopped from thereafter contending that the liability he had undertaken was extra legal.

COMPTROLLER GENERAL DECISIONS ON CONTRACTS

During the period of the thirties the Comptroller General consistently took the position that contracting agencies, despite anything the executive branch might say, had no authority to insert any stipulations respecting labor standards into a contract unless they were authorized to do so by statute. Thus, the Comptroller General disapproved of (1) a requirement that contractors agree to the National Labor Relations Act; and (2) a requirement that contractors agree to the maximum hour and the minimum wage provisions of the Fair Labor Standards Act. It would therefore appear that the new stipulations contemplated under section 201.2 need not be inserted by the procurement agencies, if they are guided by the precedents set by the General Accounting Office in the past when similar problems arose. In fact, if the Comptroller General is consistent, he might well rule, if the question were submitted to him by the Military Establishment or the General Services Administration (now the principal procurement agency for the civilian departments), that the Department of Labor has no authority to make contracting officers insert stipulations which would force bidders to agree to something not required by the terms of the Walsh-Healey Act itself.

The scheme of making the bidders by contract guarantee compliance with the act on the part of secondary contractors, however, is not the only novel and drastic change envisaged by the draftsmen of the new regulations. Section 201.5 requires the contractor not only to be jointly responsible for obedience to the labor provisions of the act by substitute manufacturers but even by suppliers or subcontractors unless such persons now are deemed by the Department to fall into the category of what the regulations characterize as "auxiliary suppliers." Moreover, unless so classified, the secondary contractor is also liable for failure to observe the labor standards according to subsection (b).

An "auxiliary supplier" is defined in subsection (c) of section 201.5 as a supplier or vendor of materials or parts which under the prevailing practice of the industry, the manufacturer does not generally produce himself. Up until recently, however, the Department has never questioned the "industry practice" unless it is clear that the manufacturer is departing from his normal practice when he has a Government order, as distinguished from his practice under a private order, in an attempt to evade the act. Subsection (d) of section 201.5 makes it necessary for manufacturers when they are prime contractors to obtain a ruling from the Public Contracts Division whenever they purchase supplies from what they consider to be "auxiliary suppliers."

In making such rulings, the Administrator is supposed to base any determination upon a study of the industry as to what the prevailing practice is. It is not until 15 days after a bidder has submitted an inquiry to the Administrator and has failed to get an answer that the bidder may safely proceed to act upon what he considers to be the regular practice of his industry. Even then, he is supposed to wait for a waiver by the Department, in the form of a letter from the Administrator (subsec. (d) (2)).

It will readily be perceived that the combination of these two regulations would place an almost intolerable burden upon both dealers and manufacturers who accept Government contracts. As has been pointed out, under the old regulations dealers are not responsible for the labor conditions which exist in the manufacturing establishments unless the dealers are in fact agents of the manufacturer. Similarly, manufacturers have not had to undertake any responsibility for labor conditions in the plants of their suppliers unless it was obvious that they had placed a contract which they would otherwise perform themselves with a supplying company, to escape their own obligations with respect to labor standards.

It has been suggested that the Department of Labor should be asked to revise the regulations so as to relieve principal contractors of liability if they obtain affidavits of compliance from secondary contractors. Even this requirement would seem to go beyond anything the act itself intends, but at least a contractor would not be responsible for labor conditions in companies over which he has no control and with respect to which he lacks even authority to inspect payrolls and records.

The result would be that any contractor, who placed orders for supplies or equipment with another concern in order to fulfill his own Government contract, would risk incurring heavy penalties if these other firms should wilfully or even inadvertently fail to apply the labor standards of the act to their own employees. Consequently, in order to avoid liability without fault, many large contractors would attempt to manufacture all the component parts in their own plants. The economic effect on small manufacturers, who rely primarily on subcontracts for parts, would be catastrophic.

Moreover, even if the Administrator should interpret the new 50-percent test (see subsec. (d) (1) of sec. 201.5) of "regular practice" liberally, the rule requiring contractor to obtain a ruling from him on each item would cause the whole procurement program of the Government to become hopelessly bogged down. Some aircraft manufacturers, for example, have as many as 5,000 subcontractors and suppliers. How could the Administrator possibly answer requests for rulings with respect to the problem presented by each of these subcontractors to one contractor within 2 weeks, let alone conducting any survey which would enable him to make a determination?

Mr. ELLENDER. All that is done in the face of the congressional history, which shows that it was not the intention of Congress to make that act apply to other than prime contractors. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point that portion of the proposed regulations which defines the qualifications of a contractor.

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

(a) Qualification of contractor. The contractor is the manufacturer of or a regular dealer in the materials, supplies, articles or equipment to be manufactured or used in the performance of the contract.

(1) The Secretary of Labor under authority conferred upon him under section 6 of the Public Contracts Act has relaxed the obligation of the contractor to manufacture or furnish the contract commodities himself, provided the following conditions are met: (i) the contractor is a qualified manufacturer or regular dealer, as these terms are defined in the Public Contracts Act Regulations; (ii) the contractor notifies all secondary contractors that the materials and articles contracted for or the operations to be performed are in fulfillment of a Government contract subject to the act and the stipulations required thereunder.

(2) It is expressly agreed and understood that where the contractor, pursuant to such relaxation, enters into any arrangement with a secondary contractor for manufacture or supply of the contract commodities, or materials or parts to be used in the performance of the contract, the contractor is charged with the duty of obtaining compliance by the secondary contractor with the requirements of these stipulations to the same extent as if he performed the work himself and he shall be liable for any failure by the secondary contractor to observe the requirements of such stipulations; except that this undertaking by the contractor is not applicable where the secondary contractor is an "auxiliary supplier" within the meaning of § 201.5 (c) of the Public Contracts Act Regulations (41 CFR 201.5 (c)).

Mr. ELLENDER. As I have just indicated, the Walsh-Healey Act was intended merely as a stopgap. When the Wage and Hour Act was passed in 1938, it was felt that the Walsh-Healey Act would no longer be useful, but because there was a possibility that the Wage and Hour Act might be declared unconstitutional by the Supreme Court, the Walsh-Healey Act was not repealed. In 1941, however, the Supreme Court held that the Fair Labor Standards Act was constitutional, and from that date on the Walsh-Healey Act became an unnecessary and burdensome duplication of authority and should have been discarded.

We have today two major statutes dealing with labor. We have the Fair Labor Standards Act, and we have the so-called Taft-Hartley Act, which is an amendment to the Wagner Act. In one case we have a statute fixing minimum wages and maximum working hours at a certain level. In the other we have set up procedures whereby labor can enter into bargaining agreements with management and obtain additional benefits, over and above those guaranteed in the Fair Labor Standards Act, with respect to wages, hours, and other terms of employment. There is absolutely no further need for the Walsh-Healey Act, and yet it is now being used by the Government—by the bureaucrats—to supplant the collective bargaining procedures of the Taft-Hartley Act in order to bring about higher wages in certain industries. In other words, by and through bureaucratic pressure a pattern is set for higher wages in a given industry.

Mr. HOLLAND. Mr. President, will the Senator yield for an observation?

Mr. ELLENDER. I shall be glad to yield to my distinguished colleague in just a moment. I should like to place in the RECORD at this point a history of the Wages and Hours Act and the Walsh-Healey Act. I ask Senators to read this history, which demonstrates the extent to which bureaucracy has been marching in the labor field since the early 1930's.

By reading the history of the wage-and-hour legislation we can see why the

acts were placed on the statute books, and we can see the necessity for the Fair Labor Standards Act. This is a very interesting account, and I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

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

HISTORY OF EARLY FEDERAL WAGE-AND-HOUR LEGISLATION—WHY THE WALSH-HEALEY ACT OF 1936 SURVIVED THE ENACTMENT OF THE FAIR LABOR STANDARDS ACT OF 1938

Federal wage-and-hour legislation in the 1930's utilized two main sources of congressional power, the authority to prescribe terms of public contracts and the power to regulate interstate commerce. A 1936 statute, the Wash-Healey Act (49 Stat. 2036, 41 U. S. C. A., sec. 35-45), as amended, controls wages, hours, and other labor conditions under which articles purchased by the Government are manufactured. The Fair Labor Standards Act of 1938 (52 Stat. 1060, 29 U. S. C. A., sec. 201-19), is a comprehensive wage-and-hour law based on the commerce power.

As a result of the coexistence of the two laws, with their inconsistent standards of wages and hours, Government contractors must be alert to select the appropriate standard for particular employees and must maintain records, supervise and segregate employees, and calculate prices accordingly. On the Government's side, the administration and enforcement of the two overlapping laws involve a similar multiplicity of standards, efforts, and expense.

The earliest antecedent of each of the acts is the National Industrial Recovery Act of 1933 (48 Stat. 195, June 16, 1933) which authorized the President to approve industrial codes. Sections 3 (a) and 7 (a) of the NIRA prescribed code conditions, including provisions as to maximum hours and minimum wages.

The NIRA's labor provisions proved to be impracticable of administration and enforcement, and corrective legislation (which culminated in the enactment of the National Labor Relations Act of 1935, the Wagner Act) was proposed. Defects of the NIRA were described in part as follows in a House report of one of the corrective bills:

"After several months of experience as chairman of the National Labor Board, Senator Wagner reported to the Congress last year that section 7 (a) could not be enforced unless a statutory board especially charged with its administration, were given powers analogous to those of the Federal Trade Commission in preventing unfair trade practices. The so-called 'Wagner bill,' providing for such a board, was the subject of lengthy hearings by the Committee on Education and Labor of the Senate, but failed of passage in the pressure for adjournment. Congress did, however, make a gesture toward better enforcement by the passage of Public Resolution 44, Seventy-third Congress, which gave the President express statutory authority to establish a board or boards 'authorized and directed to investigate issues, facts, practices, or activities of employers or employees in any controversies arising under section 7 (a) of said act or which are burdening or obstructing, or threatening to burden or obstruct, the free flow of interstate commerce.'

"But, apart from somewhat imporved machinery for the conduct of elections, such boards established under the public resolution have all the weaknesses of the old National Labor Board in the matter of preventing and restraining violations of section 7 (a)."

While Congress studied the legislative forerunners of the Wagner Act (then intended only to clarify and implement the NIRA, by the establishment of a National Labor Relations Board) the United States Supreme Court on May 27, 1935, declared the NRA codes unconstitutional. (*Schechter Corp.* v. *United States* (295 U. S. 495 (1935)).)

The Supreme Court's decision was not wholly unexpected and the administration was not caught unprepared. The Secretary of Labor had investigated both public contracts and the commerce clause as possible sources of wage and hour regulation. According to Secretary Perkins' memoirs:

"During this period—before the Schechter decision—of doubt over NRA's future, I began to explore means to save what I thought was basic and important—the limitation of hours of labor and the establishment of a floor under wages. I persuaded the solicitor of the Department of Labor to draw up two bills. One, a public contracts bill, employed the conception Felix Frankfurter had given us in 1932 that the Federal Government had power under the Constitution to determine the labor conditions under which goods purchased by the Government should be manufactured. The other, assuming the constitutionality of Federal legislation, called for general wage and hour standards." (Perkins, The Roosevelt I Knew (1946), pp. 248-249.)

It is significant that the Secretary of Labor did not regard her two bills, one a prototype of the Walsh-Healey Act, the other a draft of the Fair Labor Standards Act, as integral parts of a united system of wage and hour regulation, but as alternative systems. Each of the two bills was founded on a distinctive theory of constitutional law; the public contracts bill on the constitutionally valid conception that, in prescribing the limits and conditions of its contracts, the Federal Government is a private individual (*Atkin* v. *Kansas* (191 U. S. 207 (1903))); the general wage and hour bill on the then highly dubious constitutional ground that the Federal Government, all-powerful in matters of interstate commerce, can reach the wages of the worker at the end of commerce's stream. The Supreme Court invalidated Federal wage and hour legislation as a violation of due process of law and as beyond the Federal commerce power, whether in the form of direct regulation of industry or prohibition of the transportation of the product. (*Hammer* v. *Dagenhart* (247 U. S. 251 (1918)); *Adkins* v. *Children's Hospital* (261 U. S. 525 (1923)); *Carter* v. *Carter Coal Co.* (298 U. S. 238 (1936)); *Morehead* v. *New York ex rel. Tipaldo* (298 U. S. 587 (1936)) (State wage laws).)

Although the Walsh-Healey Act as enacted is comparatively limited in application, both it and the Fair Labor Standards Act were conceived as complete systems of wage-and-hour regulation. The original Walsh bill (S. 3055), modeled after the prototype of which Secretary Perkins' memoirs speak, included an ambitious network of wage-and-hour regulations applicable to contractors with the Federal Government and their subcontractors and required any State or municipality which received loans or grants from the Federal Government to impose similar contracting standards. Its scope was reduced to cover only contractors with the Federal Government after the United States Supreme Court's decision in *United States* v. *Butler* (297 U. S. 1 (1936)), which characterized the Agricultural Adjustment Act of 1933 (48 Stat. 31) as follows:

"At best it is a scheme for purchasing with Federal funds submission to Federal regulation of a subject reserved to the States."

While Secretary Perkins weighed doubts as to which of her two bills to sponsor, her colleagues were in some confusion as to the next course to be followed in carrying out other New Deal promises. Some read the Schechter decision to mean that part of the NIRA labor regulations could be salvaged; others, less hopeful, believed that the Supreme Court was intent on destroying the whole New Deal program. Finally, a course on labor legislation was chosen; the bills underlying the Wagner Act were reframed by a House committee to rest upon Congress' power under the commerce clause (H. Rept. No. 1147, 74th Cong., 1st sess. 7 (1935)) and the administration sponsored the Walsh-Healey Act.

On June 14, 1935, Senator Walsh introduced a bill (S. 3055) to provide conditions for the purchase of supplies and the making of contracts, loans, or grants by the United States. The bill, as amended, was passed by the Senate on August 12, 1935, but did not pass the House. Representative Healey introduced H. R. 11554 on March 2, 1936. Healey's bill, drafted after the Agricultural Adjustment Act had fallen in *United States* v. *Butler*, supra, dealt only with conditions for the making of Federal Government contracts. The House bill was referred to the Committee on the Judiciary, which already had under consideration S. 3055. The committee thereafter reported out S. 3055, completely altered and in reality an amended version of H. R. 11554. It was passed by the House on June 19, 1936, by the Senate on the following day, and became law on June 30.

Legislative records indicate that, once the original Walsh bill had been pared down, it was aimed mainly at salvaging the wage-and-hour standards which the NRA codes had established. (Before the NIRA, the Comptroller General had advised the Secretary of the Treasury that the latter was not authorized to include in invitations to bid any contract provisions fixing the wages paid by contractors because any such provision would remove from competitive bidding an important element of cost and would, accordingly, tend to defeat the purpose of the statute requiring competitive bidding (42 U. S. C. A., sec. 5; 10 Comp. Gen. Dec. 294, 301 (1931)). During the NRA codes' days, bidders for Government contracts were required by Executive Order No. 6646, March 14, 1934, to furnish compliance certificates. After the decision in the Schechter case, the National Industrial Recovery Board, by an order issued on May 29, 1935, and amended on June 3, 1935, suspended the operation of Executive Order No. 6646. The Comptroller General then held that bids which had been accompanied by certificates of compliance should be rejected and new bids solicited (14 Comp. Gen. 905, 911; 15 Comp. Gen. 2).) For example, the House committee reported its version of the bill under this preamble:

"In recent months the requirement that Government contracts must go to the lowest bidder, regardless of his labor practices, has tended to depress the advance in wages and purchasing power achieved during the first 2 years of the administration. Passage of this bill will end the present paradoxical and unfair situation in which the Government on the one hand urges employers to maintain and uphold fair-labor standards, and on the other hand gives vast orders for supplies and constructions to the lowest bidder, often a contractor or manufacturer whose own labor policies offend all decent social standards."

In House debates on the Walsh-Healey Act, Representative Healey stated:

"We have had a great deal of talk about this bill being a small NRA bill for Government contracts" (CONGRESSIONAL RECORD, vol. 80, pt. 9, p. 10002).

A proposition which he denied. Representative Hancock added:

"The essential feature of the Senate bill [Walsh, S. 3055] was that no one could do business with the Federal Government unless he complied with the codes in effect in May 1935. It was an attempt to put into permanent law the NRA codes which had been outlawed by the Supreme Court so far as the Federal Government could do so through its great purchasing power" (CONGRESSIONAL RECORD, vol. 80, pt. 9, p. 10003).

The Administrator of the Walsh-Healey Public Contracts Act, L. M. Walling (who later became Wage and Hour Administrator under the Fair Labor Standards Act), speaking before the Seventieth Annual Labor Conference on December 11, 1940, summarized the origin of the Walsh-Healey law as follows:

"When the NRA was declared unconstitutional the Federal Government was faced with the legal situation of having no means of control through interstate commerce or otherwise by Federal labor standards of the hours or wages or child-labor conditions in factories operating on a Nation-wide basis from the competitive standpoint. * * * So that there was a general recognition on the part of most people who gave any thought to the problem that something ought to be done by the Federal Government not only to buttress existing State standards but to make it possible for industry operating on a Nation-wide competitive basis to operate under decent labor standards and to protect those members of industry who were trying to maintain the gains which had been made under the NRA.

"So the movement was started in Congress, right after the demise of the NRA, to salvage some of the social gains which had been made. There was, however, considerable controversy over how this should be done and considerable doubt as to what means might legally be adopted by the Federal Government to do this" (Appendix of the CONGRESSIONAL RECORD, vol. 86, pt. 18, p. A6916).

Secretary of Labor Perkins regarded the administration's sponsorship of the Walsh-Healey Act as a political gesture:

"He [the President] was facing the 1936 campaign. * * * Nor did he want to go into the campaign with labor people badly disappointed. But his labor record was good, he figured. He had done his best. It wasn't his fault, but the Supreme Court's, that the protection on hours and wages was out. Moreover, the Walsh-Healey Act was an earnest of good faith."

And recognized that fulfillment of New Deal promises still required comprehensive wage and hour regulations:

"Roosevelt entered the [1936] campaign, therefore, with a description of the benefits to working people in the short hours and minimum wage protection effected by the NRA. He regretted that the NRA had been canceled out by the Supreme Court, but promised that, if elected, his administration would try to find something to replace NRA's regulation of hours and wages."

"Shortly after his reelection the President said to me, 'What happened to that nice unconstitutional bill [a forerunner to the Fair Labor Standards Act] you had tucked away?' "

The grave constitutional problems which stood in the path of a general wage and hour law have already been noted. In recognition of those obstacles, the President, in February 1937, unveiled his court-packing plan with an announcement that a wage and hour bill would follow in the wake of the passage of the court plan.

While the court-packing plan ranged Administration and congressional leaders in disputing factions, two decisions of the United States Supreme Court brightened the outlook for Federal wages and hours regulation. In March 1937 the United States Supreme Court in *West Coast Hotel* v. *Parrish*, (300 U. S. 379), overruled (*Adkins* v. *Children's Hospital*, supra) and upheld a state statute providing for the establishment of minimum wages for women, establishing the validity of whatever interference with contractual relations is necessary to safeguard the health and welfare of women and minors. Two weeks later, the United States Supreme Court sustained the constitutionality of the Wagner Act on the theory that discordant labor relations, even though local in character, may directly affect interstate commerce. *National Labor Relations Board* v. *Jones & Laughlin Steel Corp.* (301 U. S. 1 (1937)).

On May 24, 1937, the President sent a message to Congress urging favorable consideration of wage and hour legislation. (H. Doc. No. 255, 75th Cong., 1st sess.) On the same day, nearly identical wage and hour bills S. 2475 and H. R. 7200, were introduced by Senator Black and Representative Connery. Joint hearings on the proposed legislation were held by the House Committee on Labor and the Senate Committee on Education and Labor during June 1937. Since the bills' relation to constitutional law was a principal concern, the opening statement at the hearings was made by Assistant Attorney General Jackson who proclaimed:

"This act combines everything, and is an effort to take advantage of whatever theories may prevail on the Court at the time that the case was heard. Of course, that results in a good deal of complication." (Joint hearings on S. 2475 and H. R. 7200, 75th Cong., 1st sess., 1937, p. 54).

Throughout Congress' consideration of the Fair Labor Standards Act doubts as to constitutional validity were the governing elements. That fact alone may account for the failure of Congress to repeal the Walsh-Healey Act in 1938. Other considerations—for example, the fact that wages of producers of articles for wholly intrastate sales could not be reached, *Schechter Poultry Corp.* v. *United States*, supra—were overshadowed by the constitutional problem and were not seriously debated. Why the Walsh-Healey Act and the Fair Labor Standards Act were not reconciled and coordinated by Congress is not satisfactorily explained by legislative records.

On July 8, 1937, the Senate Committee on Education and Labor favorably reported S. 2475. (S. Rept. No. 884, 75th Cong., 1st sess., July 8, 1937.) During Senate debate, a statement by two A. F. of L. executives was read urging recommittal of the bill because:

"In its present form there is grave danger that it would materially interfere with and modify the Walsh-Healey bill, which has been of such great protection to labor standards."

However, the bill, as passed by the Senate on July 31, 1937, provided in section 19 that a contractor under the Walsh-Healey Act shall stipulate minimum wages and maximum hours and other conditions as prescribed by the Fair Labor Standards Act. That provision of the Senate bill was deleted (never to reappear) by a House committee amendment (H. Rept. No. 1452, 75th Cong., 1st sess., August 6, 1937, pages 19–20).

In the third session of the Seventy-fifth Congress, during 1938, the House Labor Committee reported out an amended bill, differing from earlier ones in the method of obtaining flexibility of wage and hour standards, a crucial matter under constitutional law decisions. However, House Labor Committee members disagreed as to the probability that the United States Supreme Court would hold the act valid and, when the Committee on Labor reported the bill favorably, Representative Ramspeck, on behalf of his subcommittee, presented his views as a minority report (H. Rept. No. 2182, 75th Cong., 3d sess., April 21, 1938, p. 20):

"In the opinion of the undersigned, the bill being reported by the majority of the Committee on Labor of the House as a substitute for the bill passed by the Senate is not a reasonable exercise of governmental authority but, on the contrary, is arbitrary and discriminatory. It is our opinion that it violates the due process clause of the Constitution, and therefore will be held invalid when it reaches the Supreme Court if it should be enacted into law."

On the Senate floor, Representative Ramspeck vigorously argued the invalidity of the bill:

"May I call the attention of the committee to the fact that with the exception of the general counsel of the American Federation of Labor no lawyer who has discussed this matter before the Labor Committee has contended that a single wage standard, such as this proposal contains, is constitutional. The present Solicitor General, Mr. Jackson, * * * stated most positively in response to a question asked by the gentleman from Illinois, that he doubted the constitutional power of Congress to fix a single rigid wage provision or a single hour's limitation" (CONGRESSIONAL RECORD, vol. 83, pt. 7, p. 7299).

Ramspeck placed before the Senate a brief, submitted by Gerard Reilly, Solicitor of the Labor Department, dated Marcl. 8, 1938, which stated as its conclusion:

"You have asked my opinion as to whether there is any authority for the view that Congress may validly enact a bill providing for a uniform minimum wage of 40 cents an hour throughout the country.

"After examination of the authorities I have been unable to find any decision or constitutional law sustaining this view. Moreover, the decisions in the field of minimum wages and minimum prices create serious doubt as to whether such an enactment would be upheld in the light of the present state of the authorities" (CONGRESSIONAL RECORD, vol. 83, pt. 7, p. 7301).

An introduced testimony of Ben Cohen before the Labor Committee to the same effect (CONGRESSIONAL RECORD, vol. 8, pt. 7, p. 7302). Nonetheless, the House passed the bill on May 24, 1938. A conference committee rewrote the drafts passed by the House and the Senate with a compromise provision as to flexibility in fixing minimum wages and a provision which could be construed to allow regional differentials (29 U. S. C. A., secs. 206, 208). The rewritten bill was adopted by the House on June 13 and by the Senate on June 14.

In 1938, questions as to the validity of the FLSA were reasonably founded in constitutional law. Earlier decisions upholding the National Labor Relations Act (*N. L. R. B.* v. *Jones & Laughlin Steel Corp.* (301 U. S. 1 (1937)); *N. L. R. B.* v. *Freuhauf Trailer Co.* (301 U. S. 49 (1937)); *N. L. R. B.* v. *Friedman-Harry Marks Clothing Co.* (310 U. S. 58 (1937)); *Santa Cruz Fruit Packing Co.* v. *N. L. R. B.* (303 U. S. 453 (1938))) had found, as a matter of fact, an intimate relationship between the regulated activity and its "effect on Congress." Since the need for regulation of wages and hours in order to preserve continuity of production and thus to protect interstate commerce is not as apparent as the need to preserve harmonious labor relations, FLSA's draftsmen had based their bill on a comparatively untried theory that Congressional power extended to "production of goods for commerce." Thus, FLSA embodied categorical wage and hour rules regardless of whether the probable "effect on interstate commerce" of the regulated activity in particular cases is direct or substantial.

The decision in *United States* v. *Darby* (312 U. S. 100 (1941)), upholding the FLSA, dissolved the conditions which in 1938 justified Congress' failure to repeal the Walsh-Healey Act. Other justifications, lightly regarded in 1938, later were advanced by the act's proponents as reasons for its survival. Thus, L. M. Walling, Federal Wage and Hour Administrator, asserted in December, 1940:

"I want to say to you that many of the people who argue that the Walsh-Healey Act is no longer necessary do so not, as they say, because its provisions now have no meaning since the wage and hour law has come along and taken its place, but they do

so because they recognize that so many industries which are effectively outside the reach of the relatively low standard of the wage and hour law, the 40-cent minimum, will be immune from any regulation by any outside force, including the Government, if the provisions of the Walsh-Healey Act with its requirements for determination of the prevailing minimum wage in industry are not retained" (Appendix of the CONGRESSIONAL RECORD, vol. 86, pt. 18, p. A6917).

More recently, opponents of the Walsh-Healey Act, encouraged by the mature strength of labor's bargaining position and not unmindful of inflation's persistent threat to an orderly economy, argue that the act outlived its purpose with the enactment of the FLSA and that the conflicting standards of the two laws needlessly increase prices under government contracts. One who advocates repeal of the Walsh-Healey Act, Ralph W. Gwinn, recently placed these remarks in the CONGRESSIONAL RECORD (Appendix of the CONGRESSIONAL RECORD, vol. 95, pt. 15, p. A5096):

"Pursuant to the President's recommendations, the Fair Labor Standards Act of 1938 was enacted on June 25, 1938. As will be shown later, this act controls the same conditions of employment as the Walsh-Healey Act and it applies to Government contractors as well as to other persons engaged in commerce or in the production of goods for commerce. However, as will be shown later, there are serious conflicts between the standards imposed by these two statues with the result that any person accepting Government contracts subject to the Walsh-Healey Act is thereby compelled to increase his overhead expenses to make sure of compliance with the requirements of both statutes. In practice it is only reasonable for the contractor to pass these added charges on to the Government in the form of higher prices. This direct increase in cost to the Government, and the many indirect costs—costs not included in the contract price—to the Government make the Walsh-Healey Act a direct vehicle for pyramiding the almost unmanageable operating expenses of the Government with no really susbtantial benefits accruing to anyone as a result of the act's application.

"When considered in its relationship to the National Industrial Recovery Act and the Fair Labor Standards Act it is obvious the Walsh-Healey Act was truly a stop-gap legislative measure. Without question that act should have been repealed when the Fair Labor Standards Act was enacted. However, in view of the then existing questions concerning the validity or constitutionality of the latter statute, the Seventy-fifth Congress was probably justified in not repealing the Walsh-Healey Act. Whether or not the Congress in later sessions was justified in continuing the Walsh-Healey Act on the books remains to be seen."

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

Mr. ELLENDER. I am glad to yield.

Mr. HOLLAND. I completely agree with the statement made by the Senator from Louisiana to the effect that bureaus, when once created, reach out and grasp for more and more power and extend their activities into fields with which they were never intended to deal.

I wish to ask the distinguished Senator from Louisiana if he does not feel that we have had another glaring example of the same sort of bureaucratic mushrooming growth in the recent action of the Wage Stabilization Board, with relation to the steel industry, in bringing the union-shop features into its recommendations despite the fact that it was not set up to deal with that subject, and that the National Labor Relations Board or other agencies deal properly with that field?

Mr. ELLENDER. I can say to my distinguished friend from Florida that that is another and a very recent glaring example of what I am discussing. What I am trying to do is to partly document this forward march of bureaucracy by presenting a step-by-step account with respect to the labor field. I am sorry that time will not permit me to give a full list of all cases, but I propose to cite a few instances to round out the pattern of approach to the vicious scheme.

Mr. President, with further regard to the so-called Walsh-Healey Act, it was limited in scope to the extent that the wage rate enforced was to be that which prevailed in the locality where the industry was located. But what has happened? Instead of following the express language of the statute and determining the wage rates that prevail in the particular locality where the manufacturing plant is located, the Administrator has in practically all instances made his wage determinations on an industry-wide basis. Instead of local wage determinations, he has promulgated Nation-wide determination for an industry.

Mr. President, of some 42 wage determinations made by the Administrator under the provisions of the Walsh-Healey Act, only 12 or 13 have been made on a regional basis while the rest have been imposed on a Nation-wide basis. As of today, only three are on a regional basis. This was done in spite of the fact that subsection 1 (b) of the Walsh-Healey Act provides that employees of contractors will be paid "not less than the minimum wages as determined by the Secretary of Labor to be the prevailing minimum wages for persons employed on similar work or in the particular industries or groups of industries currently operating in the locality in which the materials, supplies, articles, or equipment are to be manufactured or furnished under said contract."

I have quoted from the law. Notwithstanding that specific provision, the administrator and some of those great lawyers down there have taken it upon themselves to establish rates for an industry on a Nation-wide basis.

In questioning an official in the Wage and Hour and Public Contracts Division I was told that the Administrator had interpreted the word locality "in its broad sense, as covering the entire United States." This is a most astounding pronouncement. In a statement made by Dr. John V. Van Sickle before the Wage and Hour and Public Contract Division on September 23, 1948, the witness stated:

What is the legal basis for what would appear to be a direct and flagrant violation of the clear meaning of the act and the equally clear intent of the Congress? Apparently the Administrator relied on the following interpretation provided by one of his experts:

"The prevailing minimum wages for persons employed on similar work is an alternative which stands on its own feet, and even though the term 'similar work' is not followed by a comma in the text, the word 'or' following the term nevertheless acts as a complete disjunctive; and, because of change in the verbal sequence from a substantive verb ('similar work') to pure substantives ('industries') after the last pure substantive ('groups of industries') cannot strike back to modify 'similar work.' The present participle ('operating'), on the other hand, readily reaches through 'groups of industries' to 'similar industries' and to the particular industry because there is no barrier to halt it. Its influence cannot pass beyond this point, however, because the change in the grammatical structure obstructs it."

Mr. President, it is possible that in such fine pin-point analyses as that, written by paid Government attorneys, is the basis upon which the Administrator finds solace in the decisions he makes. It is evident from the mere reading of such a finding that the object is to find some straw on which to hang an argument so as to bypass the intent of Congress.

At the present time, the Wage and Hour and Public Contract Division is considering requests from the labor unions to increase the minimum wage rates in the woolen and worsted industries from $1.05 per hour to $1.26½ per hour, plus fringe benefits, and in the cotton-textile industry from a present rate of 87 cents per hour to $1.13½ per hour, plus cost of living changes and fringe benefits. The existing wage rates for the woolen worsted industry was established about 2½ years ago, while those for the cotton-textile industry were promulgated on November 16, 1948. Hearings for the woolen worsted industry are set for May 15, but a date for the cotton-textile industry hearings has not yet been announced.

Mr. President, this is being done by virtue of the Walsh-Healey Act. In other words, it seems that under the Taft-Hartley Act labor and management cannot agree with respect to what wages shall be paid, so now the administrator of the Walsh-Healey Act will take over and grant wage increases in the woolen and cotton textile industries. And the only justification for it lies in the fact that the Government is purchasing a part of the commodity that is being manufactured by these industries.

Mr. President, I do not see the necessity of the Taft-Hartley Act, if its collective bargaining procedures are not to be used by management and labor in establishing fair rates of pay and other working conditions.

What is terrifying to me, Mr. President, is that the executive department of our Government is permitting such a gross and wanton abuse of the law by joining hands with labor in an effort to force upward and upward the wages in those two industries.

Mr. President, the United States Supreme Court in *Perkins* v. *Lukens Steel Co.* (310 U. S. 113) held that a contractor has no recourse to the courts in seeking relief from the administrative ruling defining "locality" issued by the administrator of the Walsh-Healey Act, since the contractor voluntarily entered into the Government contract, and could refrain from engaging in the contract if he so desired.

Thus, the inference is that contractors who come within the Walsh-Healey Act, either specifically or by administrative interpretation, have no recourse whatsoever in disputing the Administrator's rulings.

Even though it is contrary to the provisions of the act, yet if a contractor enters into a contract with the Government, he has to abide by the wage and hour provision of the Walsh-Healey Act, no matter if it is contrary to the law itself; at least, that is the way I interpret the decision. So long as the manufacturer enters into a contract with his Government he is bound by the rulings of the Administrator, under that Supreme Court decision. So much for the Walsh-Healey Act.

Mr. President, the Fair Labor Standards Act has been abused just as much, if not more. I shall not belabor the Senate by referring to the many illustrations of what has occurred in the administration of this law. Instead, at this point I ask unanimous consent to have printed in the RECORD a list showing the actions taken by the wage-hour Administrator in extending coverage under the act and how in many instances the Supreme Court has upheld the action of the Administrator.

For instance, in the case of United States against Wrightwood Dairy Co., the Supreme Court sustained the authority of the Secretary of Agriculture to regulate the price and marketing of milk produced and sold intrastate which competed with the sale of milk moving from another State into that State.

In addition, in the case of National Labor Relations Board against Fainblatt, a dress contractor who finished garments which were delivered into another State by the owner who took possession and title at the factory prior to such shipments, was ruled to come under the jurisdiction of the statute.

Mr. President, I ask unanimous consent that the memorandum on this subject be printed at this point in the RECORD.

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

U. S. v. *Wrightwood Dairy Co.* (315 U. S. 110): The Supreme Court sustained the authority of the Secretary of Agriculture to regulate the price and marketing of milk produced and sold intrastate which competed with the sale of milk moving from another State into that State.

National Labor Relations Board v. *Fainblatt* (306 U. S. 601): Dress contractor finishing garments, which were delivered to another State by the owner who took possession and title at the factory prior to such shipments, was ruled to come under the jurisdiction of the statute.

National Labor Relations Board v. *Gluck Brewing Co.* (114 F. (2d) 847, C. C. A. 8, 1944): Trucking company engaged in hauling freight to and from railroad transporting such goods in interstate commerce, ruled to be affected.

National Labor Relations Board v. *Times-Picayune Publishing Co.*: Newspaper company publishing and receiving news, advertisements, and articles coming from out of State.

National Labor Relations Board v. *Pacific Gas and Electric Company* (118 F. (2d) 780, C. C. A. 9, 1941): A radio station is an instrumentality of commerce, so power company supplying electricity to it "affects commerce."

National Labor Relations Board v. *Henry Ford Trade School* (58 N. L. R. B. 1535 (1944)); Trade school engaged, inter alia, in the manufacture and repair of tools for companies engaged in business affecting commerce.

National Labor Relations Board v. *Butler Brothers and Alex Wasleff* (41 N. L. R. B. 843; 1942): Service employees in office building whose tenants are engaged in interstate commerce.

National Labor Relations Board v. *Bankers Trust Company* (56 N. L. R. B. 1071): Safe-deposit services to customers engaged in interstate commerce makes the statutes applicable to this bank.

National Labor Relations Board v. *Planters Manufacturers Co.* (105 F. (2d) 750, 753 C. C. A. 4, 1939): Holding that where "respondent competes in its sales in Virginia with manufacturers of similar containers whose plants are located in other States" then "the act is applicable to the respondent and the employees here involved."

Wickard v. *Filburn* (317 U. S. 111, 128): Holding that Federal Government may place quota control on wheat produced for local consumption since "home-consumed wheat would have a substantial influence on price and market conditions" and "home-grown wheat in this sense competes with wheat in commerce."

United States v. *Wrightwood Dairy Company* (supra): Holding at page 120 that the "marketing of a local product in competition with that of a like commodity moving interstate may so interfere with interstate commerce or its regulation as to afford a basis for congressional regulation of the intrastate activity."

Mr. ELLENDER. Mr. President, one of the most glaring instances is that afforded by the Administrator's interpretation of the exemption from the wage-and-hour provisions of the act, as contained in subsection 13 (a) (10) for "any individual employed within the area of production—as defined by the Administrator—engaged in handling, packing, storing, ginning, compressing, pasteurizing, drying, preparing in their raw or natural state or canning of agricultural or horticultural commodities for market, or in making cheese or butter or other dairy products."

In attempting to make his own definition of area of production, the Administrator has issued several interpretations, each having been conditioned in some way upon the size or the scope of operations of the plants to which it was designed to apply. The present definition limits the exemption to plants in towns whose population does not exceed 2,500, according to the 1940 census, and is conditioned on the distance from which commodities are obtained. The existing definition reads as follows:

Section 536.2: "Area of production" as used in section 13 (a) (10) of the Fair Labor Standards Act.

(a) An individual shall be regarded as employed in the "area of production" within the meaning of section 13 (a) (10) in handling, packing, storing, ginning, compressing, pasteurizing, drying, preparing in their raw or natural state, or canning of agricultural or horticultural commodities for market, or in making cheese or butter or other dairy products:

(1) If the establishment where he is employed is located in the open country or in a rural community and 95 percent of the commodities on which such operations are performed by the establishment come from normal rural sources of supply located not more than the following airline distances from the establishment:

(i) With respect to the ginning of cotton—10 miles;

(ii) With respect to operations on fresh fruits and vegetables—15 miles;

(iii) With respect to the storing of cotton and any operations on commodities not otherwise specified in this subsection—20 miles;

(iv) With respect to the compressing and compress-warehousing of cotton, and operations on tobacco, grain, soybeans, poultry or eggs—50 miles.

(b) For the purposes of this section:

(1) "Open country or rural community" shall not include any city, town, or urban place of 2,500 or greater population or any area within:

(i) One airline mile of any city, town, or urban place with a population of 25,000 up to but not including 50,000; or

(ii) Three airline miles of any city, town, or urban place with a population of 50,000 up to but not including 500,000; or

(iii) Five airline miles of any city with a population of 500,000 or greater

according to the latest available United States census.

This ruling was issued in 1949. Under it, only 656 of a total of 1,486 noncompress cotton warehouse plants could qualify, according to a survey made immediately after the order was issued. As to compress-warehouse plants, only 55 of a total of 353 could meet the population test. The survey further showed that approximately 70 percent of all the cotton produced in the United States is denied the benefit of the exemption granted by Congress. In spite of the fact that each definition of "area of production" by the Administrator has been overruled by one or more court decisions, the Administrator has continued to insist on a very restrictive definition. In striking down the definition which was superseded by the present one, the Supreme Court stated in regard to the definition of "area of production":

The ultimate question is what has Congress commanded, when it has given no clue to its intentions except familiar English words and no hint by the draftsmen of the words that they meant to use them in any but an ordinary sense. The idea which is now sought to be read into the grant by Congress to the Administrator to define "the area of production" beyond the plain geographic implications of that phrase is not so complicated nor is English speech so poor that words were not easily available to express the idea or at least to suggest it. After all, legislation when not expresesd in technical terms is addressed to the common run of men and is therefore to be understood according to the sense of the thing, as the ordinary man has a right to rely on ordinary words addressed to him.

Notwithstanding that statement by the Court, the Administrator still is trying to enforce a definition which is obviously contrary to the intention of the Congress.

Let me refer to another instance wherein the Administrator has sought to extend the authority given him in the Fair Labor Standards Act: In 1951 the Dallas office of the Wage and Hour Division attempted to bring under the act the operations of a company that produced in Louisiana sand and gravel which was consumed in Louisiana, and to force the company to pay back wages to its employees. The action of the Division was taken under the theory that the company furnished materials used in the construction, maintenance, and repair of "essential instrumentalities of interstate trade, commerce, transportation, transmission or communication, including highways." This coverage was

authorized by the Administrator in Release A–14 on March 13, 1945, and, according to a letter from the Administrator to me, under date of August 7, 1951, was the result of court decisions holding that such activities constituted "the production of goods for interstate commerce."

More recently, the Dallas office of the Wage and Hour Division has made demand upon Mr. A. J. Lambert of DeRidder, La., for back wages due his employees, holding that since he sells oil, gas, and other fuels to the Crosby Chemical Corp., a Louisiana concern, Lambert is engaged in interstate commerce. All of the products that Lambert sells to Crosby are consumed in Louisiana; but since the products that Crosby manufactures flow into interstate commerce, the Wage and Hour Division maintains that Lambert is engaged in interstate commerce. If that is not stretching the rule, I should like to know what this action does constitute.

According to a letter to me from Mr. C. D. Brown, president of the Louisiana Oil Marketers Association, dated February 20, 1952, the Wage and Hour Division also claims that the fuels and lubricants Mr. Lambert sells to farmers in the DeRidder area also bring him within the interstate commerce clause, since the farmers' products flow across State lines. In other words, in that case an effort is being made to hold that because a farmer purchased oil and gas to be used in connection with the operation of his farm, and because the products of the farm are sold in interstate commerce, the one who furnished that oil and gas, although all of it was obtained from and consumed within the State, comes within the purview of the Wage and Hour Act. Such a position is being taken even though farmers are specifically exempt from the provisions of the Fair Labor Standards Act. It is my judgment that the Congress is providing the pay for too many lawyers in Government whose sole aim seems to be to thwart the will and intent of Congress.

Mr. President, a case that arose under the Fair Labor Standards Act and that I am sure is recalled by many Senators here, is the famous portal-to-portal pay case. The Congress was forced to amend the Fair Labor Standards Act in order to save many employers from bankruptcy arising out of claims on the part of employees for back wages amounting to millions of dollars.

As a result of the Supreme Court ruling in *Tennessee Coal, Iron & Railroad Co.* v. *Muscoda Local No. 123 et al.* (321 U. S. 590), miners were given credit for time spent in traveling between the portal—outdoor opening—of the mine and the actual place of work, thus opening up an entirely new field of back-pay wage claims. This situation was not corrected until Congress, in 1947, passed the Portal-to-Portal Act, erasing the liabilities of employers for back wages and placing restrictions on the employer's liability in the future.

That was a case, as I stated, in which there was no intention by the Congress that the Fair Labor Standards Act should apply in such instances, and yet through administrative rulings it was applied. Congress was forced to pass a law to remedy this administrative blunder and travesty by the Supreme Court.

Mr. President, I could cite many abuses with respect to the operation of the Wagner Act, before the Taft-Hartley Act replaced it on the statute books. I shall not take the time of the Senate to go into the details of this, but I ask that there be printed in the RECORD at this point in my remarks a statement prepared in 1948, listing many of the abuses which were in evidence under the Wagner Act, and which made necessary the passage of the Taft-Hartley Act, in order to remedy those abuses.

The PRESIDING OFFICER. Is there objection?

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

REORGANIZATION OF THE NLRB

Prior to Taft-Hartley, the NLRB acted as a combination investigator, prosecutor, judge and jury. The new law separated these functions and lodged the investigating and prosecuting functions in the general counsel; and, generally speaking, placed the Board members in the position of a court. Incidentally, the Board membership was increased from three to five with the thought that they could handle more work that way.

PRESERVATION OF RIGHTS OF EMPLOYEES TO ORGANIZE

Sweatshop conditions and the many other employer abuses through the years gave rise to the Wagner Act's protecting the right of employees to join labor organizations. The theory was that in unions there would be the collective strength the separate individuals could not muster. That section and its policy are carried intact from the Wagner Act into the Taft-Hartley law.

EMPLOYER UNFAIR PRACTICES

The Wagner Act was critcized for being a completely one-sided statute since it sought to remedy unfair labor practices by employers only. Contrary to union claims, labor's rights under this section have not been impaired since the same five unfair practices by employers appear in both the Wagner and Taft-Hartley labor laws. (There is the one restriction on closed shops discusssed in the next section.)

(a) There has been no justifiable complaint on the employer unfair-practice section of the law, since qualified unions are still filing the same type of charge in pretty much the same quantity against employers as they did under the Wagner Act.

OUTLAWS CLOSED SHOPS

Congress was perhaps more completely unified on this provision than any other in the law. This probably resulted from the many cases where individuals lost their jobs because they were no longer in good standing with their union—since under a closed shop you may not get or keep a job without good standing in the union. This gave an unscrupulous union boss an absolute veto on who the employer should hire and the right to cause the discharge of an employee for any reason under the sun if he could maneuver his loss of membership.

(a) Taft-Hartley allows a union shop—one where an employer may hire whoever he chooses, but where all employees must join the union within 30 days after hiring. However, before a union may bargain for such an agreement with the employer, it must be authorized to do so in a secret-ballot NLRB election by a majority of all the employees affected—not just a majority of those voting.

(b) Taft-Hartley also provides that in a union shop the initiation fee to join the union may not be "exorbitant"; and if a union member falls out of good standing, the union may not have him fired unless his failure to maintain good standing results solely from his refusal to pay periodic dues.

(c) Also, wherever a State law prohibits even such an agreement as a Taft-Hartley union shop, that State law takes precedence over Taft-Hartley.

UNFAIR PRACTICES BY UNIONS

Under the Wagner Act, employers had no rights—only duties. The new law spells out unfair labor practices by unions.

(a) Many unions protested that employers would belabor them with unfair-practice charges and ruin them financially with the cost of defending themselves. It has not worked out that way, since NLRB statistics up to June 1, 1948, show that 2,302 unfair-practice charges have been filed against employers, only 671 were filed against unions, and of these charges against unions quite a few were by individual employees or by other unions.

SECONDARY BOYCOTTS

One of the favorite weapons of a union in making a strike effective under the Wagner Act was, either itself or through another union, to strike a second employer with whom there was no dispute—solely because this second employer, let us say, bought the products of the first employer. This caused the first employer (with whom the real dispute existed) to lose his market, and thus seriously curtailed his power to resist the strike. This is known as a secondary boycott. It victimized employers and employees alike who had no quarrel between themselves, and invariably by sheer economic pressure forced the first employer to accept the union demands.

(a) Taft-Hartley outlaws secondary boycotts. It not only makes them unfair labor practices, but orders the NLRB to have them enjoined pending Board adjudication of the merits. The new law also provides for civil suits against the guilty unions by employers or employees who can prove damages growing out of such a boycott.

(b) Assuming that the opposite of the right to strike is the right of an employer to resist a strike, the effect of this section has been to equalize the quarrel since the union can no longer bring all of this outside pressure to bear on the employer.

JURISDICTIONAL DISPUTES

The Taft-Hartley law outlaws that type of jurisdictional dispute where two or more unions are squabbling over who should do what work—with the employer in the middle faced with a strike by the losing union regardless of which one he elects to give the work to.

(a) Not only is this practice outlawed, but if the parties cannot settle the dispute themselves, the NLRB is directed to do it for them; then a strike by the losing union is prohibited, with the general counsel of the NLRB authorized to secure a court injunction against it.

(b) The sections dealing with secondary boycotts and jurisdictional disputes have been exceptionally successful in operation. The practices haven't completely disappeared, but invariably as soon as a charge is filed with the NLRB or a suit for damages filed in court, the union promptly stops the attempted violation. The mere notice to the union that the employer is aware of his rights and willing to assert them has proven adequate in almost every instance.

FREE SPEECH

The Wagner Act in its operations subjected employers to unfair practice charges if they spoke out in a union election campaign. Taft-Hartley provides that whatever an employer may say about a union shall not be construed as an unfair labor practice unless it contains a threat or a promise of benefit for his employees.

(a) This section has worked out well and many employers have entered into the election campaigns where they were heretofore excluded. The NLRB handed down a weird decision on this section about a month ago in the General Shoe Co. case, but I understand a new decision is coming out in about a week which will change Board policy and give real meaning to the free speech intent of the Taft-Hartley law.

BOTH MUST BARGAIN

The Wagner Act provided that the employer only must bargain in good faith. Taft-Hartley says that also applies to unions.

WHO MAY PETITION FOR AN ELECTION

Under the Wagner Act only the union could ask for an election, except in the single case where an employer was faced with two unions insisting they represented his employees, but neither of whom would file an election petition. Taft-Hartley provides that an employer on his own petition may secure an election to determine who represents the majority of his employees, but that such an election may be held no more than once in any 12-month period. This once a year restriction gives contracts greater stability and prevents the parties from harassing each other with too many elections.

NON-COMMUNIST AFFIDAVITS

Congress recognized the fact that Communism makes its most effective inroads through organized labor and has done so in just about every country the Communists have taken over. In order to give labor an opportunity to rid itself of Communists who have entrenched themselves in the American labor movement, Taft-Hartley required that before a union may use the services of the Labor Board for any purpose, its officers must sign affidavits disclaiming any Communist affiliation or belief.

(a) This provision has worked out very well in that many unions whose officers are Communists have seen a rebellion by the membership, which, because of this provision, has already forced many of the Communists out of responsible union offices.

INJUNCTIONS

The NLRB is empowered by Taft-Hartley to go directly into court to seek injunctions to prevent the commission of unfair labor practices. This section should be distinguished from the so-called national emergency provisions discussed later.

(a) A good example of how this injunction to prevent an unfair practice has worked was the recent case where John L. Lewis refused to bargain with the southern coal operators unless Joseph Moody, the association's president, stayed out of the negotiations. General Counsel Denham secured a court injunction which affirmatively ordered Lewis to bargain with Moody and anyone else the coal operators might select.

RIGHT TO STRIKE PRESERVED

The Taft-Hartley law expressly protects the right of workers to strike—except Government employees who lose their civil-service status if they strike.

(a) Under the national emergency section, the right to strike is preserved although it may be postponed under special circumstances for as long as 80 days only.

SUPERVISORS

A series of decisions by the NLRB and the Supreme Court under the Wagner Act put management in a position where it was required to bargain with its foremen and supervisors—in other words, management had to bargain with itself.

(a) Taft-Hartley provided that supervisors may organize, but an employer is not required to bargain with them.

(b) Since the passage of the act, we have seen a general trend by management, through education and consolidating its supervisory force, aimed at making all supervisors bona fide management representatives.

SUITS FOR DAMAGES AGAINST UNION

Taft-Hartley provides that unions may sue and be sued for damages for breach of contract. It specifically states that only the union funds may be attached in any judgment and the members, as individuals, are not subjected to loss of money or property.

(a) Union opposition to this feature was based on the assumption that they would be endlessly harassed by lawsuits. It has not worked out that way, and to date only about a dozen suits for damages are actually pending in all courts throughout the United States under this section of the law.

VOLUNTARY CHECK-OFF

Taft-Hartley provides that before dues may be checked off from an employee's wages, the employee must file a written authorization directing the company to deduct these dues from his pay and turn them over to the union.

MEDIATION SERVICE

Taft-Hartley created, as an independent agency, the Federal Mediation and Conciliation Service, whose duty is to settle disputes by bringing the parties together in an effort to forestall strikes.

(a) The creation of this service, as an independent agency, should remove the suspicion that its predecessor took a one-sided prolabor approach. This was reasonable in a sense, since the old Mediation Service was part of the Department of Labor, and thus required by statute to be a partisan of labor.

(b) The new service seems to have the confidence of both sides.

NATIONAL EMERGENCY STRIKES

Whenever a strike or a threat of a strike occurs in a vital industry (such as coal, transportation, communications, etc.) and the President believes that a stoppage would imperil the national health and safety, he may take the following action:

"Appoint a board of inquiry which will report all the facts to him, but will make no recommendations. Should this information convince him that a stoppage would imperil the national health and safety, he may direct the Department of Justice to seek an injunction to delay the strike. Then, should the courts agree that the national health and safety would be endangered, the injunction may be issued. It may last for 80 days at the longest. Meantime, the Mediation Service is required to make every effort to bring the parties together and avoid a stoppage. Should all these efforts fail, the NLRB is required to take a secret-ballot vote of the employees to determine whether they want to accept the employer's last offer, or strike. Should they vote to strike, they are free to do so and when the 80 days run out, the injunction must be dissolved."

(a) Examples of how this section has worked out are the recent coal stoppage, the threat of a strike at the Oak Ridge Atomic Energy Plant, and the present maritime dispute.

(b) What Congress apparently had in mind was that in one of these national emergency situations, the public simply could not afford a stoppage and if all efforts to settle were unavailing, the 80-day period would give the Congress an opportunity to legislate further.

POLITICAL CONTRIBUTIONS

One of the most controversial sections in Taft-Hartley is the one on political contributions by unions. It's now before the Supreme Court.

(a) This section applies the Corrupt Practices Act (dating back to 1907) to unions as it always has applied to corporations. Congress simply intended to prevent union officers from arbitrarily taking union funds and committing them to the campaign of some candidate for Federal office. This applies to general union funds only—individual members can make any contributions they wish.

(b) Whether the language of the law carries out this limited intent is now up to the Supreme Court.

WELFARE FUNDS

This section of the law is a stop-gap provision only. Generally speaking, it provides that any union welfare fund to which an employer contributes must be jointly administered as a trust fund.

(a) This section is inadequate to deal with the over-all problem of welfare funds and pension plans and it is generally agreed that further comprehensive legislation on those subjects is needed.

STATE LAWS

Taft-Hartley provides that the NLRB may cede to State labor boards certain disputes where the State law is not inconsistent with the Federal law.

(a) When the Wagner Act was in effect, a number of States enacted what became known as little Wagner Acts. Under this set-up, the National Board could allow the States to handle a lot of disputes which were purely local in character since the disputants would get about the same relief under the State law as they would under the Federal Wagner Act. However, there are as yet no "little Taft-Hartley laws." Hence, the Board is taking jurisdiction of many disputes where they had never acted before. This is probably a proper exercise of jurisdiction by the NLRB since both the Wagner Act and Taft-Hartley law give jurisdiction where the dispute is one "affecting commerce." It is difficult to conceive of a situation where, under recent Supreme Court rulings, the case does not affect commerce in some way.

(b) Present indications are that there will be some clarification of this problem of NLRB jurisdiction.

JOINT COMMITTEE ON LABOR-MANAGEMENT RELATIONS

As long as the Wagner Act remained in effect, its supporters looked upon it as an untouchable document. However, Taft-Hartley established the Joint Study Committee whose duty it is to survey and study the entire field of labor-management relations—including the operation of the Taft-Hartley law. This committee is continuing that study and will make recommendations for whatever additions or modifications experience shows are needed in the Taft-Hartley law. As presently set up, these recommendations will be presented to the Eighty-first Congress in the final committee report of January 2, 1949, and will be based on an up-to-date evaluation of all provisions of the Taft-Hartley law to that date.

Mr. ELLENDER. Mr. President, it is not my purpose to cite further examples in the labor field, although there are many more that could be mentioned, but I would like to mention briefly another way by which some of the bureaucrats in Washington, those in charge of our Government, have been trying to usurp States' rights. I refer to the so-called civil rights proposals. I am not going to discuss the poll-tax issue, but that was a glowing example of the Federal Government trying to regulate matters which should be left to the States. We have had agitation ever since I have been in the Senate regarding the question of poll taxes; we have had agitation regarding the question of antilynching, which is just another effort on the part of bureaucracy to invade the rights of the States, to centralize authority in the

National Government rather than relegate those duties to the States, where they belong and where they have always been.

Mr. President, I wish to ask the indulgence of Senators for just a few minutes longer. As I indicated a while ago, the legal aspects of State ownership of submerged lands within their boundaries have been well covered by many able Senators. All that I wish to do at this time is to more or less emphasize salient points in the wealth of valuable information presented by my colleagues since the discussion was begun. As was pointed out by the distinguished junior Senator from Florida, at no time before the Supreme Court's decision in the case of the United States against California in 1947 did any of the Administrators of Government agencies—either Army, Navy, Interior Department or others concerned—take the position that the Federal Government owned any of the submerged lands within the coastal States, either offshore or in rivers, bays, harbors, or arms of the sea. Every time, an effort was made to obtain lands from the States by cession—for the building of a lighthouse, or some other Federal purpose—application was made to the authority in the States concerned. I am not going into detail, listing every instance whereby Federal agencies asked the States for authority to use these lands, but I ask to have printed at this point in the RECORD, a few of the outstanding examples of instances where the Federal Government requested State cession of certain lands for various purposes, in the States of Louisiana, Mississippi, Florida, Alabama, Georgia, South Carolina, and Texas.

The PRESIDING OFFICER. Is there objection?

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

EXAMPLES OF FEDERAL GOVERNMENT REQUESTING STATE CESSION OF CERTAIN LANDS FOR VARIED PURPOSES

LOUISIANA

Act of legislature of 1921 set aside lands belonging to Louisiana in the Mississippi River in its mouth, and extending to deep water in the Gulf of Mexico, for maintenance of navigation. They were withdrawn from sale, and the legislature's action came from a request from the Chief of Engineers. In fact, the act states:

"Whereas the United States Government, through its War Department, Chief of Engineers, has requested cooperation of the State of Louisiana in maintaining the navigability of the channels of and at the mouth of the Mississippi River, etc."

Act of the legislature, 1930, Louisiana donated and granted to the United States a large area of the beds of streams, lakes, bayous, and all lagoons lying in Bossier Parish for the building of an airport and military purposes. The act stated, in part:

"Whereas the State of Louisiana owns lands which were formerly the beds of certain navigable bodies of water and of other streams in Bossier Parish, Louisiana, which are within a tract to be donated by the city of Shreveport to the United States of America for an airport, and, the United States of America will not accept said tract of land without the inclusion of this property within said tract belonging to the State of Louisiana."

MISSISSIPPI

In 1855 the Mississippi Legislature made a grant and cession to the United States relating to Ship Island lying off the Mississippi coast in the Gulf of Mexico of a strip of submerged lands 1,760 yards wide surrounding this island. In 1940 a supplemental enactment was passed by the Mississippi Legislature relating to this 1,760-yard grant. This area "lies in the open sea." This action followed a request by the Federal Government that the State cede these lands.

FLORIDA

In 1929, confirmed in 1938, Florida conveyed approximately 450 acres of submerged lands extending about 2 miles into the Atlantic Ocean at the mouth of St. Johns River, to the United States. On the map now in Federal files, which shows the extent of this transaction, are the words "acquired by the United States by deed from the State of Florida."

ALABAMA

The United States requested the State of Alabama to grant an 80-acre tract of land, both tideland and submerged, in and around Sand Island in Mobile Bay for a quarantine station. This was done in 1925, and the legislative act reads in part:

"Whereas the Congress of the United States by its act of February 19, 1925, has authorized the construction of a quarantine station on said Sand Island or on site on said island to be granted by the State of Alabama to the United States Government."

In a report to Congress by the United States Department of the Navy dated during the tenure of the second session of the Sixty-fourth Congress, the Navy refers to areas off the coast of Alabama as being the property of the State:

"The Sand Islands, formed by Government operations, were the property of the State, but that should the Government decide upon this location (for naval use), there would be no difficulty in obtaining them from the State."

With reference to these same islands, which had been formed by dredging operations off the coast of Alabama, the Navy report said: "Having been formed by dredging operations, they are the property of the State of Alabama, which in turn gave the city of Mobile right to enter upon and use them for any indefinite period."

GEORGIA

In 1874 Georgia granted to the United States tracts of land containing not more than 5 acres as selected by the United States for the purpose of erecting lighthouses, beacons, and other structures. In part, the act states:

"That whenever a tract of land, containing not more than 5 acres, shall be selected by an authorized officer or agent of the United States for the bona fide purpose of erecting thereon a lighthouse, beacon, or buildings connected therewith, and the title to the said land shall be held by the State, then, on application by the said officer or agent to the Governor of this State, the said Executive is hereby authorized to transfer to the United States the title to, and jurisdiction over, said land."

In 1939 the Georgia Legislature authorized the Governor to grant to the United States perpetual rights and easements over any and all lands—

"Including submerged lands, composing a part of the channel rights-of-way anchorage areas, and turning basins as may be required at any time for construction and maintenance of the aforesaid Intracoastal Waterway."

The authorization to make said grants was specified in an act to be in furtherance of the intracoastal waterway, authorized by act of Congress approved June 20, 1938.

SOUTH CAROLINA

In 1899 South Carolina granted to the United States submerged lands lying in the Atlantic Ocean at the entrance to a bay extending out 500 feet into the Atlantic Ocean beyond the line of high-water mark, for the construction of jetties by the United States.

In 1896 South Carolina granted to the United States portions of submerged lands in front of the town of Moultrieville, lying around Fort Moultrie military reservation. These lands extended a distance of 100 yards into the sea below low-water mark.

In 1900 South Carolina gave an extended grant of lands in this same general area to the United States, which lands extended out 100 yards into the Atlantic Ocean.

TEXAS

At the request of the United States on November 26, 1930, Texas executed and delivered its deed to the United States conveying a parcel of land approximately 82 acres in area, which lands were situated about 25 miles east of Galveston and which included substantial areas of submerged lands in and about East Galveston Bay.

At the request of the United States, Texas in 1880 conveyed to the United States a parcel of some 10 acres of submerged lands in the harbor of Galveston, now being covered to a depth of 4 to 5 feet of water at mean low tide.

In 1887, at the request of the United States, Texas conveyed a 10-acre tract of submerged lands lying between Padre Island and Brazos Island in the Gulf of Mexico to the United States.

In 1945 a lease was entered into, at the request of the United States, between the State of Texas and the United States of America, the former as lessor, and the latter as lessee, leasing a circular area having a 2,000-foot diameter covering submerged lands in Aransas Bay to be used by the lessee exclusively as a site for the location of a stationary antisubmarine bombing target.

In 1917, in a report to Congress, the Department of the Navy, reporting on certain sites under consideration for a navy yard in the vicinity of Galveston, made these comments:

"Site No. 10: This is located on West Bay Point, Galveston, Island. It consists of about 2 square miles, a little more than half of which is submerged. There is water frontage on the proposed extension of Galveston Channel at about 11,000 feet. The channel project at present only provides for extending the channel as far as the eastern boundary of the property. The land is owned by the State, and by Mr. Maco Stewart and Mr. J. J. King. Mr. King owns 113½ acres, and states that he will sell to the Government for $60,000. The Maco Stewart holding consists of about 150 acres on the eastern side of the site for which no price was obtained. The remainder of the land is owned by the State.

"Site No. 1: This property has a frontage of about 11,000 feet on the proposed extension of Galveston Channel. It is owned partly by individuals and partly by the State. A large portion of it is submerged land."

In addition, reference was made to a 7-mile section between the turning basin and the foot of Main Street in Galveston, with a frontage of some 4 miles. The Navy reported: "The navigation district owns Clinton, Irish Bend and Alexander Islands, and about 9,000 acres of submerged lands and bays which are available for future developments."

Mr. ELLENDER. Mr. President, in addition to these examples, I should like to also have inserted in the RECORD a letter from the late Secretary of the Interior, Harold L. Ickes, written in 1933, in which Mr. Ickes denies the application of an

oil operator for a lease under the Federal Leasing Act of tracts off the shore of California, and states that the title to the land in question is in the State of California. I might say at this point that it was Mr. Ickes who constituted the guiding hand behind the Government's attempt to grab these valuable off-shore resources, and there we have a paradox, for, in 1933, when this letter was written, there was no doubt whatsoever in Mr. Ickes' mind that the submerged lands off the coast of California were definitely the property of the State. Yet, as the years went by and more and more applications trickled into the Interior Department, as more and more New Deal pressure was exerted on the Secretary, as Mr. Ickes began to absorb by osmosis and contact this all-embracing doctrine of centralized Federal power, the attitude of the Secretary of the Interior changed, and, I might add, the attitude of the Supreme Court changed. The only thing that did not change were the submerged lands—they stayed just as they were, except that they began to produce oil. They were still owned by the coastal States, just as they are today, but our Federal bureaucrats could not sit by and watch the States gain a little additional revenue from lands that had been theirs since creation. So the court suits began, and the fateful decisions followed, and the rights of individual States in our Federal Union were crushed down by the weight of New Dealism and bureaucrats thirsting for power.

Mr. President, I ask unanimous consent that the letter I have just referred to be placed in the RECORD at this point.

The PRESIDING OFFICER. Is there objection?

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

DEPARTMENT OF THE INTERIOR,
Washington, December 22, 1933.

Mr. OLIN S. PROCTOR,
Long Beach, Calif.

MY DEAR MR. PROCTOR: I have received, by reference from the Department of State, copies of your letters of October 15 and November 22.

As to the jurisdiction of the Federal Government over lands bordering on tidewater, the Supreme Court of the United States has held in the case of *Hardin* v. *Jordan* (140 U. S. 371), as follows:

"With regard to grants of the Government for lands bordering on tidewater, it has been distinctly settled that they only extend to high-water mark, and that the title to the shore and lands under water in front of lands so granted inures to the State within which they are situated, if a State has been organized and established there. Such title to the shore and lands under water is regarded as incidental to the sovereignty of the State—a portion of the royalties belonging thereto and held in trust for the public purposes of navigation and fishing and cannot be retained or granted out to individuals by the United States."

The foregoing is a statement of the settled law, and therefore no rights can be granted to you either under the leasing act of February 25, 1920 (41 Stat. 437), or under any other public-land law to the bed of the Pacific Ocean either within or without the 3-mile limit. Title to the soil under the ocean within the 3-mile limit is in the State of California, and the land may not be appropriated except by authority of the State. A permit would be necessary to be obtained from the War Department as a prerequisite to the maintenance of structures in the navigable waters of the United States, but such a permit would not confer any rights to the ocean bed.

I find no authority of law under which any right can be granted to you to establish your proposed structures in the ocean outside the 3-mile limit of the jurisdiction of the State of California, nor am I advised that any other branch of the Federal Government has such authority.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

Mr. ELLENDER. Mr. President, I should now like to refer to an old decision of the United States Supreme Court, handed down in 1836—that of the *City of New Orleans* v. *The United States*, reported in 10 Peters 661, a Louisiana case. In that case the United States Supreme Court had occasion to review the provisions of the French Treaty of Cession by which the United States acquired the Louisiana Territory, and particularly the laws applicable to the ownership of the rivers, the seas and their shores within the boundaries of the Louisiana Territory and of the State of Louisiana after its admission into the Union in 1812. The Court reviewed the old Spanish and French laws which controlled the rights of property in the Louisiana Territory before the French Treaty of Cession, and the Court observed that under the old Spanish and French laws the Crown or the government of those countries could not alienate that type of property which was public by nature, the rivers, the seas and their shores, because this type of public property was held in trust by the nation's government for the common use of its people.

As to these, the rivers, the seas and their shores within the boundaries of the State of Louisiana as fixed in the act of Congress in 1812 admitting Louisiana as a State on an equal footing with the other States, the Supreme Court of the United States held that the United States had acquired only title in trust for the States later to be created from the Louisiana Territory.

True, in that case it was the shore of the river or public quay which was at issue, but the principle upon which the United States Supreme Court handed down its decision was the broad principle involving the ownership of the rivers, the seas and their shores.

In that case the Court concluded with its decree that in their opinion, neither the fee of the land in controversy nor the right to regulate the use was vested in the Federal Government. At this point I wish to quote from the Court's decision, found in 10 Peters 661:

The State of Louisiana was admitted into the Union, on the same footing as the Original States. Her rights of sovereignty are the same, and by consequence, no jurisdiction of the Federal Government, either for purposes of police or otherwise, can be exercised over this public ground, which is not common to the United States. It belongs to the local authority to enforce the truth, and prevent what they shall deem a violation of it by the city authorities. All powers which properly appertain to sovereignty, which have not been delegated to the Federal Government, belong to the States and the people.

It is enough for this Court, in deciding the matter before them, to say, that in their opinion, neither the fee of the land in controversy, nor the right to regulate the use, is vested in the Federal Government; and consequently, that the decree of the district court must be reversed, and the cause remanded with directions to dismiss the bill.

That decision handed down in 1836, should have set at rest for all time the right of title in the State of Louisiana to all its submerged lands and their resources—to be used for the benefit of the people of the State.

To the same effect the Supreme Court of the United States has held many, many times since, under varied circumstances, that the original States owned the tidelands and waters and resources within them; that originally there was no territory within the United States that was claimed in any other right than that of some one of the confederated States, and that there could be no acquisition of territory by the United States distinct from or independent of some one of the States.

That very same doctrine was held in the case of *Harcourt* v. *Gaillard* (12 Wheat. 523), in 1827. In that case the United States Supreme Court, through Justice Johnson, held that the original States "had acquired their original title by grants from the Crown, the limit of their claims was asserted by the States in the Declaration of Independence, and the right to it was established by the most solemn of all international acts, the Treaty of Peace—the treaty by which the Thirteen Original Colonies gained their independence from the British Crown in 1783 following the successful war of the Revolution.

Mr. President, I should like to read at this point some of the provisions of this definitive treaty of peace between the United States and His Britannic Majesty, signed September 3, 1783, which ended the War of the Revolution and made this Nation independent. It contains several important and pertinent factors. In sequence, they are these:

In article I the original colonies are dealt with separately, by virtue of the following:

His Britannic Majesty acknowledges the said United States, viz, New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia to be free, sovereign and independent States.

With reference to seaward boundaries, article II, which defines the limits of the newly formed United States, makes this provision:

East by a line to be drawn along the middle of the River St. Croix, from its mouth in the Bay of Fundy to its source, and from its source directly north to the aforesaid Highlands which divide the rivers that fall into the Atlantic Ocean, from those which fall into the River St. Lawrence; comprehending all islands within twenty leagues of any part of the shores of the United States.

I was reading from the treaty between England and the Thirteen Original States.

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

Mr. ELLENDER. I yield.

Mr. LONG. I think it is found in the treaty that the King spelled out each individual State separately and stated that he recognized them as free and independent States.

Mr. ELLENDER. That is correct.

Mr. LONG. Both free and independent. In the Articles of Confederation under which the States were being governed at that time it was also provided that each State retained its sovereignty and its independence, was it not?

Mr. ELLENDER. Yes. Following that, every State of the Union was admitted into the Union on an equal footing, so that what was true in the case of the Thirteen Original Colonies was carried down and made applicable to every State afterward admitted to the Union.

Mr. President, I previously made reference to the case of *Harcourt* v. *Gaillard* (12 Wheat. 523), decided in 1827. I ask unanimous consent to have printed in the RECORD at this point in my remarks a brief résumé of that case.

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

HARCOURT v. GAILLARD (12 WHEAT. 523 (1827))

Plaintiff claimed a parcel of land lying in what now constitutes lands within the boundaries of Alabama, Mississippi, and Georgia, under a British grant issued in 1777. This land had been successively claimed by Georgia, South Carolina, and the United States. South Carolina relinquished her claim to Georgia, and the United States settled her claim by taking a cession from Georgia of the land in controversy.

In ruling against the plaintiff, the court, through Justice Johnson, made these pertinent comments.

"There was no territory within the United States that was claimed in any other right than that of some one of the confederated States; therefore, there could be no acquisition of territory made by the United States, distinct from, or independent of, some one of the States.

"And although the instrument by which Georgia claimed an extension of her limits to the northern boundary of that territory, was of no more authority or solemnity than that by which it was supposed to have been taken from her, it was otherwise with South Carolina. Her territory had been extended to that limit by a solemn grant from the crown to the lords proprietors, from whom, in fact, she had wrested it by a revolution, even before the rights of the proprietors had been bought out by the crown.

"But this is not the material fact in the case; it is this, that this limit was claimed and asserted by both those States in he Declaration of Independence, and the right to it was established by the most solemn of all international acts, the treaty of peace. It has never been admitted by the United States that they acquired anything by way of cession from Great Britain by that treaty. It has been viewed only as a recognition of preexisting rights, and on that principle, the soil and sovereignty within their acknowledged limits were as much theirs, at the Declaration of Independence, as at this hour."

Mr. ELLENDER. Mr. President, still further back, in 1823, the United States Supreme Court held in the case of *Johnson* v. *McIntosh* (8 Wheat. 543), that by the terms of the treaty which concluded the War of the Revolution, Great Britain relinquished to the Original Thirteen States all claim, not only to Government, but to the proprietary and territorial rights to soil which had previously been in Great Britain.

This case did not involve title to submerged lands, but it is important from one particular standpoint of relative significance.

The plaintiff claimed land under a conveyance from the Indians in 1773. Defendants claimed under a grant from the United States. The lands in controversy were situated within the chartered limits of Virginia, and were ceded with the whole country northwest of the river Ohio by the Act of Cession from Virginia to the United States, on conditions expressed in the deed of cession.

In the course of its opinion, the court said:

By the treaty which concluded the war of our revolution, Great Britain relinquished all claim, not only to the Government, but to the property and territorial rights of the United States whose boundaries were fixed in the second article. By this treaty, the powers of government, and the right to soil, which had previously been in Great Britain, passed definitely to these states.

An absolute title to lands cannot exist, at the same time, in different persons or in different governments. An absolute must be an exclusive title, or at least a title which excludes all others, not compatible with it.

In scores of other cases since the first decision of this kind in 1823, the Supreme Court of the United States has decided time and again that when the Revolution took place, the people of each State themselves became sovereign, and in that character held absolute right to all their navigable waters and the soils under them for their own common use—*Martin* v. *Waddell* (41 U. S. 367).

It was held further that the right which the people of the State thus acquired comes not from their citizenship alone, but from their citizenship and property combined, and that it is in fact a property right in the people of each State that they own the tidelands, the waters, and the resources within them. That was held in the case of *McCready* v. *Virginia* (94 U. S. 391), decided in 1876.

The same United States Supreme Court, in many cases since its decision in the Louisiana case in 1836, held to the same effect, that all States since admitted on an equal footing with the original States own the navigable waters within their boundaries and the soils under them, and that these were not granted by the Constitution to the United States. This was held to be applicable to Alabama in 1845, in the case of *Pollard* v. *Hagen* (3 How. 212).

Mr. President, I have excerpts from many of the decisions holding the doctrine to which I have just referred. I ask unanimous consent that the excerpts may be placed in the RECORD at this point in my remarks.

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

POLLARD v. HAGEN (3 How. 212 (1845))

Plaintiffs claimed a lot of ground below both high- and low-water mark in Mobile Bay, under United States patent, issued before Alabama was admitted to statehood. The defendant claimed under grant from the State.

The Court said that this was the first time it had been called upon to draw the line that separates the sovereignty and jurisdiction of the Government of the Union and the State governments, over the snbject in controversy, although many of the principles which entered into the question had been settled by previous decisions of the Court.

The Court held that when Alabama was admitted into the Union on an equal footing with the original States, it succeeded to all of the rights of sovereignty and jurisdiction which Georgia possessed, except so far as such right was diminished by the public lands remaining in the possession and under the control of the United States and that if an express stipulation had been inserted in the agreement for the admission of Alabama as a State, granting the municipal right of sovereignty to the United States, such stipulation would have been void and inoperative, "because the United States have no constitutional capacity to exercise municipal jurisdiction, sovereignty, or eminent domain, within the limits of a State or elsewhere, except in the cases in which it is expressly granted."

The Court said further that the surrender made by the States of their waste and unappropriated lands, public lands, to the United States under resolution of the old Congress, of September 6, 1780, to aid in paying the public debt of the Revolution, ended as soon as such purposes could be accomplished, and then the power of the United States over such lands was to cease. To exercise rights not granted, the Court characterized as repugnant to the Constitution and inconsistent with the deeds of cession.

"Then to Alabama," the Court said, "belong the navigable waters, and soils under them * * * subject to the rights surrendered by the Constitution to the United States" and that "no compact that might be made between her (Alabama) and the United States could diminish or enlarge these rights.

"For, although the territorial limits of Alabama," the Court added, "have extended all her sovereign power into the sea; it is there, as on the shore, but municipal power, subject to the Constitution of the United States, and the laws which shall be made in pursuance thereof."

This landmark case follows the prior jurisprudence and is important all the more for the enunciation therein made that the new States have the same rights, sovereignty, and jurisdiction as to navigable waters and the subolls thereof as the Original Thirteen States.

MARTIN v. WADDELL (16 PET. 367)

One claimant based his right to take oysters from the bed of Raritan Bay, an arm of the sea, in New Jersey waters, upon a royal grant from the British Crown, in 1674. The other contestant predicated his claim upon a license or grant from the State of New Jersey.

Title to the bed of the bay was at issue, and State ownership was upheld. The two following statements were made in the Court's opinion:

"For when the Revolution took place, the people of each State became themselves sovereign; and in that character hold the ab-

solute right to all their navigable waters and the soils under them for their own common use, subject only to the rights since surrendered by the Constitution to the General Government.

"And when the people of New Jersey took possession of the reins of government, and took into their own hands the powers of sovereignty, the prerogatives and regalities which before belonged either to the Crown or the Parliament, became immediately vested in the State."

McREADY v. VIRGINIA (94 U. S. 391)

The question to be determined in this case was whether the State of Virginia could prohibit the citizens of other States from planting oysters in Ware River, a stream in Virginia governed by the ebb and flow of the tide.

Citing a number of cases, the Court held:

"The principle has long been settled in this Court, that each State owns the beds of all tidewaters within its jurisdiction, unless they have been granted away."

This case is of great importance because in it express reference is made to the paramount right of the Federal Government, and a brief interpretation of such right. It was defined by the Court, not in terms of title or proprietorship, but as a constitutional power—regulation of navigation.

BORAX CONSOLIDATED v. LOS ANGELES (296 U. S. 10)

This action was brought by the city of Los Angeles (defendant in writ) claiming a grant from the State of California, to quiet title to land in San Pedro harbor, the other party claimed under a preemption patent from the United States.

Holding for plaintiff under State grant, the Court held that, among other things, the State ownership of tidelands extends to the mean high-water mark; that such property, acquired by the United States from Mexico, had been held in trust for the State of California.

THE ABBEY DODGE (223 U. S. 166)

The defendant was convicted under a Federal statute prohibiting the landing of sponges taken by means of diving apparatus from waters of the Gulf of Mexico and the State of Florida.

The Court cited *McReady* v. *Virginia, Pollard* v. *Hagan, Smith* v. *Maryland* and other cases herein briefed, as well as others, in saying that if the statute applied to sponges taken from land under water within the territorial limits of the State of Florida, or other States, the repugnancy of the statute to the Constitution would be plainly established. Referring to the case of *Manchester* v. *Massachusetts*, the Court pointed out that aquatic life "so far as they are capable of ownership while so running" belong to the States, and are subject to their control, if found within the marginal waters of such States.

SKIRIOTES v. FLORIDA (313 U. S. 69)

A case, in some respects, similar to the Abbey Dodge. A Federal statute was under consideration prohibiting the use of diving equipment in the taking of sponges from the Gulf of Mexico and the Florida straits.

The Court sanctioned the right of the State to regulate the taking of sponges from its territorial waters, dismissing the contention that international waters or law were involved.

SHIVELY v. BOWLBY (152 U. S. 1)

The land in controversy, located in Oregon, was submerged in waters beyond the high-water mark. The plaintiff claimed under a State grant, the defendant under a United States patent. (Oregon tidelands at mouth of Columbia River in contest.)

In rendering judgment for the plaintiff, the Court held:

"By the common law, both the title and dominion of the sea, and of rivers and arms of the sea, where the tide ebbs and flows, and of all lands below high-water mark, are in the King. * * * The common law of England upon this subject, at the time of the emigration of our ancestors, is the law of this country except as it has been modified, by the charters, constitutions, statutes, or usages of the several Colonies and States, or by the Constitution and laws of the United States."

There was also mentioned in the opinion the rights of new States as being equal to the Original Thirteen.

"Upon the admission of Oregon into the Union, the tidelands became the property of the State, and subject to its jurisdiction and disposal."

MANCHESTER v. MASSACHUSETTS (139 U. S. 240)

In this case, cited often as one of the most important in the history of American jurisprudence, are found statements that the extent of the territorial jurisdiction of the States of the United States over the sea adjacent to its coast "is that of an independent nation" and that "a State can fix its boundaries on the sea, provided it does not exceed the limits that will be recognized by the law of nations."

In this case, an appeal was taken from a conviction for violating a Massachusetts statute prohibiting the use of nets for menhaden fishing in Buzzard's Bay, within the jurisdiction of Massachusetts. Buzzard's Bay is an arm of the sea, and of crucial concern to the Court at the outset was whether or not the alleged fishing took place within the maritime limits of Massachusetts.

Of significance in the Court's ruling are the following excerpts:

"By the definitive treaty of peace of September 3, 1783, between the United States and Great Britain, His Britannic Majesty acknowledged the United States, of which Massachusetts Bay was one, to be free, sovereign, and independent States, and he treated with them as such, and, for himself, his heirs, and successors, relinquished all claims to the government, proprietary, and territorial rights of the same, and every part thereof. Therefore, if Massachusetts had continued to be an independent nation, her boundaries on the sea, as defined by her statutes, would unquestionably be acknowledged by all foreign nations, and her right to control the fisheries within those boundaries would be conceded.

"The title thus held is subject to the paramount rights of navigation, the right of which, in respect to foreign and interstate commerce, has been granted to the United States. However, there has been no such grant over the fisheries. These remain under the exclusive control of the State, which has consequently all the right, in its discretion, to appropriate its tidewaters and their beds to be used by its people as a common for taking and cultivating fish, so far as it may be done without obstructing navigation. Such an appropriation is in effect nothing more than a regulation of the use by the people of their common property."

Mr. ELLENDER. Mr. President, I have placed the excerpts in the RECORD because I do not wish to take up too much of the Senate's time by reading them. However, I wish to comment briefly on the case of Manchester against Massachusetts, reported in One Hundred Thirty-ninth United States Code, page 240. Just a few days ago, during debate, the question arose as to whether a State had the right to define by legislation the extent of its seaward boundary. I should like to read from the decision in the case of Manchester against Massachusetts:

It is also contended that the jurisdiction of a State, as between it and the United States, must be confined to the body of counties; that counties must be defined according to the customary English usage at the time of the adoption of the Constitution of the United States; that by this usage counties were bounded by the margin of the open sea; and that, as to bays and arms of the sea extending into the land, only such or such parts were included in counties as were so narrow that objects could be distinctly seen from one shore to the other by the naked eye. But there is no indication that the customary law of England in regard to the boundaries of counties was adopted by the Constitution of the United States as a measure to determine the territorial jurisdiction of the States. The extent of the territorial jurisdiction of Massachusetts over the sea adjacent to its coast is that of an independent nation; and except as so far as any right of control over this terirtory has been granted to the United States, this control remains with the State. In *United States* v. *Bevans*, Marshall, C. J., in the opinion, asks the following questions:

"Can the cession of all cases of admiralty and maritime jurisdiction be construed into a cession of the waters on which those cases may arise?"

"As the powers of the respective governments now stand, if two citizens of Massachusetts step into shallow water when the tide flows, and fight a duel, are they not within the jurisdiction, and punishable by the laws, of Massachusetts?"

The statutes of the United States define and punish but a few offenses on the high seas, and unless other offenses when committed in the sea near the coast can be punished by the States, there is a large immunity from punishment for acts which ought to be punishable as criminal. Within what are generally recognized as the territorial limits of States by the law of nations, a State can define its boundaries on the sea, and the boundaries of its counties.

In that connection, I should like to call attention of the Senate to the fact that in 1938 the Louisiana Legislature adopted Act No. 55, Acts of the State of Louisiana, passed at its regular session, entitled "An act to declare the sovereignty of Louisiana along its seacoast and to fix its present seacoast boundary and ownership."

Mr. President, I ask unanimous consent to have a portion of that statute incorporated in the RECORD at this point.

There being no objection, the portion of the statute referred to was ordered to be printed in the RECORD, as follows:

SECTION 1. Be it enacted by the Legislature of Louisiana, that the Gulfward boundary of the State of Louisiana is hereby fixed and declared to be a line located in the Gulf of Mexico parallel to the 3-mile limit as determined according to * * * ancient principles of international law, which Gulfward boundary is located 24 marine miles further out in the Gulf of Mexico than the said 3-mile limit.

Mr. ELLENDER. Mr. President, that is an instance whereby the State of Louisiana has exercised a privilege which is in accord with the decision in the case of Manchester against Massachusetts, a portion of which I previously read.

This action seems to me to have been more than correct. The State of Louisiana exceeded in no way its prerogatives established in the Massachusetts decision, since in 1945, by Executive order, the President extended the boundaries of this country to the edge of the Continental Shelf. It follows logically then, that Louisiana had every right to claim this new boundary, located some 27 miles out in the Gulf of Mexico. The Continental Shelf extends considerably farther than 27 miles off the shore of Louisiana. In effect, the President's proclamation only gave extra weight, and provided extra legality, for the action of the Louisiana Legislature, taken some 7 years years before.

As a matter of fact, the United States Supreme Court consistently adhered to principles of law which recognized the ownership of tidelands by the States, both the original States and the States since admitted, until 1933.

Then came the new Court, the New Deal Court, a Court constituted in the main of judges who entertained the same philosophy of government as those who have conceived and carried out this rape of States' rights, and who have changed, or attempted to change, all prior jurisprudence, all laws on the subject—even the very Constitution of the United States—by its holdings in 1947 in the California case, and in 1950 the Louisiana and Texas cases. In those decisions, the Supreme Court adopted a new and astounding theory—that the paramount power and dominion of the United States extends over the States' tidelands, tidewaters, and the soil beneath them, since the Constitution leaves to the Federal Government the responsibility of defending our country's coasts.

Certainly, I submit in all seriousness that this august body cannot subscribe to such a foreign ideology, namely, that the United States should appropriate that which it is its constitutional duty to defend. If we approve such a doctrine, if we subscribe to this all-embracing, potentially all-consuming theory, then we might all sing, "God Help America."

Mr. CARLSON. Mr. President, for the past several weeks the Senate has been debating legislation affecting our tidelands. I have followed the debate with great interest and sincerely hope that we can secure approval of legislation that will settle once and for all this issue.

As a Member of the House of Representatives in the Seventy-ninth Congress I voted for House Joint Resolution 225, which quit-claimed to the coastal States any right, title, or interest that the United States had to those areas, but this measure was vetoed by the President, and his veto was sustained by the House.

As Governor of the State of Kansas, I appeared before a subcommittee of the Judiciary Committee of the United States Senate on February 23, 1948, and definitely stated my views in regard to this legislation, which can be found in the hearings on S. 1988, beginning on page 57.

In 1949 I had the honor of serving as chairman of the Interstate Oil Compact Commission, and as governor of the State regularly represented our State at these Commission hearings for 4 years.

The Interstate Oil Compact Commission had on several occasions taken a very definite stand on the return of the tidelands to the States.

Presently I am cosponsor of what is known as the Holland bill, and expect to vote for it as a substitute to Senate Joint Resolution 20. There are reports that even though the Congress does approve the Holland bill or similar legislation which provides for quit-claim of these titles, to the States, it will not become law in view of the President's attitude on previous legislation.

I realize that argument is used and can be successfully sustained with a degree of merit in favor of Senate Joint Resolution 20 on the theory that it would get immediate oil production in the tidelands area.

While Senate Joint Resolution 20 does not definitely rule out ultimate jurisdiction over the tidelands properties by the States, it does provide for temporary Federal control, which undoubtedly would tend to set up a prejudice against eventual State control.

It seems to me that one feature of the bill is worthy of serious consideration by every Member of the Senate who is seriously concerned about legal principle of State ownership of all marginal sea lands, submerged, and filled lands in every State in the Nation, and of all lands beneath navigable waters within the boundaries of each of the respective States. These lands would include the land extending for three nautical miles seaward beyond ordinary low water mark of coast lines and those beneath bays, inlets, lakes, and rivers.

The Federal Government today controls 643,750 square miles of continental United States.

If this area, under the control of the Bureau of Land Management and a half dozen other agencies, were superimposed upon the eastern portion of the United States, it would nearly equal the amount of land held by the Thirteen Original Colonies, which was 890,135 square miles.

To give an idea of the extensive control of the Government, it owns land equivalent to the territory now occupied by all the States on the eastern seaboard, including New York, Pennsylvania, West Virginia, Ohio, Kentucky, Tennessee, Alabama, and approximately one-half of the State of Mississippi.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a table illustrating that the greatest portion of this Federal land is in the 11 Far Western States.

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

State	Percentage of total State land federally owned	Government-owned land
		Acres
Washington	34.9	14,998,067
Oregon	52.72	32,510,870
California	45.74	43,900,157
Idaho	64.69	34,285,000
Montana	36.54	34,213,875
New Mexico	45.62	35,479,713
Nevada	84.71	59,526,959
Arizona	69.43	50,471,928
Colorado	37.35	24,851,005
Wyoming	51.61	32,207,086
Utah	71.33	37,592,044
Total	594.64	400,036,704

Mr. CARLSON. It has been stated on the floor of the Senate during this debate that the stalemate on the production of oil in the tidelands is seriously affecting our national defense efforts.

While I would personally like to see the oil production in these areas resumed at the earliest possible date, I do not believe that the defense effort is hampered under existing conditions.

There is no national or international petroleum shortage as the administration would like to have the public believe. Nor is there likely to be one for the next 100 years.

The National Petroleum Council, an industry advisory committee to the Secretary of Interior, says in its January 29 report on the present and future supplies of oil and gas, that oil production in the next 3 years will match the rate of expansion in the 3 years ended December 1951. The report cites figures to prove this, but adds a big if.

NPC says in pertinent part:

> Analysis of the immediate outlook through 1955 indicates still larger supplies of oil provided that several major conditions are realized. These conditions include continuation of reasonable opportunity and economic incentive to develop new oil, a legal and political climate which will not discourage the investment of private capital, and materials and manpower in amounts at least equal to those available in 1951.

In pointing out that there are still huge unexplored areas to be worked with a high probability of great oil production in the future, the Council said significantly:

> In these circumstances the size of the prospective oil area is no limitation on the supplies of oil for the foreseeable future of 25 to 50 years.

The rate at which supplies will be developed will depend upon the influence of economic forces on exploration and drilling. For the long pull the industry is scientifically optimistic, and in its latest report noted:

> The prospective area in which the industry thinks oil and gas may be found is about 100 times as large as the area of all oil and gas discovered in the United States during the past 92 years of exploration.
>
> * * * Existing conditions and expert opinions indicate that we may continue to

count on ample supplies of oil for a long time. It may well be that other sources of energy, such as solar heat or nuclear fission, will decrease the economic importance and need for petroleum before the industry has time to locate or test all the deposits that exist.

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

Mr. CARLSON. I yield.

Mr. HOLLAND. I ask my distinguished colleague whether, even if there were a shortage of oil, the turning over of the submerged lands and any oil under them to the Federal Government would add one drop to the amount of oil which could be produced from such lands, or speed production in any way, as compared to the production which would be realized under private production under State regulation and supervision.

Mr. CARLSON. I will say to the distinguished Senator from Florida that in my opinion it would not add anything to production. In fact, I believe development by the States and by private industry would accomplish much more than if it were done by the Federal Government.

Mr. HOLLAND. I thank the Senator from Kansas. Will he yield for a further question?

Mr. CARLSON. I yield.

Mr. HOLLAND. Is it not true that a former Secretary of the Interior, Mr. Krug, in commenting upon the job done by the States in connection with the supervision of their oil production, praised them very highly, and spoke of the fact that they had done a magnificent job, for which he wanted to pay them tribute?

Mr. CARLSON. Yes. Those of us who are familiar with the production of oil in the States which have oil, and have followed the subject with some degree of interest in the tidal areas, know that we can produce, and will continue to do so unless we are hampered by court decisions and regulations.

Mr. HOLLAND. Is it not true, as a matter of statistical correctness, that the States have made a much better record, and have shown a much larger production and a much quicker production from the lands over which they have had supervision, than has been true in the case of the Department of the Interior, which has had supervision over the development of Federal lands?

Mr. CARLSON. In my opinion the statement of the distinguished Senator from Florida is absolutely correct. As Governor of my State for 4 years I had the opportunity to observe the operations of State control with respect to certain lands, and the production of oil in the areas over which the State had control. It has been definitely proved that the States can, and private industry will, if given an opportunity, explore and find new oil and bring it into production.

The oil industry is afraid of paramount power. Comparing the proposed expropriation in Senate Joint Resolution 20 to the Government ownership of Socialist Russia, the council said that—

Unreasonable taxes, expropriation or nationalization all constitute serious threat to future supplies not only in the countries where they occur, but in other countries as well, because of their effect on willingness to risk capital in foreign areas.

Russia has greater potential oil resources than the United States. Yet under Stalinist socialism, Russia's production is only 10 percent of that of the United States. Similarly, oil experts say that the expropriated oil industry in Mexico has failed to keep progress with the developments in the rest of the Western Hemisphere.

There is more to the Government's tidelands oil grab than a fight over title to revenues.

Appropriation without compensation, the accusatory slogan of the States, also describes in a nutshell the myriad of Federal abuses of power in modern times which Congress may begin to check by enacting the substitute by Senator HOLLAND, of Florida, and other Senators, returning to the States their submerged lands.

The State of Kansas cannot be affected by the decision of the United States Supreme Court in the case of United States against California, quite to the extent of the several coastal States because of its inland location and minimum amount of submerged acreage.

I think I should state that Kansas does have approximately 66,773 acres within its State's boundary lying beneath waters—navigable streams.

As we are an oil- and gas-producing State, over 5,000 acres of this area is now under oil and gas lease.

We are also taking out large quantities of sand from the area known as submerged lands.

Further oil and gas development is expected in the future and increased sand production is available and probable. In addition to that, we have very valuable and substantial resources of lead, zinc, coal, and salt, the production of which may be extended to submerged lands if development increases.

Our State receives considerable revenue from the oil and gas leases and the sand royalties.

Kansas is firmly in accord with the concept that the rights and powers over such submerged lands now under development and possible future development belong to and are vested in the States.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks an excerpt from a statement I made before the Senate Judiciary Committee on February 23, 1948.

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

I will not attempt to discuss the legal aspects of this decision, for I am sure that others will do this adequately. It is sufficient for me to say that this opinion, which asserts paramount powers of the Federal Government over billions of investment by individuals, cities, and States, over land gained by titles coming from States, whose unquestioned ownership had been acknowledged for more than a century, is completely contradictory to 296 former Supreme Court, Federal, and State decisions, 49 Attorney General opinions, and 31 Department of Interior opinions. It is an opinion which cites no cases at law to support it, nor any constitutional authority. It is simply an arbitrary pronouncement of confiscation by a court formed for the purpose of supporting Executive decree, and for establishing the Executive as a supreme power of the land. It is a decision which rebuffs the majority of our last Congress, which passed a Federal quitclaim deed to all these lands, which the Chief Executive chose to veto.

There now seems to be particular significance in the reason given then for his veto. In his veto message, the President said:

"The Attorney General advises me that the issue now before the Supreme Court has not been heretofore determined. It thus presents a legal question of great importance to the Nation, and one which should be decided by the Court. The Congress is not an appropriate forum to determine the legal issue now before the Court. The jurisdiction of the Supreme Court should not be interfered with while it is arriving at its decision in the pending case."

Could there have been some secret satisfaction in vetoing of that bill, and the relying upon the action to be taken by the Supreme Court?

Significant paragraphs of this opinion are:

"The Federal Government rather than the States has paramount rights in and power over that belt, an incident to which is full dominion over the resources of the soil under that water, including oil."

And again:

"The United States here asserts rights in two capacities transcending those of a mere property owner."

And again:

"The Government, which holds its interest here as elsewhere in trust for all the people, is not to be deprived of those interests by the ordinary court rules designed particularly for private disputes over individually owned pieces of property."

Thus rears the head of the ominous dominant state, bound by no precedent, bound by no law, limited by no constitution.

Until our executive branch of the Government grew bold with power, all ideas of national ownership of these lands were rejected, even by Cabinet officers. Secretary Ickes rejected an application for title, quoting to the applicant thus:

"Title to the soil under the ocean within the 3-mile limit is in the State of California, and the land may not be appropriated except by authority of the State. I find no authority at law under which any right can be granted to you to establish your proposed structures in the ocean outside the 3-mile limit of the jurisdiction of the State of California. Nor am I advised that any other branch of the Federal Government has such authority."

Later, before your Senate Judiciary Committee, this same Secretary said:

"Applicants and their lawyers continued to insist that the United States does own the land and the oil, and that the Department does have the power to grant them oil and gas leases, so we began to have doubts. Consequently, since 1937, action on all of these applications, of which there are about 200, has been suspended, pending a judicial determination."

It is thus that Secretary Ickes, too, decided that settled law of more than a century might be changed by judicial determination of the Supreme Court such as we have now.

There has been some assurance from Federal officials that no attempt would be made by the Federal Government to assert paramount rights over inland waters and bays. The instance just cited, of Ickes' shift of policy, is indicative of what may be expected from any Federal bureaucrat in the future as to inland waters.

We have inland waters in my State. In fact, the Arkansas River traverses, in our State, the largest gas field yet discovered. The State has, in the past, leased the river bed for operation by private industry. This has been the custom in my State, and adjoining States, in the development of mineral resources, including oil and gas fields in navigable rivers, or rivers the ownership of the bed of which is retained by the State. But since California has been rudely robbed of her oil lands, we will exert every effort possible toward adequate legislation to forestall any further paramount rights action into the inland waters of Kansas.

In this connection I would like to quote a paragraph from a speech by one of your committee members, Senator McCARRAN, made in my neighboring State of Colorado, on the seventh of this month:

"As a matter of fact, Department of Justice officials have stated to representatives of the Senate Committee on the Judiciary that the Department interprets the decision of the Supreme Court as probably being applicable to all the marginal seas of all the States having ocean frontage, regardless of any peculiar conditions under which such States came into the Union. Because of this interpretation, these officials say, they believe it is incumbent upon the Department to proceed with the filing of suits against all of the remaining tidewater States within the near future. The reason this policy has not yet been carried into effect is, presumably, that the Congress is again considering legislation with respect to these submerged lands, and the Department has been notified that hearings will begin on February 23, and has been asked to present its recommendations at that time."

And as to the future action to be expected from any Federal bureaucrat, I would like to quote another paragraph by Senator McCARRAN from the same speech:

"As a last expression, let me express the thought that there is no form of totalitarian government that can be more ruthless in its dealings with the individual than that form of administrative hierarchy which we know as bureaucracy. A true dictator, being a one-man goverment, might change his mind, might yield to his heart or his conscience; but the bureau has no heart, and it has but an assembled conscience. A monarch, however bound by tradition, has a mind of his own, and may think. The bureau never thinks; it follows the formula. The individual cannot always pass the buck and escape responsibility, but the bureau can always resort to that method."

Thus, we have an Executive, and a bureau responsible to him, set up by the Supreme Court with power to take without pay, and without regard to ownership, as some point out, the minerals from underneath any of our lands, the grain and agricultural products from our fields, or any material possessions, public or private, of States or individuals. The Executive and bureau may, it is said by some, at any time take these over in the name of national security for the purpose of conducting international relations. Under this last category the wheat of our Midwestern States, some think, might be appropriated on an international relations basis for the feeding of Europe.

We are facing an issue: Congress is facing an issue. It is an issue which was acted upon by the last Congress but the action was nullified by the President, according to his own words "pending action by the Supreme Court." The Supreme Court has acted, but its action merely increases the confusion.

Action by Congress is necessary before the oil in these lands may be made available for public use. Should the action of Congress in striking down this arbitrary decision of the Supreme Court not be upon a veto-overriding basis, the confusion will be continued. Many islands within the disputed area come under the police protection of the adjoining States, and under the jurisdiction of their laws. Thousands of acres of man-made land covered by billions of dollars' worth of improvements exist upon what was once tidelands.

Under this decision, the dividing line between State and National ownership with respect to inland waterways and bays would breed bitter contention and strife. No precedent exists for determining the high- or low-water marks to cover a case of this character. What shall become of the docks and terminals, harbors, and petty installations, causeways, and so forth, within this area? What of the rights of the present owners under State grants? What is the situation with respect to royalties for oil already extracted from these lands? These are some of the questions which create this confusion which now exists, and which can be settled only by congressional action.

National safety can best be served by development of oil lands under State ownership. This will dispel the uncertainties and delays which now exist, and which always exist under Federal control, and will hasten the full development of these lands for our sorely needed oil. For years the Interstate Oil Compact Commission, of which my State is a member, has fostered the production of oil under retarded rates of flow in order to take full advantage of the natural expulsion forces of the reservoir. We increased the rate in our State to meet the requirements of the last war. In a national emergency we could do so again.

To develop the tideland oil and shut it in would be false security. No area would be more vulnerable to enemy attack in case of war. Stockpiling of foreign oil within our own borders is our only sure protection for war needs. The cost of storage will be great, no doubt, but not greater than the waste of taxpayers' funds which always occurs and will occur when the Government attempts industrial development. The survey made by the PAW at the close of the last World War showed the plan to be feasible.

I have attempted to trace the accomplishments of free enterprise fostered by our Government as heretofore administered. It is our country's major asset. Because of it we have twice been called upon to save the world. We are now called upon to feed the world. The California tidelands Supreme Court decision lets down the bars to bureaucracy to throttle and displace free enterprise, to make this Government likened to those who call upon us for protection when under attack, and who are now calling upon us for food and sustenance.

Unless Congress performs its duty in a way that cannot be overcome by the other two branches of our Government, we will enter the ranks of the socialistic and totalitarian states. Let us remember that there will be no nation then to turn to for aid in time of attack, or sustenance when hunger is rampant.

Let us take heed to the story of Rome, which had its place in the sun. It was the center of agriculture, industry, and art in its day, but its power became concentrated in the City of the Seven Hills, its taxes increased, its arbitrary autocracy moved on in seemingly sublime triumph. Then came the days of disillusionment, and the Rome of that time was no more.

Let us not make the mistakes of Italy and Germany, whose leaders gathered all powers of state to themselves and led their nations to defeat and near extinction. Let us stop this march to power from those branches of the Government which use it to defy or ignore our Congress. Let us deny the insistent calls that continue to come from the executive branch for more and more power over industry and free enterprise, which has always been and ever will be the lifeblood of a paramount nation. Let us pass S. 1988 with a majority that will thwart a veto as the veto of the joint resolution on tidelands in the Seventy-ninth Congress thwarted us. For such an action, my State pledges you its fullest support.

Mr. Chairman, I would like to have permission to place in the record a statement by our attorney general, Edward F. Arn, supporting this legislation and giving some of the legal citations, as well as presenting specific items of its effect on our State mineral resources and the leasing of oil lands and royalties in our States.

Mr. KNOWLAND. Mr. President, as has been stated repeatedly during the discussion of the pending legislation, the United States Supreme Court has virtually invited the Congress to take action which will bring about a just and equitable solution of the existing problem, which relates to the ownership and control of submerged coastal lands within their boundaries. It has also been called to the attention of this body that even though the Supreme Court had held that the Federal Government owns these submerged lands—which it did not do, but rather set up an unprecedented, strange and dangerous doctrine of so-called paramount rights—the Supreme Court in one place in its decision in the California case specifically stated that the Congress has "constitutional control of Government property," and in another place in its decision it quoted from article IV, section 3, clause 2, of the United States Constitution, stating that this "vests in Congress 'power to dispose of and make all needful rules and regulations respecting the Territory or other property belonging to the United States.'" With reference to this constitutional provision the Court said further:

> We have said that the constitutional power of Congress in this respect is without limitation.

In view of the foregoing, there can therefore be no question whatever but that the Congress is acting wholly within its recognized province and authority and, further, that it is expected to act in such a way as to do justice to "States, their subdivisions, or persons acting pursuant to their permission."

The issue clearly before us is simply this: Is it just and equitable to enact legislation which will authorize and implement a department of the Federal Government, which has not been determined to be the owner of these coastal submerged lands within the boundaries of States nor to have title thereto, to take over and exercise all the powers of ownership and to enjoy all the muniments of title under the guise of a doctrine of so-called paramount rights; or, is it not manifestly fair and equitable, indeed does not simple justice require, that the Congress restore to and firmly establish in the States the ownership of submerged lands beneath navigable waters within their boundaries, which was recognized by every department, agency and officer of the Federal Government for over a century of time in many States and for but a few years lacking a century in California, as being vested in their sole and exclusive ownership? Action is sought by Senate joint resolu-

tion 20 in the effort to establish the first alternative; action to restore to the States these rights, which is the second alternative, will be achieved by the adoption of the so-called Holland substitute which was introduced by 31 Senators, or H. R. 4484—the so-called water bill—which passed the House by a vote of 265 to 109. It should be noted, parenthetically, that this is accomplished by titles I and II of H. R. 4484—title III of the bill treating of a different subject, that of the Continental Shelf outside the original boundaries of the States.

Highly important to a consideration of this entire subject is the result which would occur if the Congress were to ignore all the equities of the States and accept an application of the so-called doctrine of paramount rights so as to wrest from the States every vestige of ownership and control right up to the last drop of water at ordinary low water mark along the shores of the mainland. This result, shocking as it is with relation to the shore line of the mainland, becomes vastly more shocking where there are islands offshore which lie within the constitutional boundaries of a State.

In California there are such areas, the traditional characteristics of which, supported by use and occupancy as well as by physical and geographical characteristics, are directly challenged. I invite your attention to one important area of this kind along the coast of southern California. In the area extending from Point Conception, which lies westerly from the city of Santa Barbara, and extending to Point Loma, which lies westerly from the city of San Diego, there lie eight offshore islands, not to mention various rocks, reefs, and shoals or banks. These islands are included within the constitutional boundaries of the State of California. California was admitted to statehood on September 9, 1850. The California Constitution of 1849 provides that "all the islands, harbors, and bays along and adjacent to the coast" shall be included within the boundaries of the State—article XII, section 1.

It is significant that the act admitting California to the Union recited that this California Constitution "was submitted to Congress by the President of the United States" and that it was accepted by the Congress. There can be no question but that these islands constitute an integral part of the State of California. As a conclusive illustration of this, I cite to you the fact that on April 10, 1867, a map of Santa Catalina Island, which lies offshore from San Pedro some 21 miles and which contains 45,802 acres, was approved by H. S. Nelson, Commissioner of the General Land Office of the United States Government. This map delineates the township and range lines projected from the mainland, and designates the townships into which this land is divided. This map bears the following inscription:

Plat of Santa Catalina Island finally confirmed to Jose Maria Cobarrubias, United States surveyor general; C. C. Tracy, deputy surveyor, containing 45,802 acres. The field notes of the survey of the Island of Santa Catalina from which this plat has been made have been approved and are filed in this office. United States Surveyor General's Office, October 16, 1866.

L. UPSON,
United States Surveyor General, California.

Approved April 10, 1867:

H. S. NELSON,
Commissioner of the General Land Office.

This is proof positive of Catalina's integrality as a part of the State of California. However, as further denomination of its status as an integral part of the State, Catalina has a school district in the county of Los Angeles. It likewise has a voting precinct where the electorate exercises its franchise to vote in the county of Los Angeles.

The importance of all of this lies in the fact that in the case of United Kingdom against Norway, familiarly known as the Anglo-Norwegian case, which was decided by the International Court of Justice at The Hague on December 18, 1951, it was held that what really constitutes the Norwegian coast line is the outermost line of the "skjaergaard"—which, translated, means "rock rampart"—and consists of many rocks and islands lying offshore of over 500 miles of Norway's coast line, and that the claim that all waters shoreward of this line along the outermost seaward rocks and islands constitutes "internal" or "inland" waters is not in conflict with any rule or principle of international law. A copy of the judgment of the International Court of Justice in this case was included in the RECORD at my request on March 7, and is to be found on pages 1988–1994. I ask this question: Is it not timely and advantageous for the Congress of this Nation to benefit by this recent and authoritative decison of the International Court of Justice? There is little question but that other nations will seek to benefit by this decision through an assertion of their claims.

I shall not here undertake to argue the intricate legal questions which are now pending in the proceeding being conducted by a special master with relation to references made to him by the Supreme Court, supplementary to the decision in the California case. What I do state is that it is entirely proper for the Congress to recognize and establish the validity of California's claim to the waters, as "inland waters," in the area which I have mentioned—extending from Point Conception, on the west, and along the outermost limits of the outermost islands in this area, to Point Loma, on the east—without any infraction of any rules or regulations of international law. Unless they are a part of the State of California, it stands to reason that they are not a part of this Nation.

For the Congress to ignore the status of these islands and the areas shoreward which they encompass, and to isolate these islands by the drawing of arbitrary lines hugging the last drop of water at low tide on the shore of the mainland, would not only be lacking in foresight, but might well result in consequences fraught with danger.

The passage of Senate bill 940, or the Holland substitute, or the passage of House bill 4484, or at least of titles I and II of the latter bill, would stabilize and protect what was formerly regarded and recognized to be the proper province of the States. For the Senate to pass Senate Joint Resolution 20 in the form in which it was reported to this body would be for it to toy with the situation, under the guise of temporary treatment within not only is not temporary, but is nothing more than a mere palliative, and certainly would do nothing to clarify the present confusion and uncertainty.

TRAINING OF RESERVE OFFICERS ASSIGNED TO COMBAT DUTY

Mr. BENNETT. Mr. President, I desire to take only a few minutes to inform the Senate of a situation which has come to my attention, and which in my opinion is of sufficient significance to prompt me to bring it to the attention of all Senators, who I am sure will be surprised to learn that some of our young officers leading front-line combat units in Korea are going into battle completely unprepared for the task assigned them. I am certain that the Department of the Army and the Senate will want to insure that immediate corrective action is taken to guarantee that the young men going into battle are adequately trained; and particularly that the leaders of these young men, the men who make the daily decisions which determine the success of our operations and in great part determine the number and extent of our casualties, are adequately prepared for their important assignments.

Mr. President, I have received a letter from a young infantry lieutenant in Korea, disclosing that he has been sent to the front, in command of a combat platoon, without having any of the qualifications which we normally consider a platoon leader should possess. He does not have those qualifications, not because he is not a fine and capable young man, but because, despite his efforts to obtain training for the job of leading a combat platoon, he has not had adequate instruction and background dealing with a combat platoon or company.

In his letter this young man says:

I've delayed writing this letter so you wouldn't think I was yellow and didn't want to fight. I'm here but those coming after must not be sent over the same way.

The biggest eight-ball in the company knows more than I. I just learned there are nine men in the infantry squad instead of 12 during World War II. They have a weapons platoon. They have a recoilless rifle I've never seen, let alone fired. If I were called on to clean this .45 they gave me I wouldn't know how, if it jammed I could not fire it. If the AR machine gun did not work I'd be helpless. This could go on and on. Even the carbine, etc.

Mr. President, I ask unanimous consent that a copy of the letter which I have received be printed at this point in the body of the RECORD as part of my remarks.

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

MARCH 22, 1952.

Senator WALLACE BENNETT,
Senate Office Building,
Washington, D. C.

DEAR SIR: I've been planning on writing you a letter for some time then I thought

I'd play the part of a martyr by penning a letter and having it sent to you if I were killed. I decided today I might save somebody else's life if I wrote now.

I'm writing as a civilian, a member of the Officers Reserve Corps. Those individuals who even yet are being sent to Korea inadequately prepared.

I was called back into the Army last June. Before that I was attending the University of Utah. A veteran of World War II, I was pulled out of school while those who had never been in the Army took a test to spend their time in college until graduation. I didn't get the chance.

Well, anyway, as I drove in Camp Roberts, Calif., I was greeted with a sign which stated "More sweat, less blood." This signifies the more training the more value to the Army by being able to live longer. I was assigned to the leaders' course and taught methods of instruction; i. e., speech, diction, principles of learning, etc.

I couldn't get promoted for 6 months because they figured my time before didn't mean anything. But I got my orders for overseas to go directly to Korea as a 1542—platoon leader. Now, I'd never been a platoon leader. I requested a course at Ft. Benning to prepare me for the job. The people in the Army refused to do any action.

I went home on a 30-day leave, then to Stoneman, and asked for training. No chance. All along the way people have said, "You haven't had any infantry experience? Have you had a refresher course?" "No." "Well, nothing we can do."

Well, to end this letter, I am now in a front line company orderly room. I leave in 15 minutes to take over a rifle platoon. The platoon leader was killed yesterday. As I go—I do so completely untrained.

I've delayed writing this letter so you wouldn't think I was yellow and didn't want to fight. I'm here, but those coming after must not be sent over the same way.

The biggest eight-ball in the company knows more than I. I just learned there are 9 men in the infantry squad instead of 12 during World War II. They have a weapons platoon. They have a recoilless rifle I've never seen, let alone fired. If I were called on to clean this .45 they gave me I wouldn't know how—if it jammed I couldn't fire it. If the AR machine gun didn't work I'd be helpless. This could go on and on. Even the carbine, etc.

I'm not writing about me, but as a Senator, you should protect the civilians in the Army. Don't let 'em come over unprepared. It's murder, not only for them, but all they command. Why not send us, when we come back from civilian for training? Would you send me an answer?

Sincerely yours.

Mr. BENNETT. Mr. President, it is startling to me to know that this young man has been assigned to lead some 36 men or more in front-line combat without having better training. If this situation is being repeated in many other instances, I believe the Senate should know about it and should take immediate corrective action.

Believing that other Senators will feel the same way, I have written to Gen. Lawton Collins, Chief of Staff of the Department of the Army, asking for an immediate investigation. I have sent a copy of that letter to the chairman of the Senate Armed Services Committee, and I am confident that the committee and its staff will cooperate in following up this matter.

I now ask unanimous consent that my letter to General Collins be inserted at this point in the body of the RECORD, as part of my remarks.

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

UNITED STATES SENATE,
COMMITTEE ON POST OFFICE
AND CIVIL SERVICE,
April 1, 1952.

Gen. J. LAWTON COLLINS,
Chief of Staff, Department of the Army, Washington, D. C.

DEAR GENERAL COLLINS: I am enclosing herewith a copy of a letter which I have received from a young lieutenant now serving in Korea as a platoon leader. The letter is almost shocking in that it discloses the complete lack of training which this individual has had for his presently assigned duty of leading at least 36 men in combat against an armed enemy, for his being entrusted with the lives of those men who look to his leadership. This is increasingly significant because the letter discloses that the young man made every effort to obtain the appropriate training.

I request that you have an immediate investigation made to determine why our replacement system is functioning so as to send such unqualified leaders to the front. I am confident that the policy of the Department of the Army does not contemplate such inexperienced leadership, but the program of selecting qualified personnel is breaking down dangerously, judging from the enclosed letter.

I have not included the name of the officer or his unit, because I do not want any disciplinary action taken against him. Should the Department of the Army find it desirable to take constructive action in his individual case I shall be glad to furnish the officer's name and unit.

I should add that my personal investigation of this officer's background discloses him to be a stable and reliable individual, who has previously served his country well and has been a substantial citizen.

I am sending a copy of my letter to the chairman of the Senate Armed Services Committee, because I think that the situation disclosed by the correspondence requires full and immediate corrective consideration.

Sincerely yours,

WALLACE F. BENNETT.

Mr. BENNETT. Mr. President, I do not personally know the young officer who wrote me this letter, but I have checked on his background. He is known by members of my staff to be a reliable and stable individual. He served faithfully in noncombat assignments in World War II, and in the United States as an instructor of speech, methods of instruction, diction, and so forth in this war. He was a good citizen in civilian life, prior to being called back from the Inactive Reserve to active duty. I have been assured by those who know him that he is not a chronic complainer.

Mr. President, I am confident that most Members of this body realize that our military potential is based in large part around the Reserve and National Guard system.

If the young men whom we ask to sign up as reservists and guardsmen are to be sent into battle completely unprepared, it goes without saying that in the future we are not going to be successful in getting them to sign up for Reserve and National Guard programs. The many abuses and inequities heaped on the Reserves and the National Guard as part of our mobilization program during the war in Korea have done much to damage the Reserve and National Guard programs, but I am sure that none of these unfairnesses are so important and significant as the report from my correspondent that reservists are being sent from civilian life into direct combat without being refreshed or trained for the assignment.

Finally, Mr. President, I wish to point out the unfairness to the individual soldiers who are placed under a leader who has been denied the preparation necessary for leading them into battle. It is no secret that casualties are directly related to the training of the individual soldier and, more particularly, to the training of front-line officers. This is reflected in the Army slogan, More sweat, less blood. When we send a man to carry a gun against the enemy, I trust that we are making every practical effort to give him adequate leadership. However, the letter I have placed in the RECORD indicates that our efforts are breaking down in some instances.

Mr. President, I am sure the Department of the Army will give this matter immediate attention. Since I am confident all Senators will be interested in this situation, I shall advise the Senate of the results of the investigation and corrective action dealing with this matter, which is important, not only to this officer, but to our entire military process. I hope I shall soon be able to report that the defects in our process have been corrected.

Mr. KNOWLAND. Mr. President, will the Senator from Utah yield to me?

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Does the Senator from Utah yield to the Senator from California?

Mr. BENNETT. I yield.

Mr. KNOWLAND. I am very much interested in what the Senator from Utah has placed in the RECORD and in the letter he has addressed to General Collins. I understand that the Senator has furnished a copy of that letter to the chairman of the Senate Armed Services Committee, the distinguished junior Senator from Georgia [Mr. RUSSELL].

I wish to say to the Senator from Utah that, as a member of that committee, I shall be very much interested in General Collins' reply.

It is hardy conceivable to me that the situation referred to by the Senator from Utah could be a general one.

Can the Senator from Utah throw some light regarding whether the person concerned was a Reserve officer or how he came to be commissioned? Although I can understand that if a Reserve officer was called back into service, he might not have experience with some of the new weapons, I cannot understand how any officer called back into service would not know how to break down a Colt .45. Certainly I think he would go through a rigid refresher course.

I wonder whether the Senator from Utah can throw any light on the background of the lieutenant and how he came to receive his commission.

Mr. BENNETT. He was commissioned through the Reserve Officers' Training Corps, as an officer in the field artillery. During World War II he was assigned to desk duties.

When he was called back into active service, in connection with the Korean

situation, apparently he was assigned to the infantry. As his letter indicates, he made many requests for training in the infantry and in infantry weapons, but was told that they had no time for that kind of training. Finally he was sent into action. The Senator from California will read all those details in the letter.

I shall be very happy to furnish the Senate Armed Services Committee with a copy of the letter which I hope to receive from General Collins.

I suppose I shall be told that this is an isolated or unique case—as it well may be. However, it is tragic that this situation should occur in even one case, and that a young officer should be denied the training for which he repeatedly asked before he was sent into combat.

The first paragraph of his letter is very interesting, and I shall read it into the RECORD at this point:

I've been planning on writing you a letter for some time, then I thought I'd play the part of a martyr by penning a letter and having it sent to you if I were killed. I decided today I might save somebody else's life if I wrote now.

The letter was written the day before he went into his first combat assignment, as a combat officer, in a completely strange situation.

ADJOURNMENT

Mr. HOLLAND. Mr. President, I move that the Senate adjourn until tomorrow, at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 39 minutes p. m.) the Senate adjourned until tomorrow, Wednesday, April 2, 1952, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 1 (legislative day of March 24), 1952:

UNITED STATES ATTORNEY

William Joseph Fleniken, Sr., of Louisiana, to be United States attorney for the western district of Louisiana, vice Harvey L. Carey, resigned.

UNITED STATES MARSHAL

James Clement Noonan, of South Dakota, to be United States marshal for the district of South Dakota, vice Theodore B. Werner, resigned.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 1, 1952

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal God, our Father, in this moment of prayer, may our spirits be brought into a blessed harmony with Thy spirit and into a glad obedience to Thy holy will.

We penitently confess that our lives, our plans, and purposes are often at variance with the ways which Thou hast marked out for us.

Grant that in the business of statecraft we may have the common sense and wisdom to recognize our dependence upon Thee.

May it be the goal of all our efforts and endeavors to do those things that are well pleasing unto Thee. May we be confident that the day is coming when the forces of reason and righteousness shall be gloriously triumphant.

In Christ's name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

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

H. R. 5715. An act to amend sections 201 (a), 301 (e), 302 (f), 302 (g), 508, 527, and 528 of Public Law 351, Eighty-first Congress, as amended.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RUSSELL, Mr. BYRD, Mr. JOHNSON of Texas, Mr. BRIDGES, and Mr. SALTONSTALL to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2743. An act authorizing vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1952.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 2408. An act to amend the act authorizing the negotiation and ratification of certain contracts with certain Indians of the Sioux Tribe in order to extend the time for negotiation and approval of such contracts; and

S. 2667. An act to authorize the Board of Commissioners of the District of Columbia to establish daylight-saving time in the District.

UNIFORMED SERVICES PAY ACT OF 1952

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 5715, an act to amend sections 201 (a), 301 (e), 302 (f), 302 (g), 508, 527, and 528 of Public Law 351, Eighty-first Congress, with Senate amendments thereto, disagree to the amendments of the Senate and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none and appoints the following conferees: Mr. VINSON, Mr. BROOKS, Mr. KILDAY, Mr. SHORT, and Mr. ARENDS.

REIMBURSEMENT OF CERTAIN NAVAL ATTACHÉS

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill 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, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 8, strike out "during the fiscal year 1948" and insert "prior to March 2, 1948."

Page 2, line 5, after "validated.", insert "All payments made under the provisions of this act shall be made from, and all payments validated under such provisions shall be charged to, the amount appropriated by the Department of Defense Appropriation Act, 1952, to the Department of the Navy for emergencies and extraordinary expenses, as authorized by section 6 of the act of August 2, 1946."

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

Mr. ARENDS. Reserving the right to object, Mr. Speaker, and I shall not object, I would appreciate it if the gentleman from Texas would explain to the House the benefits of these Senate amendments.

Mr. KILDAY. Mr. Speaker, this bill involves approximately $50,000. It is to reimburse certain naval attachés and others on missions abroad, who paid certain expenses of their missions. Under one appropriation bill, the Comptroller General held it was not payable. The bill would reimburse that $50,000. The Senate amendment requires that that sum be paid out of current appropriation rather than a subsequent appropriation.

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

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL CIRCUIT AND DISTRICT JUDGES

Mr. McCORMACK. Mr. Speaker, on yesterday I submitted a consent request in connection with the rule on the omnibus judgeship bill that further consideration of the rule be postponed until today. I had temporarily forgotten that there are primaries today in Wisconsin and Nebraska in connection with the election of delegates to the two national conventions. We have a gentleman's agreement, of course, that on such occasions no matter in what State an election be held, no roll call will take place. I assume there will be a roll call on the rule. In view of that I ask unanimous consent that further consideration of the rule, House Resolution 591, be postponed until tomorrow.

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

There was no objection.

ROLL CALLS POSTPONED UNTIL TOMORROW

Mr. McCORMACK. Further if I may, with permission of my distinguished friend from Massachusetts and the indulgence of the House, I ask unanimous consent that should there be any roll call, as distinguished from a quorum call, on any matter during the day that the roll call be postponed until tomorrow.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I shall not, do I understand in connection with the gentleman's request on the rule on the judgeship bill that it will be called up again tomorrow?

Mr. McCORMACK. That is the intention—just on the adoption of the rule but not consideration in the Committee of the Whole after the rule is adopted.

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

There was no objection.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I also ask unanimous consent that business in order on Calendar Wednesday this week may be dispensed with.

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

There was no objection.

PHILIPPINE SCOUT HOSPITAL, FORT McKINLEY, PHILIPPINES

Mr. DURHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1216) 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, with Senate amendments and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 6, strike out "Seventy-sixth" and insert "Seventy-eighth."

Page 3, line 11, after "conditions", insert "and limitations."

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

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman explain the amendments?

Mr. DURHAM. Mr. Speaker, the only changes in the bill as it passed the House are these: The first amendment merely corrects a figure. The second is, according to the Senate amendment, to make clear that the implementation of the program contemplated by the bill will give the President the authority to require that hospital costs be kept within reasonable limitations.

Mr. MARTIN of Massachusetts. That was the original intention?

Mr. DURHAM. That is correct.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar Day. The Clerk will call the first bill on the Private Calendar.

ALEXANDER NEWMAN

The Clerk called the bill (H. R. 6414) for the relief of Alexander Newman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alexander Newman, of Rochester, N. Y., in full settlement of all claims against the United States, the sum of $1,032. Such payment represents the amount due for per diem in lieu of subsistence from October 20, 1944, to October 17, 1945, while an employee of the War Department, and for mileage at 4½ cents per mile for use of a privately owned automobile for some 2,700 miles: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon convition thereof shall be fined in any sum not exceeding $1,000.

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

MARK G. RUSHMANN

The Clerk called the bill (S. 430) for the relief of Mark G. Rushmann.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mark G. Rushmann, of 502 South Main Street, Chippewa Falls, Wis., the sum of $7,093 as compensation for personal injuries sustained by him at the Madison, Wis., railroad station on December 22, 1945, the day following the date of his discharge from the United States Navy: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to he contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

MRS. PAULINE J. GOURDEAUX

The Clerk called the bill (S. 858) for the relief of Mrs. Pauline J. Gourdeaux.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Pauline J. Gourdeaux, of Denver, Col., the sum of $1,252.20, representing the amount of pension she would have received for the period beginning on January 28, 1945, and ending on April 10, 1947, had her claim for a dependent parent's pension been filed within 1 year after January 28, 1945, the date fixed by the War Department as the date of death of Pfc Edward E. Gourdeaux: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

ESTHER V. WORLEY

The Clerk called the bill (S. 970) for the relief of Esther V. Worley.

There being no objection, the Clerk read the bill, as follows:

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

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

JOE W. WIMBERLY

The Clerk called the bill (S. 1458) for the relief of Joe W. Wimberly.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joe W. Wimberly, of Kingsport, Tenn., the sum of $3,400, in full satisfaction of his claim against the United States for reimbursement for medical, nursing, hospital, and other expenses incurred by him as a result of an automobile accident which occurred near Franklin, Ga., on April 28, 1950, while he was returning to Kingsport from a training conference at Fort Benning, Ga., in connection with his duties as commanding officer, Six Hundred and Thirty-ninth Transportation Heavy Truck Company: *Provided*, That no part of the

amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

TRUMAN W. McCULLOUGH

The Clerk called the bill (S. 1604) for the relief of Truman W. McCullough.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise apropriated, to Truman W. McCullough, of Colorado Springs, Colo., the sum of $5,000 in full satisfaction of all claims of the said Truman W. McCullough against the United States for compensation for the death of his minor son, Harley Beryl McCullough, who died as a result of burns sustained while fighting a forest fire as a volunteer fire fighter, at Camp Carson, Colo., on January 17, 1950: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

PANSY E. PENDERGRASS

The Clerk called the bill (S. 1668) for the relief of Pansy E. Pendergrass.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Pansy E. Pendergrass, of Columbia, S. C., the sum of $10,000, in full satisfaction of her claim against the United States for injuries suffered by her in a fire which occurred in the hotel in which she was billeted in Kobe, Japan, on April 22, 1950: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

DANIEL J. CROWLEY

The Clerk called the bill (S. 1682) for the relief of Daniel J. Crowley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Daniel J. Crowley, 225 Frye Avenue, Peoria, Ill., the sum of $4,439.10 in full satisfaction of his claim against the United States for reimbursement of medical, nursing, and hospital expenses suffered by him as the result of being hospitalized with poliomyelitis on April 1, 1946, while on authorized leave from his duties as a commissioned officer in the United States Naval Reserve: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

J. HIBBS BUCKMAN AND A. RAYMOND RAFF, JR., EXECUTORS

The Clerk called the bill (S. 1998) for the relief of J. Hibbs Buckman and A. Raymond Raff, Jr., executors of the estate of A. Raymond Raff, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of money in the Treasury not otherwise appropriated, to J. Hibbs Buckman and A. Raymond Raff, Jr., executors under the will of A. Raymond Raff, deceased, the sum of $2,217.86. The payment of such sum shall be in full settlement of all claims of the National City Bank of New York, New York, and Banco da Madeira, Funchal, Madeira, and their agents, successors, or correspondents against the United States, the Indemnity Insurance Co. of North America as surety on the bond of A. Raymond Raff, deceased formerly collector of customs at the port of Philadelphia, Pa., and the estate of the said A. Raymond Raff for loss caused by the unlawful sale on July 17, 1947, of two cases of handerkerchiefs consigned to the National City Bank of New York, New York, which were sold as unclaimed merchandise before the expiration of the general-order period, as extended: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or recovered by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating any provision of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

ROBERT JOSEPH VETTER

The Clerk called the bill (S. 2100) for the relief of Robert Joseph Vetter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert Joseph Vetter, of Miami, Fla., the sum of $158. The payment of such sum shall be in full settlement of all claims of the said Robert Joseph Vetter against the United States on account of personal injuries, medical and hospital expenses, and loss of earnings sustained by him as a result of his rescue of two United States Navy fliers who were fatally injured in the crash of a Navy airplane approximately 50 yards north of the recreation pier at the south end of Miami Beach, Fla., on June 5, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

JOHN L. BAUER

The Clerk called the bill (S. 2157) to authorize payment of certain claims for damage to private property arising from activities of the Army.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John L. Bauer, Watertown, N. Y., $50; to Ernest Bohna, Brogan, Oreg, $50; and to William E. Dollar, Meigs, Ga., $98.50. The payment of said sums shall be in full settlement of all claims of the above-named claimants against the United States for damage to their property caused by military personnel or civilian employees of the Army, or otherwise incident to noncombat activities of the Army, and determined by the Department of the Army to be meritorious, which are not payable under any existing statute available for the settlement of claims against the United States: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent of any claim shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

The title was amended so as to read: "An act for the relief of John L. Bauer, Ernest Bohna, and William E. Dollar."

A motion to reconsider was laid on the table.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The Clerk called the resolution (S. Con. Res. 58) favoring the suspension of deportation of certain aliens.

There being no objection, the Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:

A-1668413, Kehaioff, George Athanasoff.
A-7297249, Gwozdz, Jozef.
A-5760683, Czerwinski, Bronislawa or Lon (nee Markowska).
A-9098321, Czerwinski, Jan.
A-5043634, Lago, Ramon Formosa.
A-6742652, Blich, Mina.
A-6622741, Blich, Aron.
A-3030092, Martinez-Martinez, Jose, or Joe Martina.
A-2612961, Kimura, Yukiko.
A-2757718, Cheng, Chi Chiao, or Steven Cheng.
A-7190316, Diciaccio, Ottavio.
A-6761996, Rosenstein, Max David.
A-6207651, McMahan, Glenn Madge Mearns.
A-6492272, Alcantar, Esmeregildo.
A-7197683, Arias-Olivares, Benselada, or Wenceslada Arias-Olivares.
A-6953567, Augustin, Margaret Tiatano San (nee Reyes).
A-5916158, Benjamin, Mary Jane (nee Hyndman).
A-4805628, Bergondo, Lucia (nee Monzon).
A-5763425, Bewley, Theresa Athne, or Theresa Athne Bosserman (nee Thompson).
A-7135004, Bijarakis, Irene Emmanuel (nee Irene Emmanuel Tzanetes).
A-7450259, Borrelli, Antonietta (nee Franco).
A-3328605, Bourlon, Paul Edward.
A-3284813, Brewster, Albert Sydney, or Sidney Brewster.
A-1425339, Brezez, Mario.
A-4102898, Campbell, Arthur Joshua.
A-7417748, Campbell, George.
A-7267869, Carini, John (Giovanni).
A-7267870, Carini, Anna Angela.
A-7375502, Cesarini, Domenico Mario, or Domenico M. Cesarini.
A-4471755, Chung, Margaret Mary, or Margaret Mary Ping Shan Chung, or Ching Ping Shan.
A-5058193, Cohn, Sonia, or Sonia Fidler.
A-7463869, Connor, Albert, Marfunt.
A-6781701, Correa, Eduardo Juan, or Marcilino Bellino.
A-2658342, Csung, Eng Ki, alias Wou Ki Csung.
A-1236060, Dobos, Joseph (Joszef or Joe).
A-1050228, D'Ambro, Rafaelle.
A-2396446, DeAyala, Genoveva Martinez.
A-7858213, DeJuarez, Eloica Navarrete.
A-7274235, DeOntiveros, Concepcion Amancio.
A-7073390, Dery, Liliane Marcelle, formerly Liliane Marcelle Charbonnier.
A-5339551, Detels, Heinrich Hans.
A-5257367, DiMeglio, Giovanni.
A-1963644, Dimitrakoulakos, Dimitrios, or Jimmie Demos.
A-7415149, Dobson, Keith Frederick.
A-1019415, Docherty, Rebecca.
A-1962682, Dracopoulos, Peter Constantine.
A-1263600, Elizalde, Luz Peinado.
A-1916314, Farganis, Pericles A.
A-6319163, Ferszt, Szyje, or Sidney First.
A-4445754, Foti, Carmelo.
A-6966527, Frain, Christina Elizabeth May (nee Tornbull).
A-7117918, Francis, Therza Hayden (nee Billinghurst).
A-4566242, Franek, Shirley Sa.
A-1504362, Frano, Raffaele Angelo, or Raffaele Frano, or Ralph Frano.
A-7934330, Fulton, Victor Alexander.
A-4467600, Garcia, Manuel Ferreiro.
A-2840935, Garcia-Perez, Antonio or Arturo.
A-7886808, George, Ludrik, Kelsham.
A-7884902, George, Maria Leonora (nee Thomas).
A-3019640 Gerlich, Jakob.
A-4978213, Geiss, Lillian Florence Belle (nee England).
A-7241623, Gliszczynski, Theodore Joseph.
A-3475252, Goodman, Rose (nee Randell).
A-6491933, Gorfinkel, Chana, or Gorfinkiel (nee Chana Gulevsky or Gulewska).
A-3181035, Gropsorean, Damen, alias Nicolas Thomas.
A-7174219, Grosch, Jutta (nee Jaeger).
A-5998196, Guerrisi, Lillian.
A-5131547, Halloran, Doris Helen (nee Fuller).
A-7070214, Hansen, Hans Willy, or William Hansen.
A-7375722, Heinzmann, Peter Mikulas.
A-7136914, Hodge, Daniela (Daniela Ivanka Tatjana Petrova).
A-7290260, Hodson, Kathlyn Ellen.
A-3822185, Hoffmann, Arthur Otto.
A-4870661, Hop, Louie.
A-7399583, Hoy, Lee Chee, or Calvin C. Lee.
A-6414242, Huang, Richard Shih-Chiu.
A-6414219, Huang, Robert Hai-Chuan.
A-5587447, Hulatt, Henry.
A-7115356, Hummels, Agnes Geodorovna.
A-1140841, Hutter, Joseph.
A-1481433, Hyland, Patrick Joseph.
A-3371125, Iari, Ruth Randall.
A-4946250, Jennings, Frederick H., or Albert George Brine.
A-5273968, Jensen, Rasmus Magnus.
A-9777158, Kalolekas, Vasilios Theodore.
A-2342622, Kanzaki, Kichizo, or Kichizo Fujiwara.
A-2342620, Kanzaki, Misao.
A-7008736, Kanzaki, Keiko or Kaye.
A-1032116, Karaviotis, Aristomenis, or Aristomenis Andreas Karaviotis, or Aristomenis Caraviotis.
A-5343107, Karlsson, Per, or Peter Carlson.
A-2828423, Krystalis, Gabriel Mozkoz.
A-9783023, Lejnieks, Into.
A-2515343, Leonetti, Erna Gertrud.
A-5153032, Leskanic, Janos, or John Leskanic.
A-4754440, Levin, Esther Tillie (nee Mandel).
A-3420990, Levine, Anna.
A-5390478, Ma, Chuk Ching.
A-3445844, Maid, Mary Ann (nee Foxton).
A-5573561, Mangiarotti, Santo.
A-3378386, Matorim, Max, or Motel Matorin.
A-5515065, Matsubara, Kikuno.
A-6993697, Mattern, Reiner Karl, alias Rene Ellul.
A-5166281, Matthews, Mary, or Marja Wolaka (nee Matiasz).
A-4130577, Masters, John Richard Lenton, alias Jack Masters.
A-2635338, Meers, Margaret, or Margarethe Meers, or Margaretha Henkl (nee Boerner).
A-4679824, Michaelis, Rudolf Martin Kurt.
A-2011319, Mikulus, Michael Albert.
A-2280632, Morand, Martha Johanna, or Martha Jensen Darnell, or Martha Johanna Jensen.
A-7372123, Moreitz, Monica Johanna.
A-1339900, Moshopoulas, Gerassimos, or George Moshos.
A-5083554, Murrell, Evelyn Maud.
A-6219555, Okamatsu, Isamu, or Ysamu Okamura, or Yoshio Monaka.
A-2749014, Omar, Mahdee Bin, or Allie Mahdee Omar.
A-3634838, Orsi, Italia (Italia Stacchetti).
A-4904454, Paolini, Attilio.
A-7809276, Pastori, Claude, or Claude Tullio Pastori.
A-5600621, Paulson, Mary Harms, or Mary Grigg.
A-4613083, Payeras, Anita Maria, or Anita Maria Rodriguez, or Anita Maria Llop.
A-4102640, Pearcy, George Whitfield.
A-2745227, Pelin, Neculate Oprea, or Nicholas Pelin.
A-7985396, Pentino, Carmella, formerly Consiglia Schiavone.
A-4115597, Perog, Michael.
A-7398987, Pesti, Goldie Grace, formerly Veres (nee Nays).
A-1944984, Petesic, Ivan.
A-6372739, Petkovich, Filippo, or Philip Petrovich.
A-7197870, Petronio, Immacolato (nee Russo).
A-4850252, Petrucco, Angeline Maria (nee Pontello), alias Ines Alba De Michiel.
A-1958941, Pinakas, Maria, or Maria Kotsonis, or Maria Lambadaris.
A-4371125, Pinto, Domingos Fernandez.
A-9920083, Polanowski, Stefan.
A-5419016, Poser, Erich.
A-1108990, Pragias, Vasiloios Athanasios.
A-6287182, Preston, Ann.
A-4575450, Prince, Ida Beckstein.
A-4906086, Prochaska, Stefan Julian, alias Steve or Stefan Prochazka, Prochacka, or Prohacka.
A-5662521, Raynor, Grace Annie (nee Laskie).
A-1251744, Rebeiro-Gomes, John.
A-4853529, Reder, Erna Marcelina Frankel.
A-4435161, Reder, Jacob.
A-7197883, Ritchie, Rufolpho Maria.
A-7886681, Roedelsturtz, Raymond.
A-7115216, Sager, Charles Stewart.
A-5343415, Sagris, Hilda Kristina.
A-6026900, Sang, Tung.
A-3095402, Saponzides, Seraphim Dimitrios.
A-1602221, Sarigiannis, Stylianos, alias Steve Camberis.
A-4972302, Scallan, Marcella (nee Rutkn).
A-1353207, Schoen, Eva, formerly Eva Bosko, formerly Eva Szontag (nee Eva Hauszler).
A-3197907, Shapiro, Minnie (nee Sandler).
A-4298007, Sheung, Lee Gout, or Anna Lee, or Anne Hoey.
A-5975002, Shibata, Hiroshi.
A-4708975, Silva, Philip, alias Felipe Silva, or Felipe Silva Gonzalez.
A-4135539, Sing, Lo Mang.
A-2429886, Sepiciuk, Nick, or Nicolai Isepciuc.
A-7491771, Smith Natalia Alexandrovna, alias Natasha Alexandrovna Smith, formerly Kulikov.
A-5907999, Sommerkamp, Arnold.
A-5213664, Steskanin, William, or Bill Stesko.
A-2098982, Stosich, Marko, or Marcos Zoyas Siles.
A-5589571, Szewczyk, Kate, alias Catherine Szewczyk.
A-5165425, Szewczyk, Ignacy.
A-5725387, Takata, Jiro, or George Takata.
A-7118500, Taveira, Maria Clothilde Martins.
A-5434215, Portis, Ruth (nee Urguhart).
A-3479202, Wang, Florence, alias Florence PiWsia Wang Teng.
A-5380160, Warren, Alice Julienne (nee Levacher or Alice Fiquet).
A-2471388, Wei Yu, Djong Wayland, or Wayland Djorg.
A-1356959, Wessel, Max George.
A-3616338, White, John Herbert.
A-4956728, Willoughby, Barbara Adice, or Alice or Barbara Adice Dalgleish (nee Word).
A-4984579, Wolhendler, David, alias David Wold.
A-2137759, Yurich, Frank.
A-3759782, Abe, Fujiye, or Fujiye Bode, or Fujuyie Sakata.
A-2478324, Alves, Manuel.

A-4079647, Anemoures, Demosthenes, Evangelos, or James Evangelos.
A-7754257, Anglada, Manuel O. Zariquiey, or Manuel Zariquiey Angalada, or Manuel O. Zariquiey.
A-3462443, Bacchione, Domenico.
A-6160685, Bacchus, Habeeb.
A-5811850, Baillie, Zillah.
A-5737148, Baker, Hyman Noah, or Hymie Baker.
A-5837681, Bartee, Elsa Anne.
A-7096163, Beck, Elmer Into or Into Ilmari Suhonen.
A-5401170, Bensaia, Giuseppe, or Giuseppe Bensaga, or Joseph Bensaier, or Guiseppe Bensaya.
A-6990512, Berghoff, Jerome, or Aaron Leo Ginsberg.
A-5796563, Block, Julia, or Sister Mary Vincentia.
A-7176702, Bokios, Efthalia Vassilios Zervoulia.
A-7354859, Boluda, Louis Roger.
A-2585736, Boyajian, Arousag, or Rose Mary Boyajian.
A-3748687, Bridges, Frank Sherlock.
A-5877409, Broome, Stanley George, or Stanley George Amey.
A-7423197, Brown, Virginia Sabater (nee Sabater).
A-7362345, Burnett, Brenda Caroline, formerly Brenda Caroline Simpson.
A-7362346, Burnett, Glenis Pamela, formerly Glenis Pamela Simpson.
A-6976783, Campbell, Alfred John.
A-7043314, Campisano, Frank Anthony.
A-7262109, Carpenter, George, or George Carpenter Passejian.
A-7123585, Carpenter, Josephine Semone Cosand.
A-5599299, Chao, Celia Hwa Guen, or Celia Huan.
A-6982613, Chase, Beryl, or Beryl Small De Chase (nee Small).
A-6982614, Chase, Yvonne Patricia.
A-4642604, Cheong, Cheung, or Tack Chong.
A-5757153, Cherven, Mary Sophie (nee Mary Sophie Reichel).
A-4935364, Clarke, William John.
A-3563403, Collazo, Maria, or Maria Paiz, or Maria Molina.
A-1251448, Colze, Wilhelm Leo, or Wilhelm Leo Francis Colze.
A-5750902, Cornell, Isadore, or Isadore Kanell.
A-6708955, Covello, Fiorentina (nee Amato).
A-7186426, Dacey, Margarete (nee Hill).
A-5273901, Daddow, Elizabeth Jane (nee Veale).
A-4538840, D'Alessandro, Benedetto, or D'Alessandro Benedetto, or Benny Castelli.
A-3098806, Dapontis, George Antonios.
A-7202716, Dawidczyk, Leokadia Ryducha, or Lucy Sarah Dawidczyk, or Leokadja Ruducha.
A-7061272, Dazio, Chiara Angela Marina.
A-3854994, De Esparza, Theresa Arroyo dor De Fontes.
A-7188407, De Hernandez, Florinda Armendares.
A-6261642, Deligianis, Maritsa.
A-6873511, Deligianis, Eleftheria.
A-6873512, Deligianis, George.
A-7010933, Delisi, Wendy Teresa, formerly Pearson.
A-4216989, De Molina, Celia Melendez, or Celia Melemdez, or Celia M. Molina.
A-5664486, De Rosales, Soledad Morones.
A-2563522, Din, Badar Ud, or Badar Ud Din Gorsi.
A-4693497, Drachler, Louis Davis.
A-7224968, Durnell, Edith Marion (nee White).
A-4161607, End, Edward.
A-1175433, Escobedo, Maria.
A-3394109, Eshelby, James Wesley.
A-4408331, Faia, John.
A-4484324, Finegood, Atty (nee Silverfarb).
A-4943398, Fineman, Sidney.
A-7263010, Folio, Yvette Germaine Tourtois, or Yvette Germaine Tourtois.
A-7263011, Folio, Gerard Michel Tourtois, or Gerard Michel Tourtois.
A-7263012, Folio, Louis Edmond Tourtois, or Louis Edmond Tourtois.
A-7264767, Friedmann, Eveline Henriette.
A-1297481, Frohn, Valentine (nee Valentine Yu).
A-7049286, Garza Isauro.
A-1668107, Giorgi, Gino.
A-1119471, Girardi, Sam.
A-6678004, Glasman, Izak.
A-6678020, Glasman, Jolan (nee Klein).
A-3986030, Goby, Thomas, or "Tom" Goby.
A-5067258, Gomez, Eduardo Bao, or Manuel Gomez.
A-3857260, Gonzalez, Joseph Casal, or Jose Casal Gonzalez, or Joseph Gonzalez.
A-4387257, Goodman, Max, or Motel Gontmacher.
A-5262046, Goss, Eva Lillian (nee Pickard).
A-7873904, Greaux, Joseph Gabriel.
A-4284559, Green, Jack, formerly John Greenberg.
A-4803905, Green, Dora Esther, formerly Dora Esther Greenberg (nee Serota).
A-3257180, Greipel, Alois.
A-3562620, Greulich, Ernest Heinrich Erich, or Ernest Erich Greulich, or Erich E. Greulich.
A-7439173, Hadzicostantinou, Constantinos, or Constantinos Hadziconstantinou.
A-6703140, Harris, Athanasia Constantine (nee Mallires or Athanasia Haralampopoulas).
A-6057286, Hepworth, Norman William.
A-6597600, Heuberg Rachela.
A-5123964, Hirsch, Gloria Gertrude Greenberg.
A-6623134, Hollander, Bernardo, or Bernardo Hollander Grun.
A-1543051, Huber, Emil.
A-3007292, Ibrahim, Mohamed.
A-1883063, Imbrogno, Giulio, or Francesco Imbrogno.
A-3834948, Inouye, Yataro, or John Yataro Inouye, or John Yataro Inoye.
A-9798290, Inwood, Leslie Harold.
A-2619905, Janicka, Mary, or Maryanna Witkowska, or Rogowska.
A-1441065, Johnson, Alma.
A-6954768, Kanellos, George Dimitrios, or George Canellos.
A-7136803, Karas, Peggy (nee Liacopoulos or Panagiota Constantinou).
A-4443941, Karki, Ester Maura (nee Kotala).
A-4002885, Katchur, Rose, or Rose Sloan, or Chaya Rachel Schlaian.
A-6836915, Kauppi, Bengt Harry, and Bengt Harry Mattson.
A-1070225, Kazias, Vasilios Kosmas.
A-6441569, Kessler, Reginald R.
A-6928172, Khade, Miriam Anton.
A-6928173, Khader, Anton Elia S. Khalil, or Anton E. Khader, or Anton Khader.
A-5613065, Kivinen, Lelia Amos Martha, or Lelia Amos Martha Fisher, or Leila Martha Kivinen.
A-6919645, Klein, Doris Regine.
A-7826036, Knittle, Viola.
A-1212306, Koster, Stanislaw, or Stanley Koster, or Charles Koster.
A-1534347, Lapatas, John or Lapas, or Ioannis Bassilliou Lapatas, or Bassili Lapatas, or John Bassilliou Lapatas.
A-4810260, Lara-Heriberto, Enrique, or Enrique Heriberto Lara.
A-3158305, Lawrence, Rheba Malinda (nee Lucas).
A-6605462, Lee, Hwa-Ni, or Lawrence Hwa-Ni Lee.
A-6704095, Lee, Lydia Shui-Yen (nee Shen).
A-6142231, Leng, Shao Chuan.
A-7092041, Lichtenstein, Peter Ladanyi, or Peter Ladanyi.
A-6504787, Ling, Juliet Tchou.
A-2997441, Ling, Choh Chun.
A-7267779, Long, Patricia Hermine (nee Thomsett).
A-1077226, Lopez, Jose Gudierrez, or Jose Curtiez or Gutierrez.
A-5740455, MacMillan, John Francis.
A-2660936, Malafouris, Charalambos, or Bob Malafouris.
A-6803987, Mandel, Armand.
A-6406978, Manganias, Christos N.
A-7375504, Martens, Geraldine Gisela, or Gerhardine (Gerda) Gisela Kueffens.
A-3482021, Martini, Nicholas.
A-3482016, Martini, Catherine (nee Merle).
A-7015094, Martini, Junior, Nicolas.
A-7015095, Martini, Evelyn Helen.
A-5165961, Mastrogeorgopoulos, Ioannis, or John Master.
A-3598451, Mateus, Duarte.
A-1684198, Matsui, Takejiro.
A-4386046, McEachern, John Angus.
A-6458422, McElligott, Justin William.
A-6458421, McElligott, Ann Gabrielle.
A-4076671, McGinnis, Ernest Livingston.
A-7243285, Mei, Patsy, or Patsy Kong Mey.
A-5564754, Meiras, Antonio, or Antonio Siso, or Antonio Micras Siso.
A-2061604, Messados, Vassilios, or Vassilios Stamitiou Messados, or William Massas.
A-1387508, Miller, Charles Herbert.
A-7886273, Miller, Coral Elizabeth.
A-5618461, Mitsopoulos, Nicolas, or Nick or Nicoloas Moustos.
A-3802889, Mizen, Ernest Westwood.
A-6063039, Monasterio, Arthur Gardner.
A-4653393, Moreno, Marta Esperanza Ramirez.
A-1037812, Navarro, Diego Gallardo.
A-3515640, Nom, Mon Ching, or Hing Mun, or Mun Hing.
A-6374930, Novosad, Maria Aloisia, or Maria Louisa Nowosad.
A-3467666, Nozawa, Shichiroku.
A-3710992, Ordonez, Ranulfo Egar, or Ranulfo Ordonez.
A-6350831, Papamikos, Irene.
A-7282694, Perandones, Pedro Pedrosa.
A-7868302, Percira, Nelson Santos.
A-7264790, Perron, Magda Vincenzina, or Magda Vincenzina Bier.
A-7948772, Peterson, Manfred, formerly Wegman.
A-3363218, Pezzuti, Michele Angelo, or Mike Pasty, or Mike Pazi.
A-4130486, Pitta, Rosalia Stanko, or Rose Pitta, formerly Rozalia Manusov Stanko, or Roca Nyari or Varga.
A-4098715, Potter, Bertha (nee Zack).
A-5549621, Puccio, Antonio or Anthony.
A-5707372, Puccio, Salvatora, or Sally (nee Martini).
A-2655837, Puckerin, Joseph Archibald.
A-1122393, Radich, Vlaho, or Chalres Blaz Radich.
A-7135349, Raiteri, Gina Domenica (nee Passerini).
A-4176023, Redling, Joseph.
A-7184730, Reiss, Hans.
A-1475692, Resanovich, Adam.
A-3947582, Ribas, Gumersindo Louis, or Gumersindo Louis Ribas Y Forto.
A-5064504, Ribner, Sime or Rubner (nee Wojnelower).
A-3566791, Ring, Sylvia (nee Gold).
A-7092743, Rocca, Domenico Della.
A-4847286, Rode, Konstantius Balthazar.
A-5358463, Rosales-Benavides, Cipriano.
A-7367118, Saccoccia, Nella (nee Nella Di Pillo).
A-6435131, Santos, Benjamine (nee Gonzales).
A-4526743, Schafer, Doris June (nee Murray).
A-6441475, Schamber, Selma, or Selma Strauss.
A-1544255, Schwab, Lillian, or Lillian Rudolph (nee Lillian Goldman or Thelma Schwab or "Teddy").
A-1471905, Scime, Raimonda (nee Sciascia).

A-2417573, Scinica, Fortunato, or Fortunato Sceneca.
A-3090640, Scotto, Luigi.
A-6403266, Seidita, Salvatore.
A-3810778, Sen, Chu Do, or Do Sen Chu.
A-4809716, Shapiro, Lillian (nee Meyer or Ravira or Raisel Meyer).
A-7858555, Shipley, Emma, formerly Emma Fabrocini.
A-3041795, Skaleris, Nick George, or Nick Kaleris.
A-7222259, Simonds, Nivia Rosa Rivera Sandoval Rogers.
A-3598150, Sjotun, Harold, or Harold Sjothun.
A-3838291, Sliwa, Julia.
A-4059205, Snarie, Mimah Alimah, or Mimah Aliman Curtiss, or Alimah Devi Mimah, or Alimah Devi, or Mimah Alimah.
A-3022439, Sorrentino, Gennaro.
A-7394621, Stephenson, Hubert, or Jubert Halston, or Ephrain Stephenson.
A-6581946, Stewart, Zigrida Margareta, or Zigrida Margarete Stewart, or Zigrida Stewart, or Zigrida Margareta Graudins, or Zigrida Margareta Grosel.
A-6884670, Stirling, Charles Nicholas.
A-5444030, Stormer, Lillie (nee Robertson).
A-6440949, Strochlic, Carol or Carl.
A-6440948, Strochlic, Sabina (nee Bhoch or Bhock).
A-7985398, Sweeting, Judy Deanne.
A-4162209, Tanaka, Fumi Tatsuoka Moriyama.
A-4377561, Thomas, David Daniel.
A-9747117, Titchen, John Alexander, or Alexander John Titchen, or Alexander J. Tichen, or John A. Titchen.
A-4204187, Trafemchuk, Alexander.
A-4797143, Tso, Shih, or Tso Shih, or Joshph Tso Shih.
A-1479020, Vales, Harry Emanuel, or Charalamboa Varelakis, or Haraloabos Emanuel Varelakis.
A-5032104, Varnes, Hedel Julia, or Hedel Julia Cott, or Jadwiga Stefanja Cotowna.
A-3493647, Waltanen, Kosti Alexander, or Kosti Waltanen.
A-6163778, Wang, Hsioh-Wu.
A-2389787, Wilson, Arnold Usse, or Arnold Wilson.
A-7177885, Wilson, Marianne Hedwig (nee Witte).
A-7371751, Wirtz, Eckhard Johannes, or Eckhard Johannes Leja, or Eckhard Kytzia.
A-1513918, Woitkewicz, Julius, or Wojtkewicz or Julius Karski.
A-7039520, Wong, Lorrie Tin Lock, or Tin Lock Wong.
A-7243482, Yabe, Mitsuye, or Mary Mitsute Yabe, or Mitsuye Nishihama.
A-6858242, Yang, Richard Fu-Sen.
A-2866753, Yee, Wai Yum.
A-7560751, Yee, Yoeh-Ming Ting (nee Ting).
A-6972366, Yien, Hwang Han.
A-2169996, Chan, Shuk Yee, or Shuk Yee Chan Hwang.
A-1790288, Yoshihara Masako.
A-1443370, Young, Frederick Nelson, or Frederick Gustav Jung.
A-7463580, Zei, La Donnie, or Lo Donnie Zei.
A-5216657, Alessi, Albino.
A-4381732, Angelini, Ernesto Romeo.
A-4190326, Angelino, Achille.
A-4710375, Angelino, Mariantonia (nee Perrino or Maria Perrino Angelino or M. Antonia Angelino Perrino).
A-2719067, Arriaga, Mario Rosario.
A-4738613, Aslanoglou, Leonidas, alias Leo Slano, alias Leo Xeno Slano.
A-5104423, Bauer, Joseph.
A-4356772, Behar, Clara.
A-4288750, Bercarich, Anthony or Antonio.
A-4316950, Berger, Moris.
A-3340793, Bew, Mon, or Yen Mon.
A-1923586, Bojinoff, Paraskevia Batskowa or Bonzoff, alias Bessie Bojinoff.
A-1503041, Bratos, John, or John Vretos, or Jon Vretos, or Ioanis Bretos.
A-7868369, Bryan, John Robeson.
A-4576779, Bubuchi, Peter Constantino, or Evangelos Bubuchi, or Peter Constanino Sprios, or Peter Spiros.
A-4737170, Camara, Francisco Tomas.
A-4306180, Canali, Giovanni (John Canali).
A-7385402, Candelaria, Paz.
A-4868451, Car, Janko (John), or Steve Evaka, or Stefan Evaka, or Steve Evakoff, or Istvan Czur or Czar or Carr or Zar.
A-3312338, Cassiotis, Theodoros.
A-5085705, Champendal, Ella Elisabetha.
A-6163772, Chang, Jyh-Huei, or William Jyh-huei Chang.
A-6392886, Chang, Ke-Ming.
A-3086937, Chen, Sun, or Wing Sang.
A-9574860, Choon, Lee Cho, or Lee Cho Chun, or Cho Choon, or Lee Choy Choon, or Lee Choon.
A-4253431, Chow, Ng Goon, or Ng Ngoon Dew or Dau.
A-3551013, Chun, Kam Yuen, or William Kan Yuen Chun.
A-6732044, Cote, David Leon.
A-3595935, Cretella, Baldassarre, or Benny Cretella.
A-7550535, Crosbie, Grover Stanley, or Grover Crosbie.
A-3660919, Culligan, Martha Barbara.
A-1058805, D'Amico, Nicola Carmine.
A-4348153, Dapontis, Ioannis, presently known as John Dapontis.
A-6593620, Davis, Willemina.
A-5251212, Dean, Fanny.
A-7069478, DeBayser, Laurence Marie Jeanne.
A-7071618, DeBayser, Catole.
A-7064182, DeCaro, Francesco Paolo.
A-7249017, Del Giudice, Maria Teresa (nee Viola or Teresa Viola), Teresa Del Giudice.
A-2085630, DeLuevano, Gregoria Pedroza Vda, also Gregoria Pedroza.
A-6233702, Di Giacoma, Luciano.
A-6237313, Di Giacoma, Carmela.
A-1356207, Din, Wahab.
A-4037088, Doo, Jung Shu, or Jung Shee Tong, or Peter S. Jung.
A-1619782, Doukas, Nicolaos, or Nicolaos John Doukas, or Nick Doukas.
A-2658728, Eckert, John, or Janos Eckert.
A-5450258, Edgar, John Nelson.
A-7096916, Ennis, Emmy (Emmy Weyrich) (nee Kraemer).
A-9737259, Enxuto, Carlos.
A-3997988, Espinosa-Carrillo, Delfino, alias Dale Espinosa.
A-1530949, Fat, Eng, or Henry Eng.
A-4356656, Gaensslen, Paul August Otto.
A-4917566, Garvey, Albert Victor.
A-3324038, Garzia, Giovanni Omera.
A-6362195, Gee, Joseph Doo-Keung.
A-6171929, George, Emilia (nee Gouvousis).
A-6088385, Giles, Mary Ann (nee Smith).
A-6496388, Goldstein, Samuel.
A-6472385, Goldstein, Taube (nee Frankfurter).
A-5955757, Gonzales-Villicana, Miguel.
A-1011226, Gosselin, Lorraine J., formerly Claudia Marie.
A-7262019, Grassi, Maria Immacolata.
A-7125377, Grego, Natalia Mastracchio.
A-5025210, Grischuk, Walter Jacob.
A-3663583, Guerrera, Donato.
A-4497100, Guido, Thomas, or Tommasino Guido.
A-4428935, Halasz, Gabriel or Gabor.
A-4945626, Hamasaki, Haruji, or Haruzi Hamasaki, or Hitoshi Hamasaki, or Harry Hamasaki, or Harry Hama, or Harry Kasui Hamasaki.
A-4565540, Hanella, Alfred, or Alfred Hamelia.
A-6639271, Harris, Caryl Anne.
A-3158718, Hasson, Esther (nee Adevah or Michela Rohas or Rojas).
A-6323339, Hawtin, Edward Mervyn (Feltham) (Foster).
A-3445319, Hider, Hussine Deeb, alias Harry Hider.
A-3459540, Hider, Mohammed Deeb, or Mike Hider.
A-1733400, Hietanen, Hilma, or Hilma Sundell (nee Juusenaho).
A-2725986, Hirschal, Paula Anna.
A-7769313, Hsu, En-Yun.
A-6032936, Hsu, Tung-Kuei.
A-6489134, Huber, Britta Sylvia Eleonoid.
A-2763719, Ida, Isaku, or Toraichi Oishi.
A-7360460, Iverson, Catherine Anne, or Catherine Anne Bond.
A-6893630, Jimenez, Rudolfo, or Rudolph Gamble.
A-3526330, Jones, Cuthbert McDonald.
A-7274302, Kaan, Sze Kin.
A-7274301, Kaan, Ann Chang.
A-6343646, Kantzo, Efstratios.
A-6343645, Kantzos, John.
A-2403662, Katsiaris, Christos.
A-4743298, Katz, Molly, or Mali Katz.
A-7008891, Kinsey, Shirley Joanna.
A-6371576, Kitcher, Janette Estelle.
A-3374470, Kobzeff, John P., or Ivan P. Kobzeff.
A-3374471, Kobzeff, Julia (nee Tickunoff).
A-1355886, Kondrutzkov, Dimitri.
A-1443419, Kondrutzkov, Daria (nee Petrova).
A-5201518, Kotchos, Dimitrios Vasiliou, or Jim Vasil Kotchoff.
A-4990341, Krznovich, John.
A-1116780, Kuintiene, Chana.
A-2499249, Kumagai, Tomi (nee Tomi Yoshida).
A-7246551, Kuo, Maying, or Ma Mu Yin Kuo.
A-7246552, Kuo, Joseph Dennis, or Sun Yang Kuo, or Sing Yang Kuo.
A-7246553, Kuo, Marie Esther, or Yen Shi Kuo.
A-5219771, Lam, Shin Hing, or Lam Shin Hing.
A-4674687, Lasuita, Michael.
A-7079616, Lee, Milton Chun, or Milton C. Lee.
A-7069322, Lee, Peng May Kau, or May Kau Feng.
A-7069321, Lee, Milton Chun, Jr., or Milton Lee, Jr.
A-7200791, Lee, Marion, or Mei Lan Lee.
A-4125377, Lee, Samuel, or Lee Wing.
A-7006439, Lee, Whamok Kim, or Wha Mok Kim, or Kim Wha Mok, or Whamok Kim, or Kim Whamoe.
A-2557792, Lee, I. Kyung, or I Kyeng Lee, or Lee I. Kyung.
A-5342497, Leguia, Victor Ernesto, or Victor Legua Camacho.
A-2232168, Leibowitz, Mary (nee Pappelbaum).
A-7385545, Lemmo, Antonio, or Anthony Lemmo.
A-7600174, Lew, Grace Li-En, or Lew Li-En.
A-7268435, Ling, Yee, or Ling Yee, or Charle Yee.
A-6699077, Linthicum, Elizabeth Jane Worsley, or Elizabeth Joyce Worsley Linthicum.
A-1888029, Lisette, Dorothy Louise.
A-4988427, Little, Winifred Maud (nee Smillie).
A-6033423, Liu, James Che-Ming.
A-7125315, Liu, Tsousue Kao.
A-7457082, Liu, Lonnie.
A-2749540, MacDonald, Dorothy Anna (nee Symes).
A-4655168, Martinez, Francisco Zarate.
A-3389010, Martinez, Sidronio, or Sidronio Martin, or Sidronio Gallardo Martin, or Sidronio G. Martinez Cifronio Martin.
A-7178602, Marzahan, Hans-Ulrich.
A-6836916, Mattson, Bo Olof, or Bo Olof Kauppi.
A-3409854, McCullough, Edward Victor.
A-5827389, McKendrick, Mary Barclay Strachan.
A-4189822, Meha, Tuta.
A-5638694, Mendes, John, or Tom Mendes.
A-1319851, Mincheff, Petko Panayotoff, or George Petroff, or George Peters.
A-4425319, Mizen, Amy Ruth, or Amy Ruth Warren.

A-4172428, Montecino, Antenor or Antonio.
A-4318326, Romera, Vicenta Lorca.
A-5578346, Montesinos, Concepcion Garcia.
A-6630324, Montesinos, Vicenta.
A-7032857, Montesinos, Manuel Fernandez.
A-6630320, Montesinos, Conchita.
A-5448363, Nakamura Fumiye, or Fumiye Uyeno.
A-2388264, Nakagawa, John, or Sunkichi Nakagawa.
A-7240047, Nichols, Frederick W., formerly Fritz Wolfgang Peterbauer.
A-5942955, Ohab, Walter, or Wladyslaw Ohab, or Ladislaw Ohab.
A-5441064, Oldakowska, Halina.
A-3496978, Paetzold, Helene Henriette.
A-5706590, Patterson, Alexandra Photos Leriou.
A-9563511, Pavic, Valdimir.
A-3915147, Pearman, Faith Mazie, or Faith Mazie Adams.
A-1006704, Persi, Angelo.
A-4387401, Peterson, Boris, or Boleslaw Treschinsky or Trescinski.
A-7957311, Petrini, Stefano.
A-3877925, Pinard, Alphonse Joseph.
A-4727552, Pinto, Abilio Fernandes, or Abilio Pinto Fernandes.
A-2495735, Podvinecz, Hermine, or Hermine Racz.
A-7372124, Pompei, Pietro.
A-7204914, Pozzi, Giovannina or Carusone.
A-3764980, Provenghi, Bruno George.
A-5047014, Provenghi, Enrica Bombardelli.
A-7026553, Provenghi, Guido or John.
A-7026387, Provenghi, Anita Costa.
A-7026388, Provenghi, Carlos Bruno.
A-6925878, Pullin, Patricia Anne.
A-6033784, Quade, Lois Edna, or Bertha Edna Nicholas, or Mary Beatrice Nichols.
A-4043273, Radke, Gustav Daniel.
A-7019744, Radke, Russell Alvin.
A-7019745, Radke, Stella Marie (now Hegsted).
A-7020727, Radke, Elford Daniel.
A-7375847, Ramil, Beatriz Betty.
A-6810067, Reedy, Enrico Lucido.
A-5099071, Reins, William Cornelius, or Cornelius William Reins, or William Reins.
A-4596588, Reins, Saimi Adalfina (nee Davantti).
A-7079633, Resch, Renate.
A-7079634, Resch, Gerhard.
A-3321611, Romagnolo, Vincenzo, or Vincent or "Jim" Romagnuolo.
A-3105579, Romano, Silverio.
A-6999695, Romero, Norma Borbolla.
A-4294885, Rosenholm, Oscar, or Oscar Alecei (or Alacai or Alepei) Waldemar Rosenhold, alias Oscar Alecei Waldemar, alias George Lee.
A-5217146, Sagara, Mie.
A-4262120, Santos, Dioselina Quiroz-de los, alias Dioselina Marie Lopez-de los Santos.
A-5467347, Schayek, Farha Sassoon.
A-3440635, Schayek, Louise Sassoon.
A-5312037, Scherlitz, William Albert, or Albert William Scherlitz.
A-3213351, Serpi, Liugi.
A-3784794, Shee, Yee (Yee Kwan Yee), or Mary Lee.
A-7372138, Shew, Mah, or Harold Mah.
A-6161419, Shibayama, Tatsue.
A-6161420, Shibayama, Yuzo.
A-7841053, Sodini, Cherubini Bertuccelli.
A-7841052, Sodini, Lorretta.
A-7955505, Soulides, Demetrious Apostolou.
A-6958019, Spafford, Lillian Mumford, or Lillian Mumford McDermott, or Lilyan McDermott, or Louise McGee.
A-7112885, Spence, Ofelia Carmona, or Ofelia Valdes O'Farrill, or Ofelia Carmona O'Farrill.
A-3868721, Stacy, Linda (nee Linda Eleanor Weaver), alias Linda Levensen, alias Linda Steiner.
A-4855576, Stocklitsch, Hermine, or Hermine Stock.
A-7416007, Straussman, Olga Schwartz.
A-7416008, Straussman, Jean Claude.
A-7416009, Straussman, Liliane.
A-4864596, Tagliavia, Antonino, or Antonio Tagliavia, or Tony Poma.
A-6982514, Tavoularides, Efstratis, or Efstratis Demetri Tavoularides, or Paul Costides, or Paul Georges.
A-5162622, Tedford, George Edward.
A-4958539, Tedford, Mary McSwinney.
A-7457228, Till, Margaret Maria Momberg Weber.
A-7094105, Tischler, Salo.
A-7037981, Tolton, Charles Gordon.
A-3434944, Tonge, James Hezekiah.
A-4641717, Vaik, Evald Alexander Arthur, or Evald or Ewald Wack, or Edward Madison.
A-7372105, Volker, Carmen Astrid.
A-3049044, Walker, Arosemond, alias Arosemond or Rose Boyd.
A-7419745, Weiss, Robert, or Robert Herdrick.
A-5455131, Whelan, Florence, or Florence Lampert, or Florence Brett Ruth Whelan.
A-7394768, Wyrick, Brunhilde Vicktoria, formerly Brunhilde Vicktoria Handl.
A-3643395, Ying, Lee.
A-3366268, Zampas, Eugene George.
A-3955646, Zampas, Eugene, Jr.
A-6006493, Zampas, Anna.
A-1411892, Zorrilla, Eligio.
A-7547137, Liu, Wen-Tsin.
A-2070080, Lukats, Maria or Maria De Lukats.
A-6330533, Sze, Nancy Wei-Fong Lee.
A-6624909, Sze, Yi-Kwei.
A-5890254, Wei, Tseh Heen.
A-7547138, Wei, Saling Chung.
A-7547136, Wei, Fong.
A-7547144, Wei, Yuling or Jacqueline.
A-7547139, Wei, Madeline or Yaling.
A-4932112, Goldstein, Clara Pearl or Golden.
A-4932272, Goldstein, Jack or Golden.
V-1427412, Westra, Caroline Marietta.
A-6293227, Partovi, Manuchehr or Manuchehr Manu Partovi.

The resolution was agreed to.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The Clerk called the concurrent resolution (S. Con. Res. 63) favoring the suspension of deportation of certain aliens.

There being no objection the Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:

A-6330838, Acevedo-Gamboa, Juan.
A-7070049, Aguirre, Salvador, or Salvador Aguirre-Heredi.
A-7070730, Aguirre, Eliseo.
A-5669738, Aliprantis, Gerassimoss Elias, or Jerry Elias Aliprantis.
A-5898717, Aoki, Hisako, or Hisa Aoko.
A-4564620, Baker, Fay, or Fay Bass or Faige Haas.
A-6040312, Hass, Morris.
A-5140696, Barata, Jose Antunes, or Joseph Antunes Barata.
A-3933627, Barba, Jesus Munoz, alias Ewigdio Munoz Barba and Emilio Barba.
A-7351287, Barry, Florence May Evelyn.
A-1514930, Birle, Friedrich Karl, or Fritz or Fred Birle.
A-6887046, Boyd, Blanche Theresa (nee Warmington).
A-2846568, Burgess, Miriam Constance (nee Murphy).
A-7122604, Camamis, Theodori.
A-4800910, Candellini, Mario.
A-5098486, Charous, Albin, or Albin Roebeling.
A-7297258, Chen, Bu Shing.
A-6958543, Cheng, Shang-Wu.
A-6848447, Cheng, Tsu-I Wang.
A-3961645, Cheney, Jennie Bastina.
A-2327066, Chiba, Akira.
A-3629239, Chin-Tsuei, Lee, alias Anne Lee Young.
A-3217461, Chiwaki, Ai (nee Tamura).
A-6388596, Chung, Roberto Yi Tack.
A-6849314, Cotte, Charles Marie Jean.
A-7171732, Cotte, Marie Henriette, or Marie Louise Cotte (nee Charlemagne).
A-5127606, Dalberg, Teobold Ludwig.
A-6669920, Diamond, Bella (nee Greenberg), or Blanka Diakentsztejn.
A-5273768, DiMatteo, Francisco, alias Frank DiMatteo Frank Calligaree.
A-5363172, Duran, Consuelo.
A-5004726, Eife, Frederick.
A-7371791, Eleftmann, Hartmut.
A-6839917, Faustino, Fae Judith.
A-6839918, Faustino, Daniel.
A-1000241, Fischer, George Richard, or George Milong.
A-7361933, Fischl, Bertl David, or David Bertl Fischl or Bertl David.
A-4939160, Flood, Thomas James.
A-7179926, Fodo, Andrew.
A-6910444, Fogel, Isaac.
A-7415215, Foltyn, Renata (nee Leblova).
A-7419832, Fu, An, or Fu An or Fu Au.
A-7399566, Fu, Siu-Lian Chen.
A-7419811, Fu, Hua Priscilla.
A-4011479, Fung, Ping Kan.
A-7270824, Giotis, Niki C., or Niki Petros Apostolidou.
A-6292008, Gosling, Judith Pamela, or Judith Pamela Murdock.
A-6292009, Gosling, Linda Margaret, or Linda Margaret Murdock.
A-2144764, Gunnarson, Gustave Adolf Velfrid, or Gus Gunnarson.
A-5409334, Haack, Jeinrich Johann, alias Henry Haack.
A-6400116, Hadidian, Dikran Yenovk.
A-5978530, Hadlund, Peter Larson or Peter Larson or Peter Larson Nedlund.
A-7192778, Haire, Carmen Judy (nee Carmen Judy Furnari).
A-7026369, Hamano, Tadashi.
A-4855815, Hamano, Kamejiro.
A-4855836, Hamano, Shizuko.
A-5924057, Harris, Johnnie, or John Harris or Charlie or Jolly Robinson.
A-7424123, Harrison, Katherine Christina, formerly Pirkko Helena Piiparinen.
A-3767849, Higuchi, Hatsuno.
A-5465265, Hinsch, Dorothea Frieda (nee Lindborst).
A-7809492, Hulsenbusch, Hansi Curt.
A-7809493, Hulsenbusch, Mario Detlef.
A-7809491, Hulsenbusch, Evelyn Margaret.
A-5313389, Hsi-Tseng, Wen, or Wen Shi Tseng.
A-7390943, Illinger, Karl Heinz.
A-2443853, Ishikawa, Toshitaro.
A-2946491, Ishikawa, Komano Orta.
A-4094816, Jackson, Jerry Francis.
A-2319648, Jennings, Grace Mildred Violet (nee Whate), or Grace Mildred Scott.
A-4559276, Jensen, Aksel Elon.
A-1811886, Juditch, Avram Misa, or Ayram M. Juditch or Avrah Juditch.
A-5436861, Kanakakis, Antonios Steve, or Anthony Kanakakis.
A-3017281, Kanapka, George.
A-6921700, Kanderis, Evangelos, or Angelos Kanderis.
A-1262169, Karagianis, Matheos S.
A-3356210, Kawaguchi, Raizo.
A-1651081, Kefalas, Spyridon Charanambos, or Spiros Charambos Kefalas or Spiros Harry Kefalas.
A-5661155, Kent, Walter Kee, or Bing Kee Kent or Kan Kee.
A-6725862, Kondratenko, Nikolai, or Nicholas Kondratenko or Nicholas De Witt.
A-4398788, Kubota, Gogi, or George Kobe, or George Kuboto or Kenzo Kubota.
A-3730612, Laaksonen, Alina Pauline, or Aliina Pauline or Senni Rautanen.

A-7045504, Lai, Daniel, or Lai Dou Yen or Lai Dou-Can.
A-7248054, Lau, Monique Marguerite (nee Cherpitel).
A-6261598, Lazarou, Christina (nee Hagistiliadou).
A-6841244, Lee, Song Kwan, or Paul Lee Molina.
A-3466717, Lee, Young Soon, or Choi Yong Soon.
A-7363010, Ledee, Joseph Gilbert.
A-7975408, Lefevre, Claude Shu.
A-7975410, Lefevre, Cecilia Sophie.
A-1865838, Li, Lien Yen.
A-5147578, Lightenstein, Ida (nee Zangwill).
A-6589927, Ling, Frank Yu-Suan, alias Yu-Shan Ling.
A-6437087, Llinares, Juan Salleras.
A-7247981, Lum, Yuk Wah, or Jenny Lum (nee Yuk Wah Noy).
A-7392099, Mack, Marion Ionie or Ione (nee Christian or Smith).
A-5466819, Madokoro, Sannosuke.
A-7392826, Madonna, Carla (nee Paganelli).
A-3961538, Marcy, Grace Bethune (nee Grace Elwaine Bethune).
A-4921405, Mattes, Stergios Christ.
A-5303729, Milanese, Giacomo.
A-3263640, Milgrom, Bella.
A-1650278, Miura, Koshiro.
A-1650279, Miura, Haruko, or Haruko Masuda (MN).
A-6335361, Moayeri, Nilfar.
A-2152035, Mohammed, Saleh Ali, or Salili Ali or Sahli Ali or Saleh Ali.
A-7540739, Morel, Andree, or Andree Justine Morel.
A-5833521, Morin, Ernest.
A-3050745, Moulis, Steve, or Efstathios Moulis.
A-7397883, Muehlberger, Heinrich Peter, or Heinrich Peter Jud.
A-7427806, Mullikin, Peggy Ruth, formerly Princess Peggy Macedowski.
A-7118804, Musallam, Sami Nimer (Dr.).
A-5394629, Nishikawa, Takeshi, or Philip Nishikawa.
A-6840225, Ortega y Barrera, Nieves, or Nieves Soto y Ortega.
A-4608755, Oshita, Shigematsu, or Naozo Mukai.
A-4608755, Oshita, Rikiye, or Kiyono Mukai.
A-7646867, Parker, Johanna Shizu Narishima.
A-4472505, Pagano, Giuseppe, or Joceph Pagano.
A-6054277, Penn, Gloria Ludena.
A-7778976, Penn, Reuben Alfredo.
A-7978975, Penn, Dorriel.
A-5612932, Perez, Jose, or Jose Perez Rodriguez or Jose Perez Seoane.
A-7450566, Perez, Antonio Nelson, or Antonio Nelson Perez y Soto.
A-6357861, Perkins, Julia Maria Kim, alias Julia Maria Han or Julia Maria Han y Kim, or Mrs. Harry Kim Perkins.
A-7240127, Pieczynski, Therese Josephine, formerly Therese Josephine Vanden Abeele or Therese Josephine Vaden.
A-7394770, Pietro, Rita (nee Bartollino).
A-4571123, Pinkovsky, John, or John Robert Shuka.
A-2631467, Pires, Ignacio.
A-9688319, Pither, Reginald Leonard.
A-6970339, Paju, Maryvonne, alias Maryvonne Marthe Toussina Larcher.
A-6970340, Paju, Marianne, alias Marianne Louise Neele Larcher.
A-9794365, Poupalos, Manolis Constantine, or Manolis Poupalos.
A-1122251, Pujol, Pedro Sellares, alias Pablo Salas.
A-2056077, Putala, Veronica, or Sister Mary Gisella.
A-6635466, Reyes y Navarro, Simon.
A-5422921, Ritter, Huldreich, or Charles Ritter.
A-3995038, Roberts, Ada Jessie.
A-6310149, Robbins, Rose.
A-4062904, Robinson, Jack, or Joaquin Antonio Rodriguez or Joachim Rodriguez.
A-5172002, Robson, Hilda Arias, or Hilda Tyndall or Hilda Munoz Arias or Hilda Arias Torry or Hilda Socorro Arias or Hilda Arias Tyndall Torry.
A-6377064, Rocos, George Constantine, or George C. Bocos.
A-6377037, Rocos, Grammatiki Ioannou, or Grammatiki (Kiki) Rocos or Niki Grammatiki Rocos or Riki Rocos or Kiki Grammatiki Ioannou or Grammatiki (Kiki) Ioanou or Kiki Ioannou.
A-7361475, Rogers, Gabriel Frank, or Gaber Ferenc Jausz.
A-2357775, Rose, Stanley John.
A-1074016, Roussell, Marcel Gaston, or George Kinelle or George Kinelli.
A-9631664, Salvador, Rafael.
A-6704923, Samppala, Lehja Marjatta (nee Nenonen), alias Marietta Samppala.
A-6082604, Saunders, Dudley Livingston, or Dudley Saunders or Dudlye Saunders or Robert James Day.
A-4942528, Scheibner, Albert Kurt, or Albert Kurt Scheible.
A-3651799, Schuller, Katharina, or Katharine Baumel.
A-5300176, Schwarder, Stephenie Eva, or Stephenie Eva Murphy (nee Daunis).
A-5362775, Scotti, Pasquale Scotti, or Patsy Scotti.
A-1462488, Sideris, Nicholas Aristides, alias Nick Sideris.
A-2963769, Siordia-Languren, Fernando, or Fernando Langurel Siordia.
A-5912083, Smith, Edward Joseph.
A-6263657, Smith, Raphaela Albertha, or Raphaela Albertha Roumow.
A-4895918, Singh, Bisham, or Sucha Singh or Bishha Singhy or Sunday Singh.
A-4185278, Solis, Guillermina Febles.
A-1718074, Soto, Jose Migueles, or Jose Soto.
A-5212079, Stathos, Koula Vasiliki (nee Vouvalidou).
A-4809160, Stenesto, Martin Nicolaus, or Martin Nilsen or Maurice Nelson or Martin Nicolaus Nelsen Stenesto or Martin Nielsen.
A-6840090, Stephenson, Patrick John.
A-7112539, Stewart, Vincent.
A-1235075, Strougo, Victor, or Raymond Andre Lopez y Ateca or Artegas.
A-7375959, Suemming, Bodo, or Bodo Fritz Kurt Suemning.
A-3284493, Sungy, Helen Jeanette, or Helen Jeanette Logas.
A-2252832, Suzuki, Ichiro.
A-5972594, Tores, Milan Teodor, or Emile M. Tores.
A-3479084, Tavares, Ludgero, alias Luther Tavares.
A-7423302, Thigpen, Jessie Benjamin.
A-6836237, Thomas, Arthur Livermoor.
A-4931820, Ting, Anthony Un-Noeh.
A-4941257, Torres, Frances, or Frances Aguiar or Frances Ruerta.
A-5634703, Torres de Arredondo, Trinidad.
A-7050974, Trillo, Antonio, or Antonio Trillo Ordonez.
A-7050973, Trillo, Matilde.
A-7283636, Tuzon, Ernesto.
A-2022521, Tye, Soo Cheong.
A-2942693, Vamasescu, Nicolas.
A-2942694, Vamasescu, Despina Igorosanu, or Pai Icy.
A-7287089, Veloz-Cuevas, Tomas.
A-3392392, Webel, Anna.
A-5253477, Weissberg, Otto, alias Otto Whitehill.
A-4892331, Whitlow, John William, or Jack Whitlow.
A-2626095, Wilson, Marguerite M. (nee Landry), formerly Boggs.
A-7011658, Won, Eng Seow, or Yvonne Eng.
A-9579093, Wooster, Walter William, or Chang Kum Sui.
A-4344406, Wuerstle, Otto.
A-5363224, Yamaguchi, Hide, or Hide Tokunaga.
A-4391435, Ying, Chang Mo or Chang, or Bobby.
A-4069003, Yoshimura, Shinichi, or Henry Yoshimura.
A-7457347, Young, Beatrice Raymonde.
A-2583858, Ysidro, Montoya-Salazar.
A-6268799, Yuen, Lee Shau, or Lee Sing Pik.
A-6313255, Yuen, Louise Lore.
A-2075484, Zipper, Fannie, or Florence Gardner.
A-7203901, Zuenterstein, Alfred.
A-3504425, Akasaki, Yoshio, or Yoshito Akasaki.
A-3099496, Akasaki, Isoko, or Isoko Ishimuro.
A-4732801, Akiyama, Shizuko (nee Shizuko Tada).
A-3282640, Akume, Hanori, or Roy Akune.
A-3900724, Alleyne, Rosa Ambrosine, alias Rose Ambrozane Alleyne.
A-5537133, Angelini, Guido, or Guido Biascovich.
A-4931914, Arata, Carlo Angelo, or Carlo Arata or Carlo Lodi.
A-1205335, Arehart, Fernanda Maria (nee Peverini).
A-7247946, Aversa, Rosaria Marrone.
A-5651299, Avina, Antonio, Andrade.
A-7457937, Baeshore, Karin Franziska.
A-7197107, Baker, Hasmig Ruth (nee Kuledjian), alias Hacnik Kesmezkilic.
A-6363434, Ball, Cyril Thomas.
A-6363435, Ball, Alwen Elizabeth.
A-7539287, Barton, George Donald.
A-5388747, Becht, Margaret Ellen (nee Methot).
A-4664561, Bercich, Peter, or Petar Brcie.
A-7094381, Berger, Karin Hildegard.
A-7371685, Blessas, Robert, or Robert Massimo Blessas or Massimo Robert Blescas formerly Robert Masimo Vallone.
A-6461098, Blumberg, Leib.
A-1005545, Bonifer, Loretta Annie (nee White (or LeBlanc)), or Loretta Annie Wells.
A-2535740, Boyajian, Mariam, or Mary or Mariam Manogian or Mariam Ambojian.
A-6986704, Bramble, Yvonne Mak Ching (nee Foo).
A-7203650, Brand, Shimon, or Simon Brand.
A-5948261, Brathwaite, Charles Christopher.
A-9671236, Bresler, Petrus Hermanus.
A-6453789, Broacha, Firoze Hormusji.
A-6740253, Bronstein, Menachem or Melvin.
A-6887700, Bronstein, Estera or Esther (nee Duybner).
A-7222003, Brylkin, Ariadne.
A-1141021, Cantatore, Mauro, or Maurice Cantatore.
A-71122688, Castro-Castro, Moises.
A-5067641, Catalano, Agatino.
A-6026529, Chang, Peh-I.
A-2174443, Chavez-Soto, Felipe.
A-4940843, Cheung, Goon Man, or David Jung or David Yuen.
A-2460182, Chung, Celia Tam (Tam Jung Wan).
A-7011010, Chung, Julia.
A-7011008, Chung, Jennie.
A-7011009, Chung, Mamie.
A-4442569, Comeau, James Percy.
A-4891359, Costanzo, Gregorio Pietro.
A-7394509, Craun, Gunther Franz, or Gunther Franz Mages.
A-2600753, Cubas, Ferdinand, alias Ferdie Cubas.
A-3958279, Curry, Madlyn Hope.
A-6004158, Daniels, Rose.
A-6643125, Davila-Davila, Francisco Jesus.
A-4248186, DeFauw, Yvonne.
A-5265622, DeFernandez, Eulalia Barron (nee Eulalia Barron).
A-7037822, Fernandez-Barron, Luis.
A-7420861, Deike, Eileen Bostwick.
A-4861423, De La Bat, Bernade Jan Gerard.
A-5641047, DeLara, Carmen Davila, alias Carmen Bieggar alias Carmen Devila Alvarez.
A-4913533, DeLopez, Rafaela Luevano, or Rafaela Luevano.
A-3778612, DeLopez, Soledad Maria de los Santos, alias Soledad Maria delos Santos de Quiroz.
A-7266087, DeLuna, Ursula Martinez.

A-4162187, Demers, Josephine Mary (nee Josephine Mary Gagnow).
A-7356333, DeMeyer, Joseph Joannes.
A-7421594, DeMeyer, Jacqueline Marguerite.
A-7421595, DeMeyer, Simonne Elagie.
A-6062958, Doane, Evalyn Victoria (nee Clarke).
A-9736923, DosSantos, Americo Rodrigues.
A-4694706, Dick, May Belle, or Christine May Belle Dick (nee Hamilton).
A-7099288, Doetsch, Karl Maximilian.
A-7083776, Drieling, Leendert.
A-7070170, Duran, Jesus Rafael Liron, or Rafael Liron or Rafael Liron-Duran.
A-7079650, Durando, Gerard Victor.
A-7354173, Emmel, Evelyn Cornelia.
A-7050949, Esqueda, Maria Teresa.
A-7050948, Esqueda, Donaciano.
A-7387447, Evers, Arnold Stanley.
A-5390997, Febles, Silviana Francesca.
A-5833478, Folsom, Ellen Rose.
A-6014862, Fraser, Esme Iola or "Greaves" or "Viola."
A-2359744, Friedman, Harry Raphael, or Freeman.
A-1148404, Fris, Josefin, or Josipa Frisch.
A-2744898, Galio-Ruiz, Eliliano, or Eliliano Galio.
A-1452184, Galioto, Gaetano.
A-4475577, Georges, Ainsworth Bunting, or Louis J. Brown.
A-7203245, Gillbreath, Vera Agnes, or Vera Agnes Allen or Vera Agnes Doane.
A-1704613, Goldstein, Rose.
A-7427541, Goltzman, Salomon, or Salomon Goltman.
A-7445236, Gonzalez, Jose B.
A-4022837, Gonzalez-Carranza, Simon.
A-7049673, Gomez, Jose Guadalupe.
A-7049672, Gomez, Miguel.
A-7180855, Gonzalez-Renteria, Raul.
A-6603154, Gonzalez y Reyes, Angel, or Angel Gonzalez.
A-4999747, Gonzalez-Zepeda, Fortino.
A-4035970, Goodhart, John, alias John Goedhart.
A-4338838, Grauman, Regina, or Krojna Rywka Groman or Kreine Rivk Graoman or Kreine Rivka Jannof.
A-1229899, Grieve, John Davidson, or Jack Grieve.
A-4742456, Grinberg, Herman Karl.
A-3262533, Hai, Jung Won, or Mrs. Wong On.
A-7186411, Haight, Eileen Annie (nee Clancy).
A-3636876, Hamblen, Irene Isabelle, alias Irene Isabelle Boon.
A-6887941, Hamblyn, Jewell Violet Pearl.
A-3154461, Helgeson, Henry, or Henry Helgesen.
A-5328574, Henry, Lillian Gladys (nee Antill).
A-4506192, Hernandez, Mariano, or Mario Hernandez.
A-1512737, Hazeltine, Helen Hilda, or Helen Hilda Roux or Helen Hilda Thorogood.
A-2999950, Hiraoka, Tadaichi, or George Hiraoka or George Yoshimoto or Seigaku Yoshimoto.
A-7469546, Hodge, Enid Iova, or Enid Iova Thomas.
A-6847772, Hu, Hung Yuan.
A-7056883, Jansen, Avran, alias Avram Gansen.
A-1048853, Jusup, Kadir Bin, or Kader Jusup.
A-7354074, Jimenez, Arsenio Teodoro.
A-7274105, Johnson, Rosario Serra, or Rosario G. Serra or Rosario Serra Gavito.
A-4720874, Johnson-Martinez, Bernabe.
A-6732408, Kalman, Ferenc.
A-4902559, Kaptain, Violet, formerly Suffolk (nee Coleman).
A-7197992, Kazarian, Shavarah.
A-7037455, Kennicutt, Ruth Jeanette Kenny, alias Ruth Jeanette Kenny, alias Jeanne (Jannete) (Ruth) Kenny, alias Janie Louise Jette, alias Louise Jette, or Ruth Malloy.
A-7276640, Kolb, Ida Crescencia, or Ida Crescencia Hatz or Ida Crescencia Rogner.
A-6680598, Kontarakis, Helen, or Helene S. Countorakis.
A-7244992, Korey, Dorothy (nee Delih Badou Sand).
A-2924446, Knickle, Goldie Evelyn (nee Mason).
A-8001048, Ladan, Samuel, or Samuel Ladan Vinju.
A-2515839, Landeta, Jose (Jose Landeta), or Jose Domingo Landeta.
A-6059440, Lee, Karl C., alias Ki-Cheng Lee.
A-5098788, Livingston, Florence Elizabeth, formerly Florence McLean or Florence Schmidt (nee Florence Allen).
A-7049121, Loizides, Soumela (nee Anastassiadis), or Sourela Panagiotou Anastasiodou.
A-5276973, Machida, Masaru Michael.
A-6920375, Maillett, Marie Louise (nee Frontain), formerly Dougette.
A-6881284, Mancusi, Albert.
A—3909619, Mark, Gock Lum, or Mark Lum, or Gock L. Mark.
A-7178884, Marmolejo, Guadalupe.
A-7274221, Marquez, Pedro.
A-7550734, McCarthy, Terence Michael.
A-7023632, McNevin, Harry Angus.
A-6859638, Mendelowitz, Charlotte.
A-6556882, Mendelowitz, Fani (nee Davidovics).
A-6859052, Mendelowitz, Betty.
A-6556883, Singer, Flora (nee Mendelowitz).
A-4790454, Mocellin, Giovanni Battista, or John B. Mocellin.
A-3078904, Montes de Villalva, Carmen.
A-6767320, Mosiewick, Zimel, or Zimel Masowicke.
A-5406058, Munoz y Sotomayor, Benjamin, or Benjamin Munoz.
A-7363000, Nesrallah, Abdou, or Abdu Messralla.
A-1124376, Nicolich, Giuseppe, or Antonio Nicolich.
A-4152724, Oishi, Satoshi.
A-7020487, Oishi, Yei, or Ei Oishi.
A-2742641, Ong, Helen, or Lim Tan Shing.
A-2381190, Oropesa-Herrera or Sister Rita Oropesa or Sister Rita del Immaculada Corazon de Maria Oropesa.
A-7280044, Orphanos, Anastacia.
A-7755920, Pasaidis, Fedon Hristodulos, or Don Pasaidis or Fedon Pasaidis.
A-3622420, Peeke, Wallace Frank, or Frank Wallace Smith or Frank Wallace Peeke.
A-6743196, Percy, Julie Anne, or Julie Anne Riley.
A-7358577, Petronio, Vivitta Giovanna.
A-7358563, Petroni, Luigi, or Louis Petronio.
A-7358578, Petronio, Carlo Federico.
A-5201260, Pezella, Rafaele, or Ralph Pezzella alias Domenico Mugnano.
A-2207816, Pichot, Marcel Pierre Jean-Maria.
A-7681487, Polychroniadis, Lazaros Serafim.
A-3273809, Poulymenos, Eleftherios K., or Theodor Coroukly.
A-6965318, Prevost, Edmond Vallone, or Edmond Prevost.
A-6394556, Przewozman, Abraham.
A-2569854, Quirke, Anna Margaret, or Annie Margaret Quirke.
A-7264310, Quon Jeung Wing, or Wong Jeung Wing Quon.
A-7280071, Rahm, Helga.
A-7280072, Rahm, Ernest.
A-7365496, Raschle, Rudolph Richard.
A-6159552, Remenyi, Janos, or John Remenyi.
A-5662563, Riley, Florence Francis (nee Ryan).
A-7083553, Rios, Estanislao, or Estanislado Rios or Estanislao Rios-Cervantes.
A-7083554, Rios, Rito.
A-7130250, Rios, Rosalio, or Rosalio Rios-Lozano.
A-5596513, Robb, William Glen.
A-5450855, Robles-Mendez, Alberto.
A-7140461, Roman-Yerena, Antonio.
A-7140465, Roman-Salinas, Enrique.
A-7140466, Roman-Salinas, Rafael.
A-6931254, Said, Hylda Kathleen (nee Allison).
A-5223429, Sanchez, Emilio Hermida, or Emilio Hermida.
A-3778615, Santos, Adolfo Quiros-de los, alias Adolph Santos Lopez.
A-3677416, Sasajima, Jiso, or Henry Jiso Sasajima.
A-1439133, Sanduski, Anatasia Serheenko, or Anastasia Sergeenko.
A-2790568, Santo, Marcel Marrugat, or Marcel Maraugat.
A-2328059, Scheibling, Joseph.
A-7209608, Schmidt, Hede Erika.
A-5830296, Shields, Ellen.
A-4352885, Sjoberg, Victor Sigfrid.
A-7387476, Small, Eva, alias Eva Goldine or Eva Goodman.
A-5925127, Smith, Albert Auston, or Bert Smith.
A-6539202, Smith, Mary, or Mary Guerrero (nee Mary Cockhoft).
A-7022573, Soenarie, Devi Soetinah, or Devi Tinan or Cecilia.
A-9777435, Soenarie, Peter, alias Eddie Linau.
A-3079320, Soler-Carvajal, Antonio, or Antonio Soler or Escanvajal.
A-3409677, Soloria-Chavez, Bonifacio.
A-1579036, Sommer, Hans Max.
A-7510754, Spartaly, John, or John Charles Spartaly.
A-5668955, Steinhart, William Edward, or William Edward Hart.
A-7418258, Steinnagel, Marion Elene.
A-7415850, Stone, Barbara Alexandria, or Barbara Fink Stone or Barbara Alexandria Cottschalk.
A-4868555, Summers, Azalia Lydia, or Lydia Summers (nee Wilkins).
A-3456536, Sun, David Cheng-Chin.
A-4203061, Sun, Yuan Mei S.
A-7203116, Sweeting, Viola, or Annie Sweeting.
A-3201677, Symynuik, William, or William Samson.
A-4768752, Tamm, Johannes, or John Tamm.
A-3216884, Tamotsu, Tokio, or Tokio Sumi, or Jackie T. Tamotsu.
A-4775443, Terceno, Joaquin Paul, or Joaquin Terceno, or Joaquin Pablo Terceno.
A-1315498, Thwaites, Joseph William.
A-7026382, Tinajero-Martinez, Sergio Flavio, or Sergio Tinajero.
A-7092856, Torres-Pena, Raul, or Raul Torres.
A-7118444, Toro-Balderas, Joel Del.
A-7118445, Toro-Balderas, Maria Isabel Del.
A-7280006, Ulrich, Helga, or Helga O'Brien, or Helga Josephine Smrcka.
A-7065632, Urban, Chon King.
A-1008912, Vasquez, Guadalupe, or Guadalupe Gonzalez.
A-2353005, Vennola, Einick William, or Eino William Vennola.
A-7463077, Verley, Allan.
A-4540341, Vidor, Laszlo, or Ladislaus Vidor, or Leslie Vidor.
A-2507036, Villafana-Gambino, Vicente.
A-7178315, Villescas, Ignacia.
A-7203023, Watson, William.
A-5448561, Weitz, Zygmund, or Zygmunt Weitz, alias Sigmund Wites.
A-7222488, Wharton, Margaret Madonna.
A-4795107, Williams, Clara Muriel (nee Hall).
A-7036941, Winge, Claude Patrick, or Klaus Helm.
A-1437824, Winter, Richard.
A-7248004, Wolf, Ellen Dora Johanna (nee Schacht).
A-7365177, Woo, How Ah, or Ah Hou Wu.
A-6057673, Woods, Diana.
A-4769465, Woods, Carlo Emanuel.
A-4937011, Young, Dorothy Lillian, or Dorothy Lillian Mizen.
A-5040480, Zissis, Constantinos Tryfon, or Constanti T. Zissis.
A-2752654, Gounaris, Spiros Demetrios, or Spiridos Goumanis.

With the following committee amendment:

On page 24, after line 14, add the following registration numbers and names:
"A–5780358, Dhoot, Bishan Singh.
"A–5899216, Hall Gwendolyne Elizabeth."

The committee amendment was agreed to.

The resolution was agreed to.

FRANK C. TORTI

The Clerk called the resolution (H. Res. 559) for the relief of Frank C. Torti.

There being no objection, the Clerk read the resolution, as follows:

Resolved, That the bill (H. R. 2603) entitled "A bill for the relief of Frank C. Torti" now pending in the House of Representatives, together with all accompanying papers, is hereby referred to the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and said court shall proceed expeditiously with the same in accordance with the provisions of said sections and report to the House, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal or equitable, against the United States, and the amount, if any, legally or equitably due from the United States to the claimants.

The resolution was agreed to.

GAY STREET CORP., OF BALTIMORE, MD.

The Clerk called the resolution (H. Res. 566) for the relief of the Gay Street Corp., of Baltimore, Md.

There being no objection, the Clerk read the resolution, as follows:

Resolved, That the bill (H. R. 2779) entitled "A bill for the relief of the Gay Street Corp. of Baltimore, Md.," together with all accompanying papers, is hereby referred to the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and said court shall proceed expeditiously with the same in accordance with the provisions of said sections and report to the House, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal or equitable, against the United States, and the amount, if any, legally or equitably due from the United States to the claimant.

The resolution was agreed to.

SARAH A. DAVIES

The Clerk called the bill (H. R. 975) for the relief of Sarah A. Davies.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sarah A. Davies, of Great Barrington, Mass., the sum of $17,840, in full settlement of all claims against the United States for losses heretofore sustained, or which may hereafter be sustained, by the said Sarah A. Davies, on account of damages heretofore caused, or which may hereafter be caused to her fox farm, located at Great Barrington, Mass., by military, naval, and Air Force activity in that area: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 1, strike out "military, naval, and Air Force activity" and insert "activities of the Armed Forces of the United States."

The committee amendment was agreed to.

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

COBB NICHOLS

The Clerk called the bill (H. R. 1099) for the relief of the estate of Cobb Nichols.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the executor of the estate of Cobb Nichols, deceased, late of Jackson, Ala., the sum of $308.37. The payment of such sum shall be in full settlement of all claims of the said estate against the United States for damage which resulted when the Corps of Engineers, in constructing a cut-off canal at Sunflower Bend, Tombigbee River, Ala., during the period beginning November 9, 1937, and ending March 29, 1938, destroyed the means of land ingress and egress to certain property belonging to the said Cobb Nichols: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$308.37" and insert "$175."

The committee amendment was agreed to.

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

ELLIS E. GABBERT

The Clerk called the bill (H. R. 1826) for the relief of Ellis E. Gabbert.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $435.12 to Ellis E. Gabbert, of Port Angeles, Wash., in full settlement of all claims against the United States as reimbursement for expenses in moving household goods from Spokane, Wash., to Port Angeles, Wash., during the month of January 1950, while employed by the Department of the Interior: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. LANE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LANE: On page 1, line 5, strike out "$435.12" and insert "$438.87."

The amendment was agreed to.

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

KLOMAN INSTRUMENT CO., INC.

The Clerk called the bill (H. R. 2413) for the relief of the Kloman Instrument Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to the Kloman Instrument Co., Inc., Washington, D. C., the sum of $1,635.19. The payment of such sum shall be in full settlement of all claims of the said Kloman Instrument Co., Inc., against the United States and the District of Columbia for payment for medical supplies and services furnished (under emergency conditions) to Gallinger Municipal Hospital during the fiscal years 1946, 1947, and 1948, for which no payment can be made under existing laws although such supplies and services were received and accepted in good faith: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 4, strike out "not otherwise appropriated" and insert "credited to the general fund of the District of Columbia."

Page 1, line 10, strike out "United States and the."

The committee amendments were agreed to.

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

HOWARD S. LAWSON ET AL.

The Clerk called the bill (H. R. 2789) for the relief of Howard S. Lawson; Winifred G. Lawson, his wife; Walter P. Lawson; and Nita R. Lawson, his wife.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Howard S. Lawson, his wife, Winifred G. Lawson; Walter P. Lawson, and his wife, Nita R. Lawson, of Dillon Beach, county of Marin, State of California, the sum of $11,203, in full settlement of all claims against the United States for damages sustained by the said Howard S. Lawson; his wife, Winifred G. Lawson; Walter P. Lawson; and his wife, Nita R. Lawson; as a result of damage to grounds, buildings, and equipment on the 5 acres, more or less, at Dillon Beach, County of Marin, State of California, leased to War Department under lease numbered 868-Engineers-2136 dated December 10, 1941, and used for shelter and other purposes by detachments of the Seventeenth Infantry, National Guard Service, the Seventh Army Corps and other Army units, and the Coast Guard, from December 10, 1941, to February 2, 1944: *Provided,* That no part of the amount appropriated by this act in excess of 10 percent shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 8, strike out "$11,203" and insert "$7,000."

The committee amendment was agreed to.

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

THOMAS E. BELL

The Clerk called the bill (H. R. 2902) for the relief of Thomas E. Bell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Thomas E. Bell, Lincoln Park, Mich., is hereby relieved of all liability to refund to the United States the sum of $609.70 heretofore paid to him as active-service pay for the period beginning October 12, 1946, and ending December 31, 1946, during which he was serving on active duty as a first lieutenant in the United States Marine Corps Reserve. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for all payments made to the said Thomas E. Bell as active-service pay for the period beginning October 12, 1946, and ending December 31, 1946.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated to Thomas E. Bell, Lincoln Park, Mich., the sum of $140. The payment of such sum shall be in full settlement of all claims of the said Thomas E. Bell against the United States for compensation and allowances due him as a first lieutenant in the United States Marine Corps Reserve for the period beginning January 1, 1947, and ending January 19, 1947.

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

ROBERT A. BUCHANAN

The Clerk called the bill (H. R. 4455) for the relief of Robert A. Buchanan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is hereby authorized and directed to reinstate the policies N-8383625 and V-3271571, issued to Robert A. Buchanan, of Linden, N. J. Such renewal being made upon the payment of all premiums required by the Administrator.

With the following committee amendment:

Line 4, strike out "N-8383625" and insert "N-8683625."

The committee amendment was agreed to.

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

EDWARD J. VOLTIN AND OTHERS

The Clerk called the bill (H. R. 4932) for the relief of Edward J. Voltin and wife, Tecla Voltin, and daughters, Mrs. Paula J. Voltin Sansom and Jacqueline Voltin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to Edward J. Voltin and wife, Tecla Voltin, and daughters, Mrs. Paula J. Voltin Sansom and Jacqueline Voltin, of San Antonio, Tex., the sum of $5,980.85. Such sum represents property damage sustained by the said Edward J. and Tecla Voltin, Paula J. Voltin Sansom, and Jacqueline Voltin as the result of the crash of a United States Air Force airplane on Quincy Street, San Antonio, Tex., on July 11, 1948, such plane operated by a member of the United States Air Force. The claim of the said Edward J. and Tecla Voltin, Paula J. Voltin Sansom, and Jacqueline Voltin is not a claim which is cognizable under the Federal Tort Claims Act.

With the following committee amendment:

Page 1, line 7, after "Voltin," strike out the remainder of the bill and insert the following: "the sum of $4,784.14; to pay L. F. Osterberg the sum of $842.46; to pay Mrs. Carolyn H. King the sum of $22,605.94; to pay Carol King the sum of $2,335.08; to pay Dr. R. L. and Claudia Jacobs the sum of $14,208.76; to pay Mrs. Annie T. Haile and Mrs. Evelyn Peyton the sum of $18,810.28; to pay Mrs. Ruth M. Auth the sum of $452.64; to pay Mrs. Richard L. Grayless the sum of $665.22; to pay Mrs. Emma Geneva Burke the sum of $549.34; to pay Mrs. Rosina Fowler the sum of $2,144.79; to pay Mrs. Mary E. and her son Sidney J. Blair the sum of $352.30; to pay Mrs. Beulah C. King the sum of $7,005.82; and to pay Mrs. Marie J. Pelt the sum of $2,113.10, all of San Antonio, Tex. Such sums represent property damage sustained by these claimants as a result of the crash of a United States Air Force airplane on Quincy Street, San Antonio, Tex., on July 11, 1948, such plane operated by a member of the United States Air Force. These claims are not cognizable under the Federal Tort Claims Act of 1946: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Edward J. Voltin and others."

A motion to reconsider was laid on the table.

FELIX NAVEDO RAMOS

The Clerk called the bill (H. R. 5121) for the relief of Felix Navedo Ramos.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to the father of the late Luis Navedo Ramos, who was fatally injured on April 29, 1941, when struck in Guaynabo, P. R., by a United States Army truck. The payment of such sum shall be in full settlement of all claims against the United States on account of such accident: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdeameanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after "to" strike out all down to and including the word "accident" in line 10, and insert the following: "Felix Navedo-Merced and Carmen Ramos-Baez, both of Barrio Juan Domingo, Guaynabo, P. R., in full settlement of all claims against the United States on account of the injury and death of their minor son, Luis Navedo-Ramos, who died on April 29, 1941, as the result of personal injuries sustained by him on that date when he was struck by a United States Army truck on Insular Road No. 25 in Guaynabo, P. R."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Felix Navedo-Merced and Carmen Ramos-Baez."

A motion to reconsider was laid on the table.

BERNARD J. KEOGH

The Clerk called the bill (H. R. 5753) for the relief of Bernard J. Keogh.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bernard J. Keogh, the sum of $2,500, in full settlement of all

claims against the United States for compensation for the injuries and expenses incident thereto, as a result of an accident involving a United States Army vehicle, on December 11, 1943, about 10 miles west of Cookeville, Putnam County, Tenn., on United States Highway 70, North: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, after "compensation" strike out all down to and including the word "North" in line 11, and insert the following: "personal injuries, pain and suffering, and loss of earnings sustained by him as the result of an accident, involving a United States Army vehicle, which occurred on December 11, 1943, about 8 miles west of Cookeville, Putnam County, Tenn., on United States Highway 70, North."

The committee amendment was agreed to.

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

BOUTROS MOUALLEM

The Clerk called the bill (S.554) for the relief of Boutros Mouallem.

There being no objection, the Clerk read the bill, as follows:

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

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

JUAN SUSTARSIC

The Clerk called the bill (S. 588) for the relief of Juan Sustarsic.

There being no objection, the Clerk read the bill, as follows:

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

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

FRANCESCO GABER

The Clerk called the bill (S. 590) for the relief of Francesco Gaber.

There being no objection, the Clerk read the bill, as follows:

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

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

ANA COBO ALONSO

The Clerk called the bill (S. 715) for the relief of Ana Cobo Alonso.

There being no objection, the Clerk read the bill, as follows:

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

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

BERNARD KENJI TACHIBANA

The Clerk called the bill (S. 931) for the relief of Bernard Kenji Tachibana.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, Bernard Kenji Tachibana, the minor child of Mrs. J. W. Carter, a United States citizen may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of the immigration laws.

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

AGNES ANDERSON

The Clerk called the bill (S. 985) for the relief of Agnes Anderson.

There being no objection, the Clerk read the bill, as follows:

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

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

ROBERT WENDELL TADLOCK

The Clerk called the bill (S. 993) for the relief of Robert Wendell Tadlock.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, solely for the purposes of section 4 (a) and section 9 of the Immigration Act of 1924, and notwithstanding any provision excluding from admission to the United States persons predominantly of races ineligible to United States citizenship, Robert Wendell Tadlock, a minor child, born in Japan, shall be considered the alien natural-born child of Lt. Col. and Mrs. Marion C. Tadlock, citizens of the United States.

With the following committee amendments:

Page 1, line 4, after "Immigration Act of 1924," insert "as amended,."

Page 1, line 4, strike out the last word "any", and insert "the."

Strike out all of lines 5 and 6 and the first word of line 7, and substitute in lieu thereof the following: "provisions of section 13 (c) of that act."

The committee amendments were agreed to.

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

MARIA RHEE

The Clerk called the bill (S. 1052) for the relief of Maria Rhee.

There being no objection, the Clerk read the bill, as follows:

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

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

EMELIE SIMHA

The Clerk called the bill (S. 1226) for the relief of Emelie Simha.

There being no objection, the Clerk read the bill, as follows:

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

or undertaking approved by the Commissioner of Immigration and Naturalization, in such amount and containing such conditions as he may prescribe, as a guaranty against the said Emelie Simha becoming institutionalized at public expense or otherwise becoming a public charge.

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

YOSHIYUKI MAYESHIRO

The Clerk called the bill (S. 1426) for the relief of Yoshiyuki Mayeshiro.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended (U. S. C., title 8, sec. 213 (c)), Yoshiyuki Mayeshiro, a minor, may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of the immigration laws.

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

JOHN TZANAVARIS

The Clerk called the bill (S. 1428) for the relief of John Tzanavaris.

There being no objection, the Clerk read the bill, as follows:

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

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

MARTHA BRAK FOXWELL

The Clerk called the bill (S. 2113) for the relief of Martha Brak Foxwell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of the eleventh category of section 3 of the Immigration Act of 1917, as amended, Martha Brak Foxwell may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

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

JOACHIM NEMITZ

The Clerk called the bill (S. 2150) for the relief of Joachim Nemitz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Joachim Nemitz, shall be held and considered to be the natural-born alien child of Sgt. and Mrs. James F. Baker, citizens of the United States.

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

HANNE LORE HART

The Clerk called the bill (S. 2440) for the relief of Hanne Lore Hart.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Hanna Lore Hart, shall be held and considered to be the natural-born alien child of Master Sgt. and Mrs. Steven L. Hart, citizens of the United States.

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

EDWARD CHARLES CLEVERLY

The Clerk called the bill (H. R. 1114) for the relief of Edward Charles Cleverly.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration laws, the provisions of the eleventh category of section 3 of the Immigration Act of 1917, as amended (8 U. S. C., sec. 136 (e)), shall not hereafter apply to Edward Charles Cleverly, Windsor, Ontario, Dominion of Canada, with respect to any conviction or admission of the commission of any crime in his case of which the Department of Justice has knowledge on the date of enactment of this act.

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

MRS. KAIKO (KAY) FAIR AND HER MINOR CHILDREN

The Clerk called the bill (H. R. 1162) for the relief of Mrs. Kaiko (Kay) Fair and her minor children.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration laws, section 13 (c) of the Immigration Act of 1924, as amended, excluding from the United States persons ineligible to citizenship, shall not apply to Mrs. Kaiko (Kay) Fair, Donald George Fair, Arline Kay Fair, and Curtis Ray Fair, wife and minor children, respectively, of First Sergeant Curtis Allen Fair, who was killed in action in Korea on August 4, 1950. The said Mrs. Kaiko (Kay) Fair and such minor children shall, if otherwise admissible under the immigration laws, be admitted to the United States for permanent residence under sections 4 (a) and 9 of the Immigration Act of 1924, as amended.

With the following committee amendments:

Page 1, line 6, strike out all after the word "to", all of lines 7, 8, 9, and 10, and insert "Kaiko Sugimote (Kay Fair) and her children, George, Arline Kay, and Curtis Ray. The said Kaiko Sugimote (Kay Fair) and such minor."

Page 2, line 4, strike out "under sections 4 (a) and 9 of the Immigration Act of 1924, as amended" and insert "as nonquota immigrants."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill for the relief of Kaiko Sugimote (Kay Fair) and her minor children."

A motion to reconsider was laid on the table.

ERIKA NICOLO AND HER MINOR CHILD

The Clerk called the bill (H. R. 1960) for the relief of Erika Nicolo and her minor child.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration laws, Erika Nicolo, the fiancée of Edward Dunbar, a United States citizen and a member of the Armed Forces of the United States, and her minor child, may be eligible for visas as nonimmigrant visitors for a period of 3 months: *Provided*, That the administrative authorities find that the said Erika Nicolo is coming to the United States with a bona fide intention of being married to said Edward Dunbar and that she is found otherwise admissible under the immigration laws. In the event the marriage between the abovenamed parties does not occur within 3 months after the entry of said Erika Nicolo, and her minor child, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 19 and 20 of the Immigration Act of February 5, 1917 (U. S. C., title 8, secs. 155 and 156). In the event the marriage between the abovenamed parties shall occur within 3 months after the entry of said Erika Nicolo, the Attorney General is authorized and directed to record the lawful admission for permanent residence of said Erika Nicolo and her minor child, as of the date of the payment by them of the required visa fees and head taxes.

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

JULIE BETTELHEIM AND EVELYN LANG HIRSCH

The Clerk called the bill (H. R. 2182) for the relief of Julie Bettelheim and Evelyn Lang Hirsch.

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

There was no objection.

Mr. WALTER. Mr. Speaker, I ask unanimous consent that an identical Senate bill (S. 1469) be substituted.

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

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Julie Bettelheim and Evelyn Lang Hirsch shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of

the required visa fee and head tax. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. 1953).

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

A similar House bill (H. R. 2182) was laid on the table.

GERTRUDE MANHAL

The Clerk called the bill (H. R. 2221) for the relief of Gertrude Manhal.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, the alien Gertrude Manhal shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act of 1948, as amended (62 Stat. 1011; 64 Stat. 219; 50 U. S. C. App. sec. 1953).

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

MOTHER ANNA FASULO

The Clerk called the bill (H. R. 2296) for the relief of Mother Anna Fasulo.

There being no objection, the Clerk read the bill, as follows:

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

With the following committee amendment:

Page 1, line 8, strike out "following which, arrangements shall be made for cancellation of the outstanding departure bond."

The committee amendment was agreed to.

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

SISTER MARIA SALERNO ET AL.

The Clerk called the bill (H. R. 2303) for the relief of Sisters Maria Salerno, Eufrasisa Binotto, Maria Ballatore, and Giovanna Buziol.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Sisters Maria Salerno, Eufrasisa Binotto, Maria Ballatore, and Giovanna Buziol shall be held and considered to have been lawfully admited to the United States for permanent residence as of the date of enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct four numbers from the appropriate quota for the first year or years that such quota is available.

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

ODETTE LOUISE TIRMAN

The Clerk called the bill (H. R. 2346) for the relief of Odette Louise Tirman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of February 5, 1917 (8 U. S. C. 136 (a)), or any provisions of the act of March 4, 1929, relating to entry after deportation (8 U. S. C. 180), Odette Louise Tirman, the wife of a citizen of the United States, and the mother of three United States citizen children, may be admitted to the United States for permanent residence: *Provided*, That she is found otherwise admissible under the provisions of the immigration laws.

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

MRS. JEANNETTE THORN PEASE

The Clerk called the bill (H. R. 2587) for the relief of Mrs. Jeannette Thorn Pease.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Mrs. Jeannette Thorn Pease, a native-born former citizen of the United States, born in Morristown, N. J., on August 30, 1889, who lost United States citizenship under the provisions of section 401 (e) of the Nationality Act of 1940, as amended, may be naturalized by taking, prior to 1 year after the effective date of this act, before any court referred to in subsection (a) of section 301 of the Nationality Act of 1940, as amended, or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 335 of the said act. From and after naturalization under this act, the said Mrs. Jeannette Thorn Pease shall have the same citizenship status as that which existed immediately prior to its loss.

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

MIMI FONG AND HER CHILDREN

The Clerk called the bill (H. R. 2903) for the relief of Mimi Fong and her children, Sing Lee and Lily.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, Mimi Fong, the Chinese fiancée of Corp. Nguey F. Wong, a United States citizen now serving in the United States Army, and her children, Sing Lee and Lily, shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months: *Provided*, That the administrative authorities find that the said Mimi Fong is coming to the United States with a bona fide intention of being married to the said Corp. Nguey Wong, and that they are found otherwise admissible under the immigration laws. In the event the marriage between the above-named parties does not occur within 3 months after the entry of the said Mimi Fong and her children, they shall be required to depart from the United States, and upon failure to do so shall be deported in accordance with the provisions of sections 19 and 20 of the Immigration Act of 1917, as amended (U. S. C., title 8, secs. 155 and 156). In the event that the marriage between the above-named parties shall occur within 3 months after the entry of the said Mimi Fong and her children, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Mimi Fong and her children as of the date of the payment by them of the required visa fees and head taxes.

With the following committee amendments.

Page 1, line 4, strike out the word "Corporal."

Page 1, line 5, after the word "citizen", strike out "now serving in the United States Army" and insert "veteran of World War II."

Page 2, line 1, strike out the word "Corporal."

The committee amendments were agreed to.

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

MRS. SETSUYO SUMIDA

The Clerk called the bill (H. R. 3152) for the relief of Mrs. Setsuyo Sumida.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration laws, the provisions of section 4 (b) of the Immigration Act of 1924, as amended (8 U. S. C., sec. 204 (b)), shall be held and considered to be applicable to Mrs. Setsuyo Sumida.

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

NATALE JOSEPH JOHN RATTI

The Clerk called the bill (H. R. 3378) for the relief of Natale Joseph John Ratti.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That Natale Joseph John Ratti, a naturalized citizen of the United States, who lost his citizenship through his inability to return to the United States, may be naturalized by taking prior to 1 year from the enactment of this act, before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 335 of the Nationality Act of 1940, as amended.

SEC. 2. From and after naturalization under this act, Mr. Ratti shall have the same citizenship status as that which existed immediately prior to its loss.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, for the purposes of the immigration laws, the provisions of section 4 (b) of the Immigration Act of 1924, as amended (8 U. S. C. sec. 204 (b)), shall be held and considered to be applicable to Natale Joseph John Ratti."

The committee amendment was agreed to.

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

YING CHEE JUNG

The Clerk called the bill (H. R. 3572) for the relief of Ying Chee Jung.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, the provisions of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, shall be held to be applicable to the alien, Ying Chee Jung, the minor, unmarried child of Phillip Jung, a native-born citizen of the United States.

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

STEPHAN JOSEPH HORVATH

The Clerk called the bill (H. R. 3732) for the relief of Stephan Joseph Horvath.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any provision of law excluding from admission to the United States persons of race ineligible to citizenship, Stephan Joseph Horvath, a minor child under the care of Technical Sergeant and Mrs. S. J. Horvath, Jr., both citizens of the United States residing temporarily in Japan, shall be held and considered for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, to be the natural-born alien child of the said Technical Sergeant and Mrs. S. J. Horvath, Jr.

With the following committee amendments:

Page 1, line 5, strike out ", a minor child under" and insert in lieu thereof "and Lucas Elbert Horvath, minor children under."

Page 2, line 1, strike out "child" and insert in lieu thereof "children."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill for the relief of Stephan Joseph Horvath and Lucas Albert Horvath."

A motion to reconsider was laid on the table.

TSUTAKO KUROKI MASUDA

The Clerk called the bill (H. R. 5145) for the relief of Tsutako Kuroki Masuda.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Tsutako Kuroki Masuda, shall be held and considered to be the natural-born alien child of Master Sgt. Alvin J. Lovett, a citizen of the United States. Notwithstanding the provisions of section 13 (c) of such act, the said Tsutako Kuroki Masuda may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

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

SOR TERESA GEA MARTINEZ ET AL.

The Clerk called the bill (H. R. 5208) for the relief of Sor Teresa Gea Martinez, Sor Eufrasia Gomez Gallego, Sor Francisca Gil Martinez, and Sor Rosalia De La Maza.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, Sor Teresa Gea Martinez, Sor Eufrasia Gomez Gallego, Sor Francisca Gil Martinez, and Sor Rosalia De La Maza, from San Juan, Puerto Rico, shall be held and considered to have lawfully entered the United States for residence, as of the date of the enactment of this act, upon payment of the required visa fee and head tax.

SEC. 2. Upon enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct four numbers from the quota for Spain for the first year that said quota is available.

With the following committee amendments:

Page 1, line 4, strike out "Sor Teresa Gea Martinez."

Page 2, line 2, strike out "four" and insert in lieu thereof "three."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill for the relief of Sor Eufrasia Gomez Gallego, Sor Francisca Gil Martinez, and Sor Rosalia De La Maza."

A motion to reconsider was laid on the table.

DR. J. ERNEST AYRE

The Clerk called the bill (H. R. 5526) for the relief of Dr. J. Ernest Ayre.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Dr. J. Ernest Ayre, if found otherwise admissible to citizenship, may be naturalized under this act upon compliance with all the requirements of the naturalization laws, except that—

(a) no declaration of intention, no certificate of arrival, and no period of residence within the United States or any State shall be required; and

(b) the petition for naturalization shall be filed with any court having naturalization jurisdiction prior to the expiration of 6 months immediately following the date of enactment of this act.

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

PATRICIA LAURETTA PRAY

The Clerk called the bill (H. R. 5805) for the relief of Patricia Lauretta Pray.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Patricia Lauretta Pray, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Phillip Lawrence Pray, citizens of the United States.

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

INGEBORG AND ANNA LUKAS

The Clerk called the bill (H. R. 5956) for the relief of Ingeborg and Anna Lukas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor children, Ingeborg and Anna Lukas shall be held and considered to be the natural-born alien children of Mr. and Mrs. Stephen Lukas, citizens of the United States.

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

PAULINE W. GOODYEAR

The Clerk called the bill (H. R. 5958) for the relief of Pauline W. Goodyear.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of the eleventh category of section 3 of the Immigration Act of 1917, as amended, Mrs. Pauline W. Goodyear may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

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

MICHIKO NAKASHIMA

The clerk called the bill (H. R. 5976) for the relief of Michiko Nakashima.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration laws, section 13 (c) of the Immigration Act of 1917, as amended, shall not apply to Michiko Nakashima, Japanese minor child in the care of Master Sgt. and Mrs. Fred W. Homan, citizens of the United States. For the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the said Michiko Nakashima shall be held and considered to be the natural-born alien minor child of the said Master Sgt. and Mrs. Fred W. Homan.

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

JIMMY DOGUTA (ALSO KNOWN AS JIMMY BLAGG)

The Clerk called the bill (H. R. 5984) for the relief of Jimmy Doguta (also known as Jimmy Blagg).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration laws, section 13 (c) of the Immigration Act of 1917, as amended, shall not apply to Jimmy Doguta (also known as Jimmy Blagg), Japanese minor child in the care of Technical Sergeant and Mrs. Collin O. Blagg, citizens of the United States. For the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the said Jimmy Doguta shall be held and considered to be the natural-born alien minor child of the said Technical Sergeant and Mrs. Collin O. Blagg.

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

MARIAN DIANE DELPHINE SACHS

The Clerk called the bill (H. R. 6265) for the relief of Marian Diane Delphine Sachs.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of subsection (g) of section 201 of the Nationality Act of 1940, Marian Diane Delphine Sachs, a United States citizen at birth, shall be held and considered to have retained her said United States citizenship regardless of any period of residence outside of the United States: *Provided*, That the said Marian Diane Delphine Sachs shall be physically present in the United States or its outlying possessions for a period or periods totaling 5 years between the ages of 14 and 28 years: *Provided further*, That, if she is abroad for such time that it becomes impossible for her to complete 5 years of physical presence in the United States or its outlying possessions before reaching the age of 28 years, her American citizenship shall thereupon cease.

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

KIKO OSHIRO

The Clerk called the bill (H. R. 6314) for the relief of Kiko Oshiro.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration laws, section 13 (c) of the Immigration Act of 1924, as amended, shall not apply to the minor child Kiko Oshiro. For the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the said Kiko Oshiro shall be held and considered to be the natural-born alien minor daughter of Master Sgt. and Mrs. Blevin L. Zeumalt, citizens of the United States.

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

GORDON E. SMITH

The Clerk called the bill (S. 1749) for the relief of Gordon E. Smith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) Gordon E. Smith is hereby relieved of all liability to repay to the United States such sums, (amounting in the aggregate to approximately $1,006.25) as were received by him as additional pay for duty requiring aerial flights, pursuant to the Pay Readjustment Act of 1942, as amended, on account of flight duty performed by him in the months of March through September 1946 as a sanitarian, United States Public Health Service, while assigned to duty with the United Nations Relief and Rehabilitation Administration in Greece.

(b) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Gordon E. Smith the sum of $143.75, which sum was repaid by him to the United States under protest pursuant to a decision of the Comptroller General (B-90700, January 13, 1950) disallowing payment of such additional pay to the said Gordon E. Smith for such duty: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or reecived by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

HATTIE TRUAX GRAHAM, FORMERLY HATTIE TRUAX

The Clerk called the bill (S. 1949) for the relief of Hattie Truax Graham, formerly Hattie Truax.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hattie Truax Graham, formerly Hattie Truax, Cloverdale, Ind., the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States of the said Hattie Truax Graham, formerly Hattie Truax, for the death of her former husband, Ola Truax, on January 21, 1944, who died as the result of burns sustained in a fire at the Evans Hall housing project, Evansville, Ind., which was under the supervision and management of the National Housing Agency, the United States Court of Claims (Congressional No. 17857, decided April 3, 1951, pursuant to S. Res. 268, 81st Cong.) having found that the United States was negligent in failing to enforce its safety regulations, and that such failure was the proximate cause of the death: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

MR. AND MRS. DAVID H. PERKINS

The Clerk called the bill (S. 2004) for the relief of Mr. and Mrs. David H. Perkins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $10,000, to Mr. and Mrs. David H. Perkins, of Montpelier, Idaho, in full satisfaction of their claim against the United States for compensation for the death of their son, Carlos M. Perkins, who was killed in the Philippine Islands on December 14, 1941, while destroying dynamite, gasoline, oil, and other supplies to prevent them from falling into the hands of the enemy: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

HARRIET F. BRADSHAW

The Clerk called the bill (S. 2005) for the relief of Harriet F. Bradshaw.

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harriet F. Bradshaw, the sum of $5,000, in full satisfaction of her claim against the United States for compensation for personal injuries, property damage and medical expenses, sustained by her as the result of a motor vehicle accident involving an Army truck in which she was riding on Frankfurterstrasse, Weisbaden, Germany, on July 6, 1947: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

BRITT-MARIE ERIKSSON AND OTHERS

The Clerk called the bill (S. 2418) for the relief of Britt-Marie Eriksson and others.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, author-

ized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Britt-Marie Eriksson, Skogshogskolan, Stockholm, Sweden, the sum of $696.33; to Folke Desire l'Anglois-Nordgren, 41 Kjeldsgaardsvej, Copenhagen-Valby, Denmark, the sum of $2,859.04; to Paddans Resebureau, Gothenburg, Sweden, the sum of $85.90; to Bengt Dahlberg, Eremitvagen 5, Stockholm, Sweden, the sum of $60; to Eric Johansson, Hokegatan 2, Gothenburg, Sweden, the sum of $15; to Inger Norell Goteborgs Bank, Halmstad, Sweden, the sum of $10; and to G. Liedholm, Pressebo, Sweden, the sum of $20, in full settlement of all their claims against the United States for the damages sustained by them as the result of an incident involving five soldiers of the United States Army, which occurred at Unteramergau, Germany, on August 5, 1950: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, or attorney or attorneys, on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

GEORGE H. SOFFEL CO.

The Clerk called the bill (H. R. 2628) for the relief of the George H. Soffel Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the George H. Soffel Co., of Pittsburgh, Pa., the sum of $5,600. The payment of such sum shall be in full settlement of all claims of such company against the United States for the amount of liquidated damages withheld from the George H. Soffel Co. in connection with contract No. IM-3757 entered into by it with the Bureau of Mines, Department of the Interior. No loss or damage by reason of the performance under such contract was occasioned to the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

M. NEIL ANDREWS

The Clerk called the bill (H. R. 4037) for the relief of M. Neil Andrews.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding section 1204 of the General Appropriation Act, 1951, or any other provision of law, there shall be paid out of any appropriation available for payment of salaries of judges of the district courts of the United States, to M. Neil Andrews a sum representing the salary of a judge of a district court of the United States for the period which the said M. Neil Andrews served as district judge for the northern district of Georgia after August 9, 1950: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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

NORMA J. ROBERTS

The Clerk called the bill (H. R. 4492) for the relief of Norma J. Roberts.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $25,000 to the legal guardian of Norma J. Roberts, 5227 Q Street, Omaha, Nebr., in full settlement of all claims against the United States for personal injuries and all expenses incident thereto sustained as the result of an accident involving a United States soldier stationed at Offutt Air Force Base, Omaha, Nebr., on May 5, 1951. Such soldier was not acting within the scope of his employment: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "$25,000" and insert "$7,500."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of the legal guardian of Norma J. Roberts, a minor."

A motion to reconsider was laid on the table.

LUCY YARLOTT

The Clerk called the bill (H. R. 4069) authorizing the Secretary of the Interior to issue a patent in fee to Lucy Yarlott.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to issue to Lucy Yarlott a patent in fee to the following-described lands allotted to her on the Crow Indian Reservation, Mont.: The west half of the northeast quarter, and the southeast quarter of the northeast quarter of section 22, and lot 3 of section 10, township 9 south, range 34 east, Montana principal meridian.

With the following committee amendment:

Page 1, line 4, after "Lucy Yarlott", add "Othermedicine"; and on page 1, line 9, after the period, insert "The prior disposition of the homestead land of Lucy Yarlott Othermedicine is hereby ratified and confirmed."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill authorizing the Secretary of the Interior to issue a patent in fee to Lucy Yarlott Othermedicine."

A motion to reconsider was laid on the table.

AGNES STEVENS FISHER

The Clerk called the bill (H. R. 4218) authorizing the Secretary of the Interior to issue a patent in fee to Agnes Stevens Fisher.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to issue to Agnes Stevens Fisher a patent in fee to the following-described lands on the Crow Indian Reservation, Mont.: The southeast quarter of section 22, the north half of section 27, and the southwest quarter of section 23, township 7 south, range 37 east, Montana principal meridan.

With the following committee amendment:

Page 1, line 9, insert "*Provided*, That when the land herein described is offered for sale, the Crow Tribe, or any Indian who is a member of said tribe, shall have 90 days in which to execute preferential rights to purchase said tract at a price offered to the seller by a prospective buyer willing and able to purchase."

The committee amendment was agreed to.

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

STATE, JUSTICE, COMMERCE, AND THE JUDICIARY DEPARTMENTS APPROPRIATION BILL, 1953

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 592, Rept. No. 1675), which was referred to the House Calendar and ordered to be printed:

Resolved, That during the consideration of the bill (H. R. 7289) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1953, and for other purposes, all points of order against said bill or any provision contained in said bill are hereby waived.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present

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

A call of the House was ordered.

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

[Roll No. 44]

Albert	Harrison, Wyo.	O'Brien, Ill.
Anfuso	Hébert	O'Konski
Bailey	Hedrick	Patterson
Baker	Heller	Poulson
Boykin	Herlong	Powell
Buchanan	Holifield	Rains
Buckley	Horan	Reams
Buffett	Hull	Reed, Ill.
Burdick	Javits	Rhodes
Carlyle	Jones, Mo.	Roosevelt
Case	Kelley, Pa.	Sabath
Chelf	Kersten, Wis.	Sasscer
Chiperfield	Larcade	Scott, Hardie
Cole, Kans.	McDonough	Shelley
Combs	McIntire	Simpson, Pa.
Dawson	McKinnon	Stockman
Dingell	Miller, Calif.	Velde
Doyle	Morgan	Weichel
Flood	Morrison	Welch
Gordon	Morton	Widnall
Granger	Murdock	Wilson, Ind.
Harrison, Nebr.	Murray, Wis.	Wood, Ga.

The SPEAKER. On this roll call 366 Members have answered to their names.

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

CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY, APPROPRIATION BILL, 1953

Mr. RABAUT. 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 (H. R. 7268) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to not to exceed 3 hours, one-half of the time to be controlled by the gentleman from Wisconsin [Mr. DAVIS] and the other half by myself.

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

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan.

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 H. R. 7268, with Mr. HARDY in the chair.

The Clerk read the title of the bill.

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

Mr. RABAUT. Mr. Chairman, I yield such time as he may desire to the gentleman from North Carolina [Mr. KERR].

Mr. KERR. Mr. Chairman, in presenting to the House of Representatives for its consideration H. R. 7268, a bill making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes, I am confident that a large majority of the Members of the House will support this appropriation because it provides funds for carrying on vital items of navigation and flood control improvements in practically every section of the country. Unfortunately there are those, both in and out of Congress, who are prone to assign uncomplimentary labels to such legislation for the very reason that it does benefit widespread sections of the country and therefore interests many Members of Congress. At a time when we are calling on our taxpayers to devote large sums of money to develop backward areas throughout the world it is incomprehensible that such thoughtless attacks should be made on this meritorious development in our country.

However meritorious, these improvements like all other civil functions of our Government, at this time, have unfortunately had to take a proportionate cut and the initiation of recently authorized works has been prohibited, due to more compelling requirements of national security. The funds here requested are the bare minimum considered essential to continue works under way and to meet serious emergencies where they exist. Before going into an item-by-item discussion of the provisions of this bill I believe it appropriate, if not essential, that I take the time of the House for a few general remarks.

All the projects for which funds are requested add to the wealth of the United States. They protect the lives and property of our people. Harbors must be kept open. Impediments to navigation must be removed. Channels need widening and deepening at existing bottlenecks. Navigation improvements since the beginning have paid in benefits several times over the Federal expenditure made for their construction. Flood control improvements on the lower Mississippi River—the oldest Federal flood-control project—have paid over $5 in benefits for each Federal dollar expended. Flood control generally throughout the United States—first authorized in 1936—has already repaid about $1.50 in benefits for each Federal dollar expended. These projects have only begun to produce the anticipated benefits and they will have many years of highly useful life ahead of them.

No other nation can boast of an inland water transportation system such as exists in our country. No nation can equal what we have done in less than two decades for flood threatened areas of our country. And no nation in the world can match our Corps of Engineers, a body of men of superior intellect in their chosen profession, that has served the Nation both in peace and in war in an exemplary manner.

From the beginning the Corps of Engineers has been closely associated with our Federal program of internal improvements and today is still the only general engineering organization in the Government service. In time of peace the corps' most important civil engineering activity is the improvement of our waterways for navigation and the control of floods.

The first river and harbor legislation enacted by Congress in 1789 consisted merely in assenting to certain improvements sponsored by the individual States. The first appropriation for river and harbor improvements was made in 1824 and from that time to the War Between the States, Congress periodically provided appropriations for this purpose. The close of that war and the return of industrial activity brought to the front the necessity for an even more comprehensive program to provide reasonable facilities for our ever-growing commerce. From 1866 to 1920, Congress continued to pass these periodical river and harbor bills, and in 1920 adopted its present policy of enacting general river and harbor legislation to include the authorization of definite projects and the expenditures necessary for the completion of these projects every several years. In the annual Department of the Army appropriations there is made available a lump sum for application to these authorized projects. No legislation which comes before Congress receives more critical examination or stands more on its own merits than do these river and harbor and now, flood control authorization and appropriation bills. No committees of Congress receive more expert and disinterested advice than do the Public Works and Appropriation Committees from the Army engineers in their investigations into the merits of the indiivdual projects and their requests for construction funds.

The necessity for these improvements and the important part which they play in the life of America is but little understood. In the early days of the Republic its expansion was governed in large part by its rivers, as these highways provided by nature were the only reliable means of transporting even the simple necessities of our pioneer ancestors. Today, in our modern complex civilization, the importance of water-borne commerce in the daily life of every citizen is even more evident, and the very necessities of this life depend on facilities for commerce and particularly water-borne commerce. Flood protection of these navigation arteries and the industry and agriculture that crowd their banks is equally important. Great floods such as those on the lower Mississippi River in 1927, in New England and the eastern seaboard in 1936, on the Ohio in 1936 and 1937, on the Missouri in 1943, 1944, and 1945, on the Columbia in 1948, in California in 1950, and most recently at Kansas City, take an annual toll in damages running into hundreds of millions of dollars. In fact, the total losses in these floods alone have amounted to more than all the appropriations that have been made for flood-control works.

River cities, such as Cincinnati, St. Louis, Memphis, and New Orleans, have been built up by low-cost water transportation and would have to alter their commercial existence were it not for the advantages afforded by improved streams. Nor could they continue to function as great cities without flood protection. It is no accident that, of the 36 cities of this Nation with populations of 300,000 or more, 30 are on federally improved navigable waterways.

We cannot leave our homes and go into the streets without coming into direct contact with modern necessities and conveniences imported to provide us with a more comfortable existence. The asphalt on our streets, the tires on the

automobiles using the streets, have become practicable for use only because their cost has been brought within reach by the improvements of our waterways and harbors. These improvements are, of course, paid for indirectly by each and every one of us, but each and every one of us receives a direct return from our investment. There is no public expenditure that is so useful and fairly distributed, both as to cost and benefit, as these improvements. The cost to any one individual is small, and the benefits reaped are continuous and ever present in our daily lives, composing a part of every meal, of every-day wearing apparel, and affecting our daily heat, light, and the other necessities and luxuries enjoyed by the American citizen.

The use of these articles is taken for granted, and the average man in the street, when he visualizes a waterway, thinks of it as a natural gift to mankind. This is far from true. Our Atlantic coast was provided by nature with but one harbor with a draft of 30 feet. New York Harbor, the greatest port in the world, with an annual tonnage of about 150,000,000, having a probable value of $100,000,000,000, had a natural entrance channel of only 23 feet, which has been increased by the Federal Government to a depth of 45 feet and a width of 2,000 feet, with many interconnected channels and anchorage basins.

The great ports of the Atlantic and Pacific Oceans, the Gulf ports, including the booming Texas oil ports, the ore and coal centers of the Great Lakes, and our inland waterways reaching far into the interior of the country and providing the agricultural regions with transportation costs comparable to those of the seacoast, have all been improved by the Federal Government and have played an ever-increasing part in the growth of the industrial and commercial life of the Nation. These developments, which have given the American Nation a system of harbors and waterways equaled by no other nation in the world, have resulted from far-seeing vision and skillful engineering execution.

Congress throughout the years has appropriated a total of $3,700,000,000 for maintenance and improvement of our harbors and waterways, which handle an annual commerce of 760,000,000 tons. There have been appropriated $3,500,000,000 for flood-control improvements which protect some 750 communities and over 26,000,000 acres of land. Since the first authorization by Congress this work has been carried out quietly and efficiently by the Army engineers. Theirs is not an organization which seeks publicity in the unobtrusive performance of its work, and I would feel that I had neglected my own duty if I did not take this opportunity to speak briefly of its record and achievements.

First organized by the Continental Congress in 1776, and definitely established by Congress in 1890 under the leadership of Brigadier General du Portail, a distinguished French volunteer, this organization has since been in continued existence, and from its earliest days, has been charged with many of the more important construction and engineering activities of the Government.

Its officers are honor graduates of the United States Military Academy or selected graduates of our leading technical schools. These officers are given a year of postgraduate training in specially chosen technical subjects, and are further trained by actual field experience in responsible positions. Their responsibilities are increased as rapidly as experience permits. They are aided in their work by a civil engineering organization containing the highest type of engineering talent available in this country and imbued with the same spirit and traditions. The names on the roster of the Corps of Engineers include some of the most illustrious in American history. Lee, Beauregard, Meade, McClellan, Joseph E. Johnston, Halleck, McPherson, Goethals, and Siebert, and their successors of today, MacArthur and Pick, are men who have contributed much to the progress of America. Their work has included, in addition to the supervision of river and harbor improvements, many other engineering achievements of note. McNeil and Whistler were both Army engineers who played an outstanding part in the development of the country's first railroad system. Much of the early exploration and mapping of the great West was under the direction of this corps, which has been charged for many years with special surveys for the Federal Government.

The work entrusted to the Army engineers and the Mississippi River Commission by the Congress has been an outstanding example of national planning. First there has been the arduous task of finding the facts—not only the physical facts, but the effect, often far-reaching, of each proposed move on other conditions and interests. Then there has been the work of preparing a program that will conserve the Nation's resources, develop its possibilities, provide for the future, and build up the permanent well-being of the country and its people.

Advance planning for additional future works of river and harbor improvement and of flood control has continued with the prosecution of works under construction. Plans are prepared for the prompt commencement of further works of improvement, of widespread public benefit, all of which have been maturely investigated on the initiative of Congress, recommended by the Chief of Engineers, and enacted by the Congress.

For several years only limited funds have been appropriated to start new projects and this bill follows the same pattern. I wish it were not so. There are a number of highly important projects that have been authorized for 2 or more years that I personally would like to see started, but the necessary funds for their initiation cannot be recommended at this time. A better balanced program providing for a fair number of "new starts" and for a greater rate of progress on those projects that are under way would be desirable, and I can assure you that the committee will recommend the funds to finance such a program as soon as it is prudent to do so.

I think all members are familiar with the widespread demand for more and more power. The use of electric power is probably greater now than it has ever been before. The Corps of Engineers have recognized this demand and are prosecuting their multiple purpose projects as vigorously as funds and materials will permit. I can point out that 58 percent of the funds asked for construction are to be used on projects involving the development of hydroelectric power.

The appropriation recommended by the committee in this bill is the minimum considered essential to provide for reasonable progress on projects that are under construction. These projects may be generally classified as, having an important effect on the present defense effort of the Nation, providing additional electric power in areas where there is a serious power shortage, affording flood protection to industrial communities and agricultural areas that are vital to our current defense program, and continuing or completing works that are well underway and cannot now be suspended without threatening serious physical and financial loss.

I will conclude my general remarks by saying to the House of Representatives that these national improvements are assets of this great Nation serving our citizens every minute of the day and standing ready to move forward steadily to meet the modern needs of the country—a work which has proved that the democratic methods in vogue now are efficient and successful with respect to waterway improvements. This success has been and will be accomplished through the cooperation and wisdom of every Member of the House of Representatives combined with the same spirit among the distinguished Members of the Senate.

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

Mr. KERR. I yield to the gentleman from North Carolina.

Mr. BONNER. I am tremendously interested in the inland waterways and transportation on the inland waterways. The gentleman may remember that in the State of North Carolina last year a serious condition arose as to the maintenance of existing projects. It was learned that the engineers had diverted such funds as had been allocated to the State of North Carolina for maintenance, and there were no funds available to maintain projects to the authorized depth—projects that were being used. Therefore, I am asking with respect to maintenance in this appropriation bill for authorized water projects what division is being made as between States, and what certainty will anyone else in the position of the State of North Carolina have as to whether there will be maintenance money to maintain the projects that are being used and keep them to the project depth.

Mr. RABAUT. Will the gentleman yield?

Mr. KERR. I yield to the gentleman from Michigan.

Mr. RABAUT. If the gentleman will take the report at the top of page 5, he will see the whole thing displayed.

Mr. BONNER. I saw the table.

Mr. RABAUT. Funds in the amount of $67,105,000 are contained for operation and maintenance:

> While the committee is cognizant of the fact that emergencies may arise calling for the unanticipated expenditure of funds on certain projects, it will expect the Corps of Engineers to more rigidly adhere to the tentative allocation of operation and maintenance funds presented in justification of these estimates than has been true in the past.

Mr. BONNER. Yes, it has been a sad experience in the past.

Mr. RABAUT. Well, we are bringing it to their attention.

Mr. BONNER. Yet I say that these funds are given to the engineers in a lump sum to be used as they see fit to the best advantage. That is the condition laid down.

Mr. RABAUT. It looks to the best interests of the country.

Mr. KERR. Yes.

Mr. RABAUT. That is the only way we could do it.

Mr. BONNER. I want to say to the gentleman, since he injected himself into this question I raised, that the interests of my State have been poorly served. The record will show it.

Does the gentleman desire to give me a little more information about this question?

Mr. FORD. I can give the gentleman some facts in reference to this that might be helpful. When the Army engineers made their justifications, they set forth tentative subtotals on which they based their total.

Mr. BONNER. Does the gentleman have figures for North Carolina?

Mr. FORD. I have before me in the justifications the amounts they expect tentatively to allocate to several projects in North Carolina. If the gentleman would care for it, I would be glad to read them into the RECORD.

Mr. BONNER. I wish the gentleman would.

Mr. FORD. Maintenance of channels and harbors in North Carolina: The Atlantic intracoastal waterway, Wilmington district, $235,000; Cape Fear River above Wilmington, $37,600,000; Morehead City Harbor, $188,000; Wilmington Harbor, $282,000; Rollinson Channel, $28,200.

For the operation and care of locks, dams, and canals, Atlantic intracoastal waterway, Wilmington district, $85,000; and Cape Fear River above Wilmington, N. C., $300,000.

Mr. BONNER. Yes. I thank the gentleman. The attention of the membership should be called to the fact that the intercoastal waterway serves all the Atlantic States. That item specified provides service to all the Atlantic States but, of course, it is charged against the deep sea ports of Wilmington and Morehead City.

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

Mr. KERR. I yield.

Mr. RABAUT. The justifications the gentleman read are not of allocations to the whole United States, but to Wilmington Harbor.

Mr. BONNER. The point is that there are many local or inland ports that are tributaries to the inland waterway. When the inland waterway was built it provided a draft of 12 feet. The depth of the tributary channels run from 7 to 9 feet. We experience it generally on the inland waterway that a full cargo, 12-foot load, cannot get in to the small ports where the entrance channels are only 7 or 9 foot draft. I am sure other Members of Congress have experienced similar difficulties with respect to feeder ports; the small feeder ports for the commerce of the inland waterway. To secure maximum service from the inland waterway, the depth in feeder ports must conform to 12-foot depth of the inland waterway.

There is one other question I would like to ask: What consideration, if any, has the Appropriations Committee given, or has it ever discussed with the engineers the proposition of the States contributing to these civil works and functions as the States contribute to the road program and other programs? Has that ever been discussed in the committee?

Mr. JOHNSON. Mr. Chairman, if the gentleman will yield to me I think I can answer the question.

Mr. KERR. I yield.

Mr. JOHNSON. I was connected with one harbor project for 8 years where the Army engineers did a perfectly marvelous job. In the House Document authorizing the project, provision was made for contribution by local interests. It varies depending on the conditions surrounding each particular project. For instance, in the case of the project about which I am talking, the city of Stockton, and that area in California, we contributed almost $3,000,000 before we got through. For instance, we had to provide terminal facilities and we had to get rights of way for channel levee, and spoil disposal areas and other Federal requirements. We made a very substantial contribution; in fact, it was larger than the Federal contribution.

In the case of flood control projects the Federal Government has not asked that they be set up on a contributing basis because in 1938 the policy was laid down that the Nation would assume the responsibility for flood-control works.

Mr. BONNER. I thank the gentleman. I do think, however, that it is getting so out of balance that there should be general legislation to bring about a matching contribution in this public works program similar to the one we have in the public roads program and other things, letting those who desire the benefits participate on a basis of share and share alike throughout the country.

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

Mr. KERR. I yield.

Mr. JOHNSON. I would like to make one suggestion for the benefit of Members who are interested in these projects. The procedure we follow in the State of California is that the State has created what is known as a State Water Council. We have many flood control and harbor projects. The State Water Council holds extensive hearings throughout the State on merits of various projects; then that organization screens them and determines which ones they are going to recommend and which they will not recommend for appropriations. When they have done that they have the authority of the State behind them. So their recommendations are official so far as the State of California is concerned as to what projects and what amounts they think should be appropriated by the Congress. We have very little chance to get in any of these so-called unrecommended projects because our State has screened them all and the Civil Functions Committee logically adheres to the ones recommended by the State Water Council.

Mr. KERR. I am quite sure that my distinguished and able colleague will be able to take care of the State of North Carolina. I am satisfied he has done very good work down there on several occasions and you may expect the great State of North Carolina, one of the big taxpaying States of the Nation, will be taken care of.

Mr. BONNER. I may say to the gentleman that I appreciate his compliment very much, and I am going to ask the Committee to allow me 5 minutes here. I am going to show this House that there are two projects in my congressional district, in one of which great damage was brought about by the engineers but nothing has ever been done about it and another project that cannot be used for the reason it is not reported in the budget to the Appropriations Commitee. Therefore the inland waterways will never serve its purpose unless we can get the feeder ports constructed to a depth to conform with the channel of the inland waterway. The only way you can take care of it is to get a little money in this appropriation bill. This applies not only to my district but to other districts.

Mr. KERR. I hope the gentleman will continue to get corrected what he feels should be corrected down there and I feel confident that ultimately he will get all of this and we will all be proud of him.

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, in the sense that an appropriation bill can be referred to as a good bill or a bad bill, I think it is fair to say that this represents a good bill. It is the result of a considerable amount of fair and open, give-and-take, among the members of the subcommittee, the kind of enlightened and selective cutting that resulted in a unanimous report to the House.

I suppose that among Members of the House generally that any appropriation bill that has been cut as deeply as this one has been cut, can hardly merit the general recognition of being good. Insofar as members of the House are vitally concerned with the various, individual projects, and properly so, then I suppose a bill cut as this one has been, would be referred to as a bad bill. Among the other members of the House who do not have the direct or vital concern with the projects which are included, and who commonly refer to this as the pork-barrel bill, then I suppose with respect to them, because there is any money at all appropriated in the bill, it can hardly be called a good bill.

But, as I said, as a result of fair subcommittee deliberation, I think this represents a good bill.

I do want to express my appreciation to the majority members of the subcommittee for the fairness which they exhibited both in the hearings and in the marking up of this measure, and also express my appreciation to my industrious, capable, and conscientious colleague of the minority, the gentleman from Michigan. Because of an additional assignment, which I was given on the Committee on Appropriations during part of these hearings, he carried the burden of the minority alone, and yet I think everyone will agree that he carried the burden very well.

This bill represents a cut from a budget request of about $693,000,000 in round numbers to $492,000,000 as presented here to the House. In other words, the cut exceeds $200,000,000 and represents a cut of 28.9 percent.

The subcommittee operated under certain ground rules similar to those which it operated under last year. First of all, it was decided that we would stay within the recommendations of the Bureau of the Budget. Secondly, that there would be no new starts during this time of critical finances and critical materials. Thirdly, that there should be a minimum amount allotted for examination and surveys for new projects. There is included in this bill $635,000 of unearmarked, examination, and survey funds. There is $2,000,000 represented in that figure of $2,635,000 which is shown in the bill, which is earmarked for the fish and wildlife studies on the lower Columbia River. With respect to examinations and surveys and flood control, there is slightly over a million dollars which has not been earmarked.

Then the fourth ground rule was that we would allow no new money for the planning of projects. I think that position was pretty well established last year, and the basis for it continues to exist. There are many authorized projects, which are not under construction, and we felt that to allow additional planning funds would serve to spread out and thin out the efforts of the Corps of Engineers to an unreasonable degree. That does not mean that there will be no funds used for planning this year, because there is a substantial unobligated balance both in rivers and harbors and flood control, which can be spent for the planning of projects during this year.

The fifth general ground rule was this, and this is the last one I will mention: that where a project is well along toward completion, substantially the amount recommended by the Bureau of the Budget is contained in this bill. Once a project gets over the hump and is on the way to be finished, it represents good economy to get that project finished, so that it can provide a return on the money that is invested in it.

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

Mr. DAVIS of Wisconsin. I yield to the gentleman from Louisiana.

Mr. BROOKS. On that point I think the gentleman is proceeding on wise ground with reference to his rule. I know of one project, however, that is 78 percent completed, and the engineers have asked for funds which would have made it 92 percent completed. A project of that sort, in your judgment, should be completed, according to your statement?

Mr. DAVIS of Wisconsin. In the absence of unusual circumstances, I would say so. I do not know what project the gentleman is referring to.

Mr. BROOKS. I will call the gentleman's attention to the project. It appears on page 394 of the hearings. General Chorpening says it will be 62 percent completed with the funds received this year and will be 89 percent completed with the funds that we are asking for for the fiscal year 1953. That is on page 395 of the hearings. The project is not in my district, I will say to the gentleman, but I do happen to know it is a very important project. That is the Natchitoches project. It is a diversion project. It is not in my district, but I do join with the gentleman in his statement when he says that a project that close to completion should be completed. I appreciate the gentleman's statement.

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

Mr. DAVIS of Wisconsin. I yield to the gentleman from Michigan.

Mr. FORD. I think the facts show that was a project which was unbudgeted last year, and which was put in by the other body.

Mr. BROOKS. And the conferees agreed to it.

Mr. FORD. Yes, but the gentleman from Wisconsin [Mr. DAVIS] and the gentleman from Michigan [Mr. FORD] did not agree to it.

I think also that that project was one that could be completed with the funds that are presently on hand.

Mr. BROOKS. The gentleman may know more than the hearings disclose. General Chorpening, who is Assistant Chief, did not say that in the hearings. If the gentleman has more information, I would like to have it.

Mr. FORD. Unfortunately not all of the facts are always included in the hearings.

Mr. DAVIS of Wisconsin. In support of what the gentleman from Michigan [Mr. FORD] said, let me say to the gentleman from Louisiana [Mr. BROOKS] that the subcommittee is informed that the engineers did not use the money which was appropriated for that project last year.

Mr. BROOKS. They testified in response to a question by Mr. FORD that the contract would be let in April, and I think they are to be praised for not rushing into a contract before they were ready to do it. They said when it was let in April the amount which the budget approved would make the project 92 percent completed.

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

Mr. DAVIS of Wisconsin. I will yield to the gentleman from Michigan, and then I hope the gentleman will allow me to finish my general statement.

Mr. DONDERO. The question I wanted to ask the gentleman is, I notice in the tabulation there is practically no money for surveys, or a very nominal amount.

Mr. DAVIS of Wisconsin. Six hundred and thirty-five thousand dollars for rivers and harbors and $1,215,000 under flood control.

Mr. DONDERO. That is $1,700,000 altogether.

Mr. DAVIS of Wisconsin. One million eight hundred and forty-five thousand dollars altogether.

Mr. DONDERO. What a great many Members cannot understand—and I am not offering this as any criticism of your committee. I think you are reflecting generally the public opinion of the country to reduce public expenditures, but what we cannot understand is this, whether or not this Government is taking an inconsistent position when we cut out work in our own country and allow half a billion dollars for improvement of the Rhone River in France. The trouble with our projects is that they are not over there in Europe; if they were money would be allotted to them.

Mr. DAVIS of Wisconsin. I do not believe any comment is necessary. The gentlemen on our subcommittee did not have the Rhone project before them or there might have been a different result in that.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Wisconsin. I yield.

Mr. AUGUST H. ANDRESEN. This is not on any project, but, as I understand, the President issued an order tying up the funds for public works on projects covered in this bill shortly after he started the war in Korea. Is that Executive order still in operation and made applicable to projects that he does not consider in the interest of national defense?

Mr. DAVIS of Wisconsin. There is the general rule still in existence that there must be a clearance with respect to defense necessity, and that is reflected in the recommendations of the Bureau of the Budget.

Mr. AUGUST H. ANDRESEN. I have been told, because I happen to have 150 miles of the Mississippi River in my district, and I am not asking for anything, but I have been told that in the case of certain surveys that are partially completed, that because of an Executive order those projects were not in the interest of national defense, they could not go forward. If that rule is still in operation I want to ask whether the money that is provided in this bill for certain projects will be withdrawn if the projects are not found to be in the interest of national defense and that the work will not go forward.

Mr. DAVIS of Wisconsin. I would assume that that would be true, inasmuch as that order is still in effect.

Mr. AUGUST H. ANDRESEN. Then we can probably save a lot of money cutting out a great many of these projects.

Mr. DAVIS of Wisconsin. The Bureau of the Budget recommendation, I may say to the gentleman from Minnesota, represents the President's establishment, and so it may be assumed that that question was settled at the time the Bureau of the Budget sent their recommendation down; we would assume they had clearance by the President.

Mr. AUGUST H. ANDRESEN. One further question. I have a project which was provided for back in the Eightieth

Congress involving a few thousand dollars.

Mr. DAVIS of Wisconsin. Does the gentleman mean authorized?

Mr. AUGUST H. ANDRESEN. It was authorized and money was made available, but the money was recovered back into the fund and the project was not proceeded with. We have been told that if the project is to go forward we must come before Congress and get another appropriation.

Mr. DAVIS of Wisconsin. Aside from the order of the President in that respect, the gentleman will recall that there was a general rescission of funds because the Congress directed the President to cut back some of the funds in these flood-control projects.

Mr. AUGUST H. ANDRESEN. This happens to be a harbor project on the Mississippi River. The funds were provided in the Eightieth Congress, which was a good Congress; but I have been told that we will have to get another Republican Congress to pass another appropriation for it.

Mr. DAVIS of Wisconsin. If the gentleman will let me proceed, I want to conclude a statement on the general rules used by the subcommittee before we go too far, because it will perhaps forestall questions that otherwise might be asked with respect to specific projects.

The rule of no new starts, for instance, explains why the Hartwell Dam, the Tunnel Creek Reservoir, the Cape Girardeau, and the Topeka flood-control projects, lock 19 at Keokuk, Iowa, and Ice Harbor locks and dam were not included. In addition, there were some projects, while they cannot be specifically called new projects, that were not included because of unusual circumstances relating to them.

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

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield myself seven additional minutes.

There are specific circumstances which explain the committee's refusal to grant funds. One of them is The Dalles in Washington; another is Gavins Point in Nebraska; another is the Niagara River in New York; and a fourth is Cheatham lock and dam on the Tennessee. In each case there was not sufficient exact data as to the amounts of money involved in these projects, that caused the committee to decide that it would be in the interest of economy as well as efficient construction that those projects be deferred.

With respect to administration expenses, which is always a matter of interest to Members of the House, let me say that the committee denied 18 new positions, requested in the office of the Chief of the Corps of Engineers. It made specific reductions totaling about 9 percent in the administration costs which are allocated within the various construction projects. That cut does not apply to the administration of the Mississippi River Commission in which average employment has been reduced from 261 in 1949 to 199 in 1951, a reduction of almost one-quarter of the personnel in the course of the last 2 years.

The appropriation for the Panama Canal shows a large cut percentagewise, but that is a reflection of the determination of the Congress that the Panama Canal Zone and the Panama Canal are to be, at least primarily, self-sustaining. The Congress in 1951 passed legislation reorganizing the Canal Zone set-up and the Canal Zone. It was an attempt to assure that that would be self-sustaining. The tolls of the Panama Canal have been revised only once since the Canal went into operation and that was in 1937 when the effect of the revision was to reduce the tolls that had been charged. The subcommittee felt that was completely unrealistic and the report so states.

One other matter of interest and that is with respect to the schedule of rental of Government quarters. If you will look on page 13 of our report you will notice the rentals now in effect which are based on a completely unrealistic schedule which has been put into effect by order of the executive departments. The subcommittee attempted to get at that last year by putting language in the report, and while the executive agencies have furnished us with statements as to what they expect to do, the recommendations of the subcommittee, as far as actual practice goes, have been so far ignored. We brought that up again this year and the chairman of the full committee has assured us that by the time the final supplemental bill comes before the House we will have an opportunity to insert language that will apply across-the-board in all agencies of the Government, which will assure a reasonable and fair return to the Government of the United States on those housing units that are made available to Federal personnel.

In summary, I would say that this bill, as brought to you by the subcommittee unanimously, represents a realistic balance between the need for river and harbor and flood-control construction and maintenance and an equally critical need for rock bottom reduction in expenses of the Federal Government. I hope that the House will accept the subcommittee's report without any changes.

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

Mr. DAVIS of Wisconsin. I yield to the gentleman from Colorado.

Mr. CHENOWETH. I would like to inquire of the gentleman concerning his position and the position of the subcommittee relative to examination and survey funds for flood control. On page 6 you have the sum of $1,215,000, under the title of "Examination, Survey, Planning and Other Study Programs." I notice that the Army engineers requested the sum of $1,600,000 for some 90 different projects in some 35 different States. What is this $1,215,000 to be spent for and who is going to determine the projects upon which that money will be spent?

Mr. DAVIS of Wisconsin. The subcommittee was not able to specifically earmark those examination and survey funds for each of those projects. That would be very difficult from a practical viewpoint. But, it did make a substantial reduction, still permitting this money to be allocated by the Corps of Engineers, and I suppose we will have to accept them as the experts who will make the determination as to where it should be used and permit them to allocate those funds among the projects.

Mr. CHENOWETH. Does not the gentleman realize that this puts the Army engineers in a rather awkward situation? I have only a little project included in this list of 90. I submit there are many Members on this floor who have their own projects. Now, when I call the Army engineers concerning my project—incidentally, it amounts to only $20,000 of this total—they can very easily tell me, "Well, we are sorry. We have had to use this money on some other project." Now what is the objection to the subcommittee recommending the full amount of $1,600,000, a difference of $385,000, and obviate all of this embarrassment to the Army engineers, and at the same time assuring the completion of the reports on these projects, many of which are as much as 80 percent complete?

Mr. DAVIS of Wisconsin. I am not too much concerned about the Army engineers being embarrassed by that. The gentleman has had experience with other agencies of the Government in which he called them up to try to get some information or to get something done, in which they told him, "I am sorry, Mr. Congressman, but Congress did not allow enough money to do that job." You have had that happen with other agencies. If we are going to allot everything that is asked for in order to obviate that embarrassment to the Corps of Engineers, what are you going to do with the other agencies?

Mr. CHENOWETH. Let us relieve the Army engineers of their embarrassment and assume the same ourselves. What am I going to tell the people in my district if I cannot get $20,000 to complete the report on a flood-control project which is of great importance to them?

Mr. DAVIS of Wisconsin. Well, what are all of the Members of Congress going to tell their people? There are many projects that have had not only some survey done but the planning completed, and are ready to start construction. Yet Members have to tell their people, just as all the rest of us are going to have to tell our people, that Uncle Sam just does not have enough money to go around.

Mr. CHENOWETH. Ah, but they read the next day that billions of dollars have been appropriated for projects in foreign countries, as was just mentioned by the gentleman from Michigan [Mr. DONDERO]. They will not believe me. They refuse to accept such an answer. They want a better excuse than that.

Mr. DAVIS of Wisconsin. I am not one of those who sympathizes with the view that we ought to spend billions at home because we are spending billions abroad.

Mr. CHENOWETH. I do not want to get into a controversy with the gentleman, but I just want to know why you did not include the additional $385,000.

Mr. DAVIS of Wisconsin. I do not think that requires a lengthy explanation. It is the same situation we have everywhere else, that we simply cannot appropriate all the money asked for.

Mr. CHENOWETH. Last year your committee took the attitude that no money should be appropriated for this work. Now this year you have provided only a partial amount of the total requested by the Army engineers.

Mr. DAVIS of Wisconsin. In order to permit them to complete examination of critical projects.

Mr. CHENOWETH. This is not enough for all of the projects.

Mr. DAVIS of Wisconsin. No; I do not believe that will complete them all. But, there are other projects in the country in the same position. They will have to wait their time.

Mr. CHENOWETH. The gentleman's committee did not designate the projects on which this money should be expended.

Mr. DAVIS of Wisconsin. We did not.

Mr. CHENOWETH. You left that determination up to the Army engineers?

Mr. DAVIS of Wisconsin. We felt that was the only practical way to handle it.

Mr. CHENOWETH. I thank the gentleman for his kindness in yielding to me. I feel this is a very important matter and I am glad to have his comments.

Mr. RABAUT. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida, [Mr. LANTAFF].

Mr. LANTAFF. Mr. Chairman, this bill provides for an appropriation of $4,000,000 for the Central and South Florida flood control project. Since the start of construction in the early part of 1950, the Corps of Engineers have constructed, or are now completing, a 110-mile levee barrier which will provide nearly 700,000 people and almost a billion and a quarter dollars worth of property with protection against a recurrence of the devastating floods of 1947.

South Florida suffered approximately $50,000,000 in damages in the floods of 1947; $25,000,000 damage resulted from water again in 1949; and $50,000,000 loss occurred from the floods of 1950.

As a resident of Miami Springs, I recall wading around in water for days. My children were unable to go to school for several days because of the disastrous flood that hit our area in 1947. I remember all of us having to take typhoid shots, and while it isn't so pleasant to talk about, the high waters had caused septic tanks in the area to overflow, which brought about the imminent danger of an epidemic.

Since much of the area in which these flood conditions occur is agricultural, a recurrence of such losses would have a resultant effect of lessening our agricultural production and present a serious threat to our whole mobilization effort.

We do not wish to see another disaster in south Florida such as the one a few years ago, which took 2,500 lives around the Lake Okeechobee region. We desire to prevent further serious losses to the farmers of south Florida. We know that the municipalities and local units of government, in the areas affected with past floods, would be financially unable to cope with another flood problem. Hence, those of us in south Florida are solely dependent upon the flood-control program to prevent a recurrence of these and more serious conditions.

But, in addition, this appropriation is a sound investment for the Federal Government. Increased productivity in this area will return more in taxes alone than the sum approved by the committee. Early completion of this project is clearly within the national interest.

Mr. RABAUT. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Chairman, I should like to discuss with you briefly the lower Mississippi and its tributaries. This is the oldest authorized flood-control project in the bill. It was authorized in 1929. The total authorization is $1,202,748,500. The Congress has appropriated, minus maintenance, $769,466,223; remaining to be appropriated after fiscal year 1952, $523,282,277.

I am not going to attempt to get reinstated any of the funds the committee removed, but I think it should be called to the attention of the committee that the Corps of Army Engineers requested of the budget $119,238,786, but for some reason unknown to me, and I believe to the members of the committee, the budget reduced this request to $60,520,000, or, in other words, almost 50 percent.

In making the reduction there are many projects under construction that will have to be stopped. I should like to enumerate them briefly.

There is the St. Francis River, Ark. and Mo. This important flood-control project benefits 2,000,000 acres of rich agricultural area and was cut from the needed $3,409,000 to $500,000.

Lower White River, Ark. Important flood-control project protecting 149,000 acres of agricultural and timber lands. Work was started on this project in 1938. It was cut from $120,000 to zero.

Lower Arkansas River, north bank. Levee protection affecting 568,000 acres. The project was under way last year and is under way this fiscal year. Cut from $3,033,000 to $500,000, making it impossible to start additional work and only possible to finish three jobs now under way.

Yazoo River Basin, Greenwood, Miss. A local protection project protecting a community of 18,061 people. Includes levees and pumping stations. Work was under way last year and is under way this fiscal year. The budget cut was from $2,356,000 to zero.

Belzoni, Miss., population 4,071. Authorized in 1936. The budget cut was from $337,000 to zero.

Sunflower River, Miss. Flood-control channels. Last work was done in calendar year 1948. Three hundred and eighty-one thousand acres affected. Cut from $660,000 to zero.

Steele Bayou, Miss. Flood-control channels, affecting 281,000 acres. Work was under way last year and work is under way this fiscal year. Cut from $555,000 to zero, making it impossible to do any more work, rendering the project incomplete.

Lake Pontchartrain, La. Levees for protecting a fast-growing urban area containing by a 1950 count approximately 17,000 homes and 50,000 people. An additional authorization was contained in the 1950 act. Work was under way last year under the old project and is being continued for fiscal year 1952. Project cut from $940,000 to zero, making it impossible to do any work under the new authorization.

I would like the committee to tell me why the budget reduced the lower Mississippi and its tributaries from $119,238,000 to $60,520,000. Does the chairman have that information? Evidently silence indicates he is without that information.

May I direct to the attention of the committee that of the appropriation of $60,500,000 made for the lower Mississippi and its tributaries last year, the anticipated unobligated balance as of June 30 this year will be only $280,000. This amount is not sufficient to meet one payroll, because there are approximately 5,415 employees.

I direct to the attention of the committee that the budget has reduced this project by almost 100 percent. In the event there is an amendment to cut it any further, you will understand that the Bureau of the Budget has already cut the project by almost 100 percent, and they have have eliminated many important projects.

I think the members of the committee who inspected the projects in the lower Mississippi and its tributaries will vouch for the statement that General Feringa, president, Mississippi River Commission, is doing a good job, and he is not wasting money. Any amount the lower Mississippi and its tributaries is cut will certainly cost the taxpayers additional money in the future.

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

Mr. PASSMAN. I yield.

Mr. BROOKS. I would like to ask my colleague, because he is on the committee, this question. When you refer to the lower Mississippi and its tributaries for appropriation purposes, you do not refer to the Red River, do you?

Mr. PASSMAN. No, we do not refer to the Red River. It includes the Red River backwater area, but not the Red River proper.

Mr. BROOKS. The Red River is not considered a part of the Mississippi and its tributaries for appropriation purposes?

Mr. PASSMAN. Not the upper stretches—that is my understanding.

Mrs. BOSONE. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield.

Mrs. BOSONE. I am pleased to hear what the gentleman is saying at this time. When the reclamation bill was before the House, just last week, we had about the same argument as you are giving today on the flood-control bill. There is no difference in my opinion as to the cost of taking water off the land and putting water on the land. The problem is taking the water off the land in the South, while the problem is putting the water on the land in the West. We advanced the same arguments and we were left with greatly cut budgets in the West. With a no-start policy I am afraid of the net result in national defense where I come from, where we have the great Hill Field Air Force Base, and one of the greatest depots for the Army,

tremendous Navy base, and an arsenal. We are surrounded by military activity, and yet we may drill and have drilled and found chlorides in the water and brackish water. We need water, and yet with this policy, and with the cuts by the Bureau of Reclamation itself, by the Bureau of the Budget, and by the Appropriations Committee, we have been cut drastically. I am fearful of the results. So the same arguments that you are using for the projects in the South can certainly be applied to the projects in the West. But, I did not see too many of you voting with the reclamation group. In fact, further amendments to cut were offered to our western reclamation act by some Members of the South. I want to impress the Members of the House today that the argument is the same in the West so far as putting water on the land, as it is in the South where they need to take water off the land.

Mr. PASSMAN. I thank the gentlewoman. We must remember that when the water comes down into the lower valley, it is not unusual to have a quarter or possibly half a billion dollars of losses in one year alone, in addition to the loss of many lives.

Mr. DAVIS of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. DAVIS of Wisconsin. I simply wanted to comment with respect to the lower Mississippi, that the policy which the Interior Subcommittee followed in not permitting new starts in the West, which the gentlewoman from Utah was so greatly concerned about, has been entirely consistent with what the subcommittee has done with reference to the lower Mississippi Valley. None of the $60,000,000 referred to contains any new projects.

Mr. PASSMAN. Not only does the recommendation of the committee not contain any new projects, but the budget has eliminated many projects now under construction. I wanted the committee to know that the budget had made a $59,268,000 reduction below the request of the Corps of Army Engineers, which is almost half.

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

Mr. PASSMAN. I yield.

Mr. NORRELL. Is it not true that the amount the Bureau of the Budget cut the estimates will have to come off the construction end of these projects because the maintenance must go on just the same, and therefore there has been little left for even the construction of projects which were started years and years ago?

Mr. PASSMAN. In every case that is true because the maintenance must be continued regardless of the appropriation. When an appropriation is made, the maintenance is first considered, and if anything remains, it goes to continue the projects under construction.

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

Mr. PASSMAN. I yield.

Mr. COOPER. With respect to the lower Mississippi River and its tributaries, as has been so well pointed out by the distinguished gentleman from Louisiana, who is a very valuable member of the Committee on Appropriations, the Budget Bureau itself cut that recommendation of the engineers practically one-half, did it not?

Mr. PASSMAN. That is correct.

Mr. COOPER. Certainly then, any thought of any further reduction would be a serious mistake, would it not?

Mr. PASSMAN. I agree with the gentleman, and that is why I wanted to direct the attention of the committee to this statement. You will find it on page 240 in part I of the hearings.

If you will read that you will understand as I do that the Bureau of the Budget has cut the request of the Corps of Army Engineers almost in half.

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

Mr. RABAUT. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. JACKSON].

Mr. JACKSON of Washington. Mr. Chairman, I understand the problem which my colleagues have faced in reporting this bill and I know its magnitude would baffle many citizens.

However, I think that I owe it to the membership of the House to lay before them a record of how the cuts in the civil functions projects scheduled for the Columbia River Basin will affect the civilian economy and the national defense.

I believe that before this bill is ready for signature by the President additional information and further discussion will reveal that some amendments to the bill as now reported will be required.

In connection with the items in the bill for the Pacific Northwest, let me point out that the President requested $5,000,000 to undertake the beginning of construction of Ice Harbor Dam on the lower river. The Snake is one of the three principal tributaries of the Columbia.

The House committee has eliminated this appropriation in its entirety. This means that the Ice Harbor Dam power production will be delayed for at least one year—from 1956 to 1957.

As a member of the Joint Committee on Atomic Energy, I must advise you that this delay jeopardizes the operation of the Hanford Works. The Ice Harbor dam is but a few miles southeast of Hanford.

Hanford now is solely dependent for electric power upon a single line of supply which comes to it from Grand Coulee Dam, more than 100 miles away. The Hanford Works must have a continuous and large supply of power. Any interruption in power service has serious consequences; yet Hanford is wholly dependent upon one supply line and this supply line is part of a transmission system which, due to heavy growth in power demand over all the Pacific Northwest, is already badly overloaded at times and, as a consequence, not too stable in its service.

Under its expanded program, details of which I am not at liberty to give you, the Hanford Works will require not only additional power supplies over and above that which it now receives, but, for safety's sake, it should have an adidtional source of power—a supply which will come to it from a different direction and from a plant which can be independent of all other sources.

Ice Harbor Dam is justified in considerable measure on this single basis.

If Ice Harbor Dam is not built for this purpose it is quite probable that the Atomic Energy Commission in order to get an additional source of power will insist on spending approximately $60,000,000 or $70,000,000 for a steam plant which must import fuel from other regions at considerable expense and at continuing higher costs.

Thus, failure to approve the beginning of construction of Ice Harbor Dam will not necessarily mean a saving of money. It will mean simply a less efficient use of money to supply power in some other way.

Ice Harbor Dam will pay for itself many times over during the long pull whether or not the Hanford power use continues to exist.

Ice Harbor is a multipurpose dam. It is wholly feasible on a payout basis. It is the logical dam to be undertaken next in Columbia River development, and it will supplement and complement the other multipurpose dams now built or to be built on the Columbia River system.

Department of the Interior files and the hearings before the committee both show records of the Atomic Energy Commission's need for this dam.

Notwithstanding this, the committee disallowed funds for it on the basis that its members had not received clear-cut information relative to the protection of fisheries during and after construction of this project.

I am inclined to agree with the committee that the information received was not adequate. However, I believe adequate information on this matter, which can satisfy committee members and other members of this House, will be forthcoming in the next few weeks. I have talked with the Department of the Interior about this since Interior is the Department responsible for fisheries conservation. It is my hope that an adequate record on this point can be made before the Senate.

If this is done, I also hope that the House will not again turn a deaf ear toward the support of this project.

The committee has recommended other cuts in funds for projects on the Columbia River system which, it seems to me and my colleagues from the Pacific Northwest, may have deeply serious consequences if they are allowed to remain in effect.

The President recommended an appropriation of $25,000,000 to continue the work of construction on Chief Joseph Dam, located on the Columbia River in north central Washington.

Through the fiscal year 1952 the Congress has appropriated the total of $43,592,800 for the construction of this project. The work is well under way. The dam has been scheduled to come into power production in 1956 at a time when the need for power in the Pacific Northwest will still be critical. When complete, the dam will produce nearly 1,000,000 kilowatts of prime electricity. It is centrally located in the Pacific Northwest and the cost of transmitting

the power from the damsite to market is relatively low.

Failure to complete this dam on schedule will result in an intensification of the over-all power shortage which now exists in the Pacific Northwest, to the detriment of industrial expansion.

The committee cut from the estimate of $25,300,000 to $11,500,000, it seems to me, is unnecessarily drastic.

I am hopeful, here, too, that further consideration of the facts prior to final passage of this bill by both Houses will result in at least a partial restoration of these funds for Chief Joseph. If this cut is permitted to stand, power production from Chief Joseph will be delayed at least 6 months and the delay will come during the critical season of the year when water flows in the river are low. This may result in curtailment of aluminum production in the Pacific Northwest and the curtailment possibly of other defense production.

Finally, I want to comment on the committee's complete disallowance of all funds for the continued construction of the Dalles Dam.

The President requested $37,500,000 to accelerate construction of this dam under way during the fiscal year 1953. Work has already begun this spring under last year's initial appropriation of $4,000,000.

The House committee has disallowed the entire amount of $37,500,000, which brings the schedule on this dam to a complete standstill.

The Dalles Dam was scheduled to come into power production in 1957. Failure to restore at least some of the funds requested will delay this schedule by at least 1 year.

Delay in the power production from this dam and the Chief Joseph Dam will intensify the risk which the Northwest runs each winter during low water season—the risk of having to curtail valuable light metal and defense chemical production.

If these money cuts on Ice Harbor, Chief Joseph, and The Dalles were not so great, they might be kept on the construction schedule recommended by the Corps of Engineers and the Bonneville Administration.

If maintained on this schedule, the three dams would be contributing, among them, a total of 964,000 kilowatts of prime power during the low-water season in the winter of 1957–58.

This would provide a small surplus of power supply over the known demands of that year—a surplus which could be made available for industrial development and which would supply reasonable reserves of generation with which to meet service contingencies.

But if these reductions recommended by the committee are allowed to stand, the three dams will be delayed.

The margin of power supply over demand over the region will be materially reduced in the years following 1956; and, in fact, under certain water conditions, will be nonexistent with a resulting danger of power-use rationing and curtailment.

Now I realize that the Congress is faced with many demands for flood control, rivers and harbors projects throughout the country and that there is great difficulty experienced in appropriating any especially large sums for any single section of the country when all sections are demanding attention.

During the present decade, however, the annual capital investment by the Federal Government in the Columbia River will, of necessity, be large.

In order to keep up with its requirements for power, the Columbia River region must bring in about 400,000 kilowatts of new generation each year for the next few years; and this, of course, seems like a lot of expenditure for a single region of the country.

However, one paramount fact must be borne in mind.

Unlike many other flood control and rivers and harbors projects in other parts of the country, the Columbia River projects are all of them heavy revenue producers.

All of them will manufacture great quantities of hydroelectric power, which, because of the rapidly expanding economy, has a ready market.

During the past year, revenues from the sale of power from existing Columbia River projects returned to the Treasury a total of more than $36,000,000.

It must be remembered that this money not only covers interest on the Federal investment, depreciation, all operations, and maintenance expense, but, in addition, returns a substantial surplus to the Treasury each year.

On a payout basis—that is, on the basis of paying back the investment with interest—these Columbia River projects are well ahead of schedule.

These appropriations are not "money down the drain" in any sense; they are reimbursable.

In its 12 years of power sales, this Columbia River program has returned to the Federal Treasury nearly a quarter of a billion dollars in gross revenues. Let me repeat that—a quarter of a billion dollars.

Necessary as budget cuts are—important as it is to balance the expenditures in one region against the expenditures in another—I believe it is necessary for the Members of this House to exercise their very best judgment in administering such budget cuts.

Projects such as those on the Columbia River, which return so much of their cost with interest to the Federal Treasury, and which, even beyond this, provide the tools for a rapidly expanding free private enterprise production which broadens the tax base and improves employment—projects of this nature should receive a high priority of consideration.

Mr. FORD. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Chairman, the beautiful Ohio River runs along my district for about 175 miles. Naturally, I am very much interested in any and all legislation that has to do with the improvement of rivers and harbors and with flood control. I have participated actively in the consideration of this kind of legislation ever since I have been a Member of Congress. I have often said that the most important thing in the Ohio Valley is the Ohio River. It is a well-known fact that under our basic law, the Federal Government has full control over all of the navigable rivers of the Nation. This is an incident of sovereignty and it should be thus.

I was very active in the consideration and passage of flood-control legislation immediately following the big flood of 1937. Congressman WILL WHITTINGTON, of Mississippi, and I were probably more instrumental than any other two Congressmen in the passage of legislation that provided for the construction of flood walls and flood defenses. It would have been impossible to have had passed legislation that would provide for the construction of flood walls all along all of the rivers of the Nation at Government expense. Therefore, the gentleman from Mississippi [Mr. WHITTINGTON] and I and others interested, decided that we would try for the passage of legislation that would provide for construction of flood walls upon condition that the municipalities involved would participate in the payment of these expenses by providing for rights-of-way that would be necessary for the construction of proposed flood walls.

This legislation passed the Congress and a few projects have been built by reason thereof. For instance, there is a flood wall around the city of Huntington, W. Va., which has cost the city and State hundreds of thousands of dollars for rights-of-way. The Government no doubt has spent several million dollars in the construction of the flood walls there. In the city of Ironton, Ohio, the people voted upon themselves a bond issue of about $750,000 and the Government came forward with about three or four million dollars and the first flood wall under the provisions of that law was constructed in Ironton, Ohio. The law requires that the cities maintain the projects and, since the construction of the flood wall at Ironton, the city has spent thousands of dollars. Last fall the people of the city of Ironton voted upon themselves another bond issue which I think was something more than $100,000. This is to take care of a serious threat that has come by reason of subterranean waters.

The city of Pomeroy, Ohio, is located on the Ohio River and is in my district. It is a county-seat town and is rather unfortunately located in that it has a long river frontage and most of the city was inundated by the big floods of 1913 and 1937. The recent flood of this year, which was not considered as one of the heavy floods, inundated a portion of the city. The city has constructed a parking lot along the river front and this parking lot naturally takes the brunt of any of the floods that get out of bounds.

The recent flood developed some conditions in Pomeroy which need attention. To this end, I asked the Army engineers to make an investigation of the situation in Pomeroy. The headquarters of the Army engineers for our section of the river are located at Huntington, W. Va., which is about 50 miles below Pomeroy. At my suggestion the chief of the Army engineers in Huntington made a tour of inspection of the

Pomeroy situation. I know, and as has already been brought out in the discussions this afternoon, that the funds allotted to the Army engineers for investigation purposes have been curtailed and limited very severely. Personally, I think it is not an extravagance to permit this splendid corps of expert engineers to do whatever is necessary to protect the best interests of the people and at the same time to improve navigation on the river. In an effort to bring relief to the Pomeroy situation, I have introduced a bill, which is known as H. R. 6529. That bill is as follows:

A bill providing for the examination and survey of the Ohio River in the vicinity of Pomeroy, Ohio

Be it enacted, etc., That the Secretary of the Army be, and he is hereby authorized and directed to cause a preliminary examination and survey of the Ohio River at and in the vicinity of Pomeroy, Ohio, with a view to ascertaining as near as can be ascertained the exact damages caused by the construction of the Gallipolis locks and dam in the Ohio River by seepage and drainage and backwater resulting from the raising of the water level by the construction of said dam, and with a view of constructing works to protect against further continuance and reoccurrence of such damage; and with a view of reimbursing local interests for damages already suffered in said locality.

I hope that I may be able to induce the House Subcommittee on Rivers and Harbors and Flood Control to recommend the passage of this bill so that the Army engineers may be permitted to make a survey of the whole situation in the Pomeroy vicinity.

I have voted against all extravagant spending, especially the spending of money abroad to improve rivers and harbors over there. As it has been brought out here this afternoon, I think it is not economy to permit our people to suffer for the lack of funds to give them protection, while we, with great prodigality, send millions abroad:

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield 20 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Chairman, the overall details of this bill have been explained adequately by the gentleman from North Carolina [Mr. KERR], the chairman of our subcommittee, and the ranking minority member, the gentleman from Wisconsin [Mr. DAVIS]. Both have given you in general what the subcommittee has done with reference to the budget request.

Needless to say, in my judgment, this is a good bill. It is a bill which our subcommittee can defend in good conscience.

I wish to pay tribute to my colleagues on the committee. It has been a most harmonious committee to work with and a most diligent committee in its long and complicated hearings. The same goes for the able staff members.

Also, in my judgment the witnesses who appeared before the committee did a very fine job in their presentations. We had before us the Army Corps of Engineers. We had before us the officials of the Quartermaster Corps, who have charge of national cemeteries. We had the Governor of the Panama Canal and a number of his staff. Although the subcommittee did not agree with all of the recommendations of those witnesses, I think our subcommittee has the highest respect for the ability of those who submitted the items and the presentations which were made.

I should also add that our subcommittee had over 400 witnesses from the outside, who came from all parts of this country to argue on behalf of their individual projects. We had over 120 Members of Congress appear before the subcommittee, all of them sincerely and honestly interested in various projects in their districts.

Our subcommittee did its best work under most adverse circumstances, for, obviously, the country does need development continued which was started many long years ago, in preserving and expanding our national resources.

There is one point that should be brought out at the very outset. This bill is called the civil-functions bill. The major portion of the money included in the bill is for river and harbor and flood control development. At least, that is what history tells us it should be. In this case, at least in this bill in my judgment, we are perverting the original intent and function of this bill. Let me give you an explanation of why I feel that way.

In the river and harbor portion of the budget there were 26 projects set forth. Ten of those projects took up in the budget 88 percent of the requested funds. Ten of the originally included 26 projects in the budget take up 88 percent of the requested funds.

In the flood control section of the bill the picture is equally bad. There were 64 projects set forth in the flood control part of the budget. Seventeen of those 64 projects took up 77 percent in dollars requested in the budget.

In my judgment this bill as presented by the budget and by the President is a perversion of the original intent of Congress in the basic legislation. In effect, we are getting our hydroelectric power development at the expense of flood control and at the expense of river and harbor development; we are achieving electric-power development by a subterfuge, and as a result many worth while, many highly desirable flood-control projects and river and harbor-development projects are being sidetracked.

I am not stating that we should not have hydroelectric-development projects, but I am saying that we should come out in the open and say certain appropriations are intended for a hydroelectric-power dam and not use flood control and river and harbor development as a subterfuge.

I know there are many Members in this Chamber who feel that this action by the committee cutting the bill 29 percent halts a great deal of desirable and legitimate American development of our natural resources. I cannot deny that we have to a degree stopped some Nation-wide developments; as a matter of fact, the record shows that by the subcommittee action we have knocked out of the budget as presented by the President six river and harbor projects entirely. The record shows that our subcommittee deleted from the flood-control portion of the budget nine projects. In other words, there are 15 projects which do not appear in this bill, which have been deleted entirely from the President's budget. I know that the people interested in those projects feel that we have halted the legitimate and desirable development of parts of the United States by this action. That brings up a point which I would like to make.

There is a magazine in the State of Michigan, my State, called Inside Michigan. The March issue carried an article which provoked, I might say, considerable conversation in the State of Michigan. I am sure that if every Member of this body read it he would also feel perhaps that the Congress in the last 3 or 4 years has not acted too wisely in some respects in the appropriation of funds and in the expansion of some programs.

The headline of this article reads:

Congress spends billions for French seaways—but not one cent for our own St. Lawrence project.

Let me at the outset disassociate the St. Lawrence project from this discussion. I am interested in that project, many people are, but I am not using this article for the promotion of that project; I am, however, talking about the over-all problem of development of the United States. The article does make a good point in that regard.

I quote from the article as follows:

The taxpayers of the United States are building two vast inland waterways and power projects in the rugged, submarginal French Alps which will cost untold billions—billions, not millions—of dollars before they are completed.

Not 1 cent of this cost will ever be returned to this country.

I drop down now to another statement as follows:

Financing of these two tremendous projects in France was agreed upon without ever holding so much as a congressional hearing.

Let us take another quotation from the article:

There are 22 dams and 46 power stations for development in the French project—three are now under construction or completed. The total cost for just these three phases of the work is $685,500,000.

Quoting from another part of the article:

What will be the total cost of the Rhone River Valley project? Your guess is as good as any Frenchman's. In fact, no Frenchman to date has had the courage to hazard even a calculated guess. No one knows. There are, however, some estimates as to the cost of only 3 of 46 sites for development. These three are now under construction or completed. The previously mentioned Genissiat portion is expected to cost $314,200,000. The Donzere-Mondragon section will be completed at a cost of $228,500,000, while the third project known as Montelimar will cost but a petty $142,800,000. The total comes to some $685,500,000. In 1950, 90 percent of the funds expended on the Rhone River Valley development were supplied by the Marshall plan. It is obvious that the total cost of the entire program will run well over $1,000,000,000.

Here is the final paragraph or two of this article:

What we do want to argue is this:

If we continue to squander our resources on overseas projects, continue to neglect equally important, if not more important ventures of this Nation, all democracy will ultimately pay the price of our neglect and lack of foresight.

The St. Lawrence seaway and power project is vital to the United States and Canada both from the standpoint of economical development and for military strength. It is time our Congress and administration leaders realized that the economic well being and military strength of this hemisphere is equally as important to the forces of democracy as strength in Europe.

Mr. Chairman, I would like now to bring up another problem. While I was preparing my remarks on this bill, I thought it might be well to see State by State how the bill would affect each State, how much money from the bill would go into each State. I have the figures here.

I come from the State of Michigan. There is not a single penny set forth for the State of Michigan in either the river, harbor or flood control portion of the bill except a limited amount for maintenance of existing harbors.

I want to say, however, that the members of this committee are cognizant of the problems that face all the areas of the United States. We appreciate the dangers that exist in the lower Mississippi Valley, we are appreciative of the need for power and flood control in the Northwest, we understand the need for development of the intracoastal waterway in the Gulf area and up the eastern seaboard. Our committee is not at all parochial, our committee is not sectional; but I do want to call the attention of the Members to a problem which we do face in the Middle West, not only in the State of Michigan. There are five Great Lakes in that area. There are many millions of people who live in the area of the Great Lakes.

Lakes Huron, Erie, Michigan, Superior, and Ontario do not overflow like the Mississippi River does, but they fluctuate in their water level. The Great Lakes in the 1930's were at a very low ebb. At the present time the Great Lakes are in a serious condition because of a very high water level.

Those who read Time magazine saw an article on page 25 of last week's issue which was entitled "The Great Lakes Creeping Calamity." This article points out that in the State of Michigan alone the damage from high water will total over a billion dollars. There are seven other States on the Great Lakes and I do not know how much damage will be caused in those States. Let me emphasize, however, in Michigan alone the damage from high water is a billion dollars. The people in those areas have not yet received any assistance in any way whatsoever from any agency of the Federal Government for the handling of this problem.

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

Mr. FORD. I yield to the gentleman from New York [Mr. KEATING] at this point for a comment or two which I think he will make.

Mr. KEATING. The gentleman has put his finger on an extremely serious problem facing all of the Great Lakes area. In the particular area that I represent, which borders on the southern shores of Lake Ontario, we have suffered very, very serious damage already from the high water levels, and it is anticipated that the situation may get worse before it gets better. The same is true all along the lake shore. We have been endeavoring, as I know the gentleman has, to get some action from the Department of State and the Department of the Army, and a formal reference of this problem to the International Joint Commission set up between Canada and this country to handle these problems and problems of similar nature. To date we have not been able to get the State Department to refer this matter unilaterally to the International Joint Commission. They take the position that they cannot do so unless they have the consent of Canada.

The International Joint Commission is meeting here in Washington this week. The meetings start today and they are to terminate on Friday. The gentleman from Michigan now addressing us, and myself, together with the gentleman from New York [Mr. OSTERTAG], the gentleman from New York [Mr. MILLER], and the gentleman from Wisconsin [Mr. SMITH]——

Mr. REED of New York. I am interested in that also——

Mr. KEATING. Have prepared a telegram in which we would be very happy to have any others join, which is addressed to the members of the International Joint Commission. It goes over the head of the State Department, which has been unwilling to take action to meet this problem. It is regrettable that this action seems to be necessary but I see no alternative. We cannot allow this deplorable condition to continue without taking every step within our power to alleviate the conditions. The telegram is short and reads as follows.

Mr. FORD. May I make this suggestion? The gentleman from New York might announce that if there are any Members of the House who would like to join in this joint telegram, that it would be well to have as many as possible sign it.

Mr. KEATING. I quite agree, and I would be very anxious to have as many as possible join as cosigners. Let me read it. It is short. It is addressed, I repeat, to the members of the International Joint Commission, and will probably be sent to them individually or to the chairmen of the United States and Canadian sections:

The critical situation in the Great Lakes Basin resulting from the abnormally high lake level requires immediate attention. Because of the extensive damage that has already taken place and the still greater destruction which is bound to occur this year with the increasingly high lake levels, the International Joint Commission has the responsibility to consider this serious matter and possible remedial action on its agenda during its meeting now being held in the city of Washington. We, therefore, specifically request that the International Joint Commission during its present session undertake the consideration of the problem and forthwith recommend any and all remedial action for the alleviation of the dangers to the affected areas. Kindly advise us, if possible by return wire, when we and others interested can meet with your Commission to discuss this urgent problem.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. The situation along the coast of Lake Erie is very serious. I, too, have been making every possible effort to get some action, but have been unable to. I hope I may join with the other Members in this telegram.

Mr. KEATING. We would be very happy to have the gentlewoman join with us.

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

Mr. FORD. I yield to the gentleman from Michigan.

Mr. POTTER. I wish to compliment the gentleman from Michigan [Mr. FORD] on the action he has taken. He is one of the first Members of Congress to be conscious of this problem. It happens that if the height of the Lakes increases as much next year as it increased this year, the damage will run into the billions of dollars and will make the flood damage of the Missouri look like that caused by a small pond in comparison. I sincerely hope some effort will or can be made in an effort to alleviate this problem. Has the Corps of Engineers made any survey of this problem?

Mr. FORD. The Corps of Engineers as the result of a resolution approved by the Committee on Public Works about 10 days ago is undertaking a preliminary survey of the damage and all possible remedies for this situation. The Corps of Engineers has promised me that that report will be published by the middle of May or thereabouts. The report should be helpful to those who are interested in this problem. However, I believe the action which has been indicated by the gentleman from New York is also highly desirable because the International Joint Commission has charge of all problems relating to the Great Lakes. It is made up of three members from Canada and three members from the United States. They have charge, for example, of whether or not a stream up in Ontario, the Ogoki, can continue to be diverted into Lake Superior. During World War II they changed the course of that stream so that instead of flowing into the Hudson Bay area it now flows into Lake Superior, adding to the amount of water that now goes into Lake Superior and down through all the other Lakes. The International Joint Commission has authority to reverse its previous position if it wants to but, as the gentleman from New York and others have found, the Department of State refuses to permit even the discussion of this problem by the International Joint Commission.

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

Mr. FORD. I yield to the gentleman from Illinois.

Mr. YATES. I, too, want to compliment the gentleman on bringing this problem before the House at this time.

I believe that in addition to the International Commission, however, some attention should be given to the possibility of bringing the water through the Chicago River and the Illinois River down into the Mississippi. I have made inquiry of the Corps of Engineers and have learned that as a result of the Supreme Court decision that was entered some years ago they feel their hands are bound and that they are prevented from taking steps to increase the flow of water into the Illinois River and the Mississippi because of that decision. Is there not a possibility of the States bordering the Great Lakes getting together looking to changing that decision in order to take care of the problem at this time?

Mr. FORD. I have looked into this situation. It is a legal one, as the gentleman himself probably knows. I understand the only way that decision of the United States Supreme Court can be overcome is by a resolution of the Congress. There have been several resolutions introduced to my knowledge, but no action has been taken on them. I would be delighted to join with the gentleman from Illinois in trying to push for action on that type of proposal.

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

Mr. FORD. I yield.

Mr. OSTERTAG. First of all, I would like to compliment the gentleman from Michigan for his initiative in this problem. As he knows, I have lived with this problem for some time. I would like to have the RECORD show in the discussion of this matter that these diversions into Lake Superior are not the result of an authority exercised by the International Joint Commission. These diversions were granted by the State Department. As I understand it, the International Joint Commission to whom we are referring this telegram, has no authority or jurisdiction in any matter of this nature except by way of a reference from either the United States or Canada or both. The only way we can attack this serious problem is to recognize that these high waters are of international concern, and the International Joint Commission is an international agency, consequently it is the proper means by which this problem can be considered. But, our great problem is the fact that the Canadian Government is unwilling to make this reference to the International Joint Commission and they are unwilling to act. There is Gut Dam in the St. Lawrence River near Ogdensburg, and there are the diversions into Lake Superior, namely the Long Lac and Ogaki Rivers, and there is also the so-called Chicago Drainage Canal which can be dealt with almost immediately by the International Joint Commission, if we can obtain this necessary reference. If the House Committee on Foreign Affairs would only take action on a resolution—House Concurrent Resolution 179—which requests this reference by virtue of a resolution to be adopted by the Congress, we would then be in a position to bring about action to relieve this disastrous situation.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield.

Mr. REED of New York. I congratulate the gentleman for bringing this matter up on the floor. The northern part of my district fronts on Lake Erie. I have been collecting a mass of information, and have written to my people that this was an international problem. But. the tragic part of it is that people have built their houses back from the beach a distance that they thought would be perfectly safe, and they built up walls to protect them. This high level of water, when the heavy winds have come, has destroyed these concrete walls and then washed away their houses. The property has been damaged terrifically. Sooner or later, the Congress, I think, ought to step in and defray the expenses for restoring their property. We do it in some other instances, and we even do it abroad. I believe they should have some help. They are in a desperate plight. They have made their investments there. Some of them live in Buffalo, and have built their homes out there in my district. But, I want to raise the point in regard to this high level of the lake. I have lived near Lake Erie ever since I was born. My people were navigators and old masters of ships. There were several generations of them. They told me that the water rises to a high point every 7 years, and then goes down. I have watched a large rock, from which we used to dive and swim, and during my boyhood I have seen the water level come up to the top of that stone so that you could not see the rock, and then go down so low that you could walk to that stone without wetting your feet. That is a problem that is worth looking into and checking in regard to the causes of this rise and fall of the lake waters. I thank the gentleman and I join wholeheartedly with him in this move to do something to remedy this situation.

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

Mr. FORD. I yield.

Mr. GOLDEN. I was very much interested in the comments of the gentleman from Michigan concerning the worthy, domestic flood-control projects, which were being crowded out of this and similar bills—hydroelectric power projects and things of that kind, and also the gentleman's comments upon the many billions of dollars that are going to Europe. I would like to inquire of the gentleman from Michigan who is it that controls the policy of these appropriations? Is it the Budget Director or does the Congress of the United States control the policy?

Mr. FORD. In reply to the gentleman from Kentucky [Mr. GOLDEN], I will say that at least during the present situation our subcommittee, wisely or unwisely, felt that we had to initially stand by the budget. That was the basic criterion. I do not mean to say that the Congress should never in this bill go over and beyond what the budget has recommended, but certainly at the present time, when we are faced with a $14,000,000,000 deficit in the budget for the next fiscal year, I do not believe that our subcommittee could in good conscience go beyond the budget recommendation in this particular item.

Mr. GOLDEN. The gentleman from Michigan knows there are many worth while, justifiable flood-control projects in America that are being denied by the Budget Director, that have been approved and are feasible, where untold millions of dollars of damage is being inflicted on the American people in various communities every year. Many Members of Congress are vitally interested in those things. We hope that this committee will soon, if necessary, take the reins in their own hands and lay down a policy to protect the American people and allow some of these worth while domestic flood-control projects to have some Federal assistance, rather than to put the entire emphasis on some European project or some hydroelectric-power projects.

I ask unanimous consent to extend my remarks at this point, Mr. Chairman.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. GOLDEN. Mr. Chairman, for the past 3 years I have been speaking to Members of Congress, going before the Appropriations Committee in charge of flood control, and endeavoring to obtain Federal funds with which to build flood control projects at Middlesboro, Pineville, and Barbourville, Ky., on the Cumberland River.

Each time I have been met, as all other Members of Congress have, with the proposition that no new flood control projects are to be started in the United States during the present emergency. Yet while this is true, we Members of Congress know that this present fair deal administration is pouring out billions of dollars under the Marshall plan and aid to Europe, and you have just heard the gentleman from Michigan state that a large part of these funds are being used in France, Switzerland, and other nations for flood control projects.

I should think it would be hard for this administration to justify before the American people the position that they occupy when they are willing to spend billions of dollars in foreign lands of the American taxpayers' money and at the same time lay down a policy that prohibits and prevents the starting of any new worthy, justifiable flood control projects here in our own homeland to benefit and protect the American people.

For the past 3 years, since I have been in Congress, this honorable committee has allowed the Director of the Bureau of the Budget to dictate the policy where the public funds of this Nation shall be spent. In my opinion, the Congress of the United States ought to recover the power to control the public purse and it should not be delegated to any executive department of the Government. In the report written by the committee to support the present bill, it is stated that no new projects for flood control are included in the next fiscal year. Yet we have been called at this session of Congress and we will be called on again to pour out many billions of dollars to Europe for all sorts of projects that the American taxpayers are supporting over there. This policy should be changed. The American peo-

ple should come first. If there is not sufficient Federal money to spread all over the face of the earth, what money we do have should first be spent in America.

Almost every year these three American towns which I have mentioned above are flooded by the Cumberland River. Hundreds of thousands of dollars in damages are inflicted upon our people. For weeks after one of these devastating floods hits this section, the whole community is paralyzed. All industry stops. These communities contribute their full share to the war effort and to the defense plants. They are producing large quantities of bituminous coal and much-needed electricity and hardwood timber. In this section alone each year, from eighteen to twenty-five million tons of bituminous coal goes into the factories and war plants of this Nation, and the Kentucky Utility Co., located on the Cumberland River 4 miles below Pineville, Ky., has a direct high tension power line going into the atomic bomb plant at Oak Ridge, Tenn., and it does furnish vital electricity to many other essential defense plants in the Tennessee Valley.

These communities have complied with every request of the Government to raise their portion of the expense of these flood-protection projects. All the while that we are waiting and extravagantly spending our money abroad, the American people in this section are suffering almost every year repeated flood damage.

I call upon the Members of Congress to change the policy and to assert themselves and to be no longer dominated and controlled by any executive department of Government. It is time that these worthy projects and many other worthy flood-control projects in the United States should receive immediate attention. If we maintain our national strength and continue to produce the necessary goods for war and peace, we must protect the American people first, and I shall be glad to see the day when this great committee realizes its first duty is to the American people.

It has long been the policy of the Congress to help local communities with their flood-control projects. The distinguished gentleman from Michigan pointed out a few moments ago while speaking to the Congress that the largest part of the present appropriation was going for the creation of hydroelectric power and that only a small part of the funds appropriated this year were being placed in flood-control projects and that those projects have already been started and need to be completed. I agree with him that this is a disguise and subterfuge. The primary function of the Congress in this particular is to protect American towns and communities from flood damage. Electric power and energy can be created by private enterprise and by the investment of private moneys, but if communities are to receive protection from the devastation of floods, they must have Federal aid.

I urge this committee and all Members of Congress to change the policy and to control it and to get back to the original American policy of building worthy flood-control projects here in America before we waste all of our national substance abroad.

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

Mr. FORD. I yield to the gentleman from Oregon.

Mr. ELLSWORTH. I would like to refer to page 2 of the report. There is one sentence in the third paragraph which disturbs this Member at least. It reads:

> It is obvious to the committee that these facts point out a vital need for a comprehensive and coordinated program for the development of the water resources of the Nation.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. ELLSWORTH. In my State we have been resisting the idea of what is called out there the Columbia Valley Authority. There are nine other parts of the Nation that go by some other name. Did your committee have in mind by any chance recommending not only to the Congress but to the Corps of Engineers, and to everybody else, the valley authority type of thing before further appropriations are made?

Mr. FORD. Let me say to the gentleman from Oregon [Mr. ELLSWORTH] that that sentence does not in any way whatsoever infer a recommendation for the Columbia Valley Authority. The question of the Columbia Valley Authority was never discussed in our subcommittee. I think that sentence means precisely what it says. There is no implication of any sort that we are recommending a Columbia Valley Authority.

Mr. ELLSWORTH. If I may take just a minute more, the word "program" in the sentence is what bothered me. I believe I understand what the committee had in mind, but I was a little disturbed over the potentiality of the word itself. I thank the gentleman.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Minnesota.

Mr. O'HARA. Pursuing the comments that have been made by the gentleman from Colorado and also the gentleman from Kentucky, I think it is very critical in this bill, where there was some $1,600,000 requested for preliminary surveys and only $1,215,000 allowed, and this involves the very basic need that we have of getting these preliminary surveys. The only ones who can make those surveys are the United States Army engineers. We cannot get an estimate of what we need in the way of flood control until we get those surveys. It is most critical to some because our people just cannot understand when we get through and say, "Well, we didn't get the money for that survey." Perhaps that is not important to some but I think it is most important when the people of this country are getting flooded out of their homes, millions of dollars of damage being done, and we cannot reach the basic step of getting a little preliminary survey of $20,000 or $25,000.

Mr. FORD. At this point I would like to make a statement that is important. Our committee did consider the $1,600,000 request by the Army engineers for flood-control surveys.

I do not know how many Members of the House and Senate know how much of a backlog we have in surveys, or how many surveys are on the shelves where no construction has been undertaken. It is my recollection that the Corps of Engineers have in surveys where there has been no construction about $600,000,000,000 worth of flood control and river and harbor projects.

Mr. DONDERO. It is $8,000,000,000.

Mr. FORD. The gentleman from Michigan [Mr. DONDERO] tells me it is $8,000,000,000. In other words, you have $8,000,000,000 worth of projects that have gone only to the survey stage. Our committee, however, is being condemned because we have refused to give you another $1,600,000 to put more surveys on the shelf. Just how much sense does it make to add to those that are on the shelves over in the office of the Corps of Engineers. It does not make a bit of sense in my judgment.

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

Mr. FORD. I yield.

Mr. BROOKS. For the information of the gentleman in regard to the Natchitoches project, General Chorpening—who is in charge of civil functions—General Chorpening said that this project apparently was recommended by the engineers, recommended by the Bureau of the Budget, and he said:

> It will be 60 percent completed when the funds received this year are used and will be 89 percent completed with the funds which we are asking for 1953.

A project being that close to completion and no funds being allowed in the bill at all—I do not quarrel with the committee about the size of the bill, but I say that there might have been a better distribution of funds. If the gentleman has an explanation in reference to that I would like very much for him to put it in the RECORD.

Mr. DAVIS of Wisconsin. The Natchitoches project—I have not finished my prepared statement so when I have answered the gentleman from Louisiana I must refuse to yield further for I must spend a little time on my own comments. I have been very willing and glad to have interruptions, but I need a certain minimum time in which to develop my own statement.

Mr. BROOKS. The gentleman has been very generous in yielding to others.

Mr. FORD. The Natchitoches project was not included in the President's budget last year. It was started in 1941, started back in the early days of World War II. Construction was stopped during World War II. It was initiated last year following the resolving of certain problems down in Louisiana which had to do with the acquisition of lands, right-of-way, or something of that sort. The money they got last year will be used to initiate a contract which will be let sometime in April of 1952. That contract will

continue for a period of time, probably almost a year, which means that our committee felt there did not have to be any more funds appropriated in fiscal 1953 for the completion of that contract.

Mr. BROOKS. May I ask the gentleman this question: Was the same test applied to every project? I realize that our flood-control appropriation bill was passed very late last year, but was the same test applied to every project there that if the money was not expended they did not get any more money?

Mr. FORD. We cut out a great many projects or scaled them down where they had large unexpended balances.

Our subcommittee had the Army engineers before them and at the time they came before us they on several occasions made requests for large funds for the construction of housing projects at these various dams and reservoirs. For example, the engineers requested $1,812,000 for the construction of housing projects at Chief Joseph Dam. Included in the facilities at Chief Joseph are 20 two-bedroom homes at a cost of $8,000.

All through the budget presentations you will find funds for the construction of housing facilities for people who live and work in the areas. I must admit that you have to build some housing facilities at Government expense for the use of these people who live near these projects and work there, but I do not agree under any circumstances with a policy which prohibits the Federal Government from getting its money back through the rental of these projects.

I have several charts based on information which came from the Corps of Engineers that presents a very serious situation. Here is a typical example involving the Columbia River: A five-room apartment, three bedrooms, four units, living quarters in each unit, built in 1949 at a cost of $15,990, present value $12,400. The occupant of that dwelling unit, for example, in 1951 earned a salary of $6,600 and he was paying $40 a month rent.

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

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. FORD. Mr. Chairman, the Congress increased the salary of people who work for the Government last year. So this man who earned $6,600 in 1951 now gets $7,240. He still pays $40 a month rent. It does not make sense.

I have a number of these illustrations, but I will only discuss one or two of them. It shows the utter stupidity of the past rental policy in effect under the politicos in the executive branch of the Government.

Here is one at Fall River: Six-room three-bedroom house, built in 1951 at a cost of $16,500, present value $16,500. The man who occupied it in 1951 earned a salary of $5,800, paying $40 a month rent. We increased his salary last year to $6,340. He still pays $40 a month rent.

I am sure there are many similar illustrations that prevail in every department of the Government, including the Department of the Interior, Bureau of Reclamation, the Departments of the Army, Navy and Air Force. Those in authority have been getting away with murder in not bringing back to the Federal Treasury the amortized cost of the rental units. This means inevitably that every citizen of the United States is subsidizing the rent of these people who occupy these quarters. It is so easy for the people in the executive branch of the Government to not press this matter. In effect, as I said before, they are taking money from every taxpayer to pay the rent of these people who occupy the units.

These are not public housing projects. These are well constructed, very livable projects, and these tenants are fairly well paid.

It means more than a little money to the Federal Treasury. The Army engineers in the hearings, page 897 of the second part of the hearings, showed that in 1951 from the rental of projects under their jurisdiction alone they took in $1,148,990. Actually, the Army engineers realize the seriousness of the situation and they want to raise the rent. They have agreed that in most cases the rental should be raised 100 percent, which means that if you do raise the rentals 100 percent $1,148,990 additional will come into the Federal Treasury. This additional revenue will be a small pittance, yes, but it is money that should be justifiably paid in to the Federal Treasury.

I would like to turn to another department, the Quartermaster Corps.

The Quartermaster Corps operates the national cemeteries. They have housing facilities for the people who manage those properties. Let me give you just an example over here in Alexandria, Va. One of the supervisors is occupying a two-bedroom house. In 1952 he only paid $332.50 for the use of those facilities. The Quartermaster Corps thought that was wrong, and they are ready to recommend an increase to $666.80 a year.

Here, however, is the bad thing about the whole mess. Committees of the Congress have been trying to get this department to raise these rents so that the Government would get back its amortization cost. Now another bureaucrat comes along and he sticks his nose into the situation. Mr. Tighe Woods, as the result of a law passed by the Congress last year giving him authority to interfere with rent control, has told all agencies of the Federal Government that they cannot raise these rents without a maze of red tape and compounded bureaucracy of the worst sort. To me that is inexcusable and I, for one, intend to do everything I can to strike from the Defense Production Act of 1950, as amended, the provision which gives Tighe Woods the authority to impose rent control on other Federal agencies. I would say from the record that the various Federal agencies themselves are the best rent administrators.

Mr. RABAUT. Mr. Chairman, I yield 7 minutes to the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Chairman, I was not only surprised but greatly disturbed the other day, last Thursday, when I read in the report of the committee that the request for Cape Girardeau, Mo., has been denied. Especially was I surprised at some of the reasons that were given.

I want to commend the committee, of course, for its economy program and I expect to stand with this committee all the way through. I was interested in what the gentleman from Michigan said a minute ago that he did not feel that the committee had the good conscience to go beyond the recommendations of the Budget Director, yet I was disturbed when they cut out this item for Cape Girardeau for a flood-control project which did have Budget approval after being recommended by the Corps of Engineers.

I want to speak briefly about Cape Girardeau and why they need this flood-control project and what brought about the need for the flood-control project. Cape Girardeau, about the tenth largest town in Missouri, the largest town in my district, and one of the oldest towns in Missouri, was established in 1801; was a typical river town and most all of the business at that time was located on the river. They had no flood problems during the first century; in other words, from the time the city was started until 1927 they had only four major floods. Yet, because of the flood-control measures that were authorized by Congress and carried on by the Army engineers principally on the Illinois side of the river, where more than $73,000,000 has been spent, they created a condition at Cape Girardeau, Mo., which was the direct cause of seven major floods in the 10-year period from 1942 to 1951. On three of these seven floods the crest of the flood was more than 10 feet above flood stage. Because of that fact and because of the authority granted by the Congress the Army engineers have made a survey. They have made some recommendations for this flood-control project at Cape Girardeau, and in House Document No. 204 of the Eighty-first Congress there is a report of the survey and a report of the Army engineers, recommending this project for which the Bureau of the Budget recommended $1,000,000 this year. While the report of the committee states that there have been no plans formulated for this project and no firm estimates are available, I would call your attention to this document which does include preliminary plans, which does include estimates made as late as 1949, and I think by a simple mathematical calculation, by a comparison, taking into consideration the percentage increase in cost, we do know and can know approximately, as nearly as we do any other project, what this would cost.

The committee also made the statement that assurances from local interests have not been approved by the Secretary of the Army as is required by law. All of you gentlemen who have been interested in flood-control projects know that it has not been customary for the Secretary of the Army to require these assurances, much less give his approval until just before the construction on such projects is started. It has been a practice that those approvals would be given just prior to the beginning of construction. What has the city of Cape Girar-

deau done about getting the approval? It has done everything necessary which has been customary in the past; to the extent of going before the State legislature and having the State legislature pass a law permitting the creation of flood-control districts within a town. It has created two flood-control districts there which have agreed to give the assurances for the right-of-way and every other assurance that would be required by the Government. I say that that is not a legitimate excuse for excluding this from the bill at this time.

Another thing it said here is that the item of flood control at Cape Girardeau does not have an appreciable defense significance. If the operation of a main-line railroad has anything to do with defense, then I say that this project does have something to do with defense. The main line of the Frisco Railroad from St. Louis, Mo., to Memphis, Tenn., and on down to Pensacola, Fla., runs through the town of Cape Girardeau. In 7 years of the last 10, on 261 days this river has been above flood stage. This railroad has been unable to operate when the flood gets out at Cape Girardeau.

Not only that, but under the flood-control projects which are now being considered and for which funds have been approved to complete work which has been started at this time and is now in this bill, they are creating a condition which will further worsen the condition at Cape Girardeau and later make it likely that they will have a flood stage there of 19 feet of water standing in the streets of one of the principal business districts of Cape Girardeau, a situation which did not exist prior to the time that the flood-control projects were built on the Illinois side of the river, where more than $73,000,000 was spent. Incidentally, I want those flood-control projects in Illinois to be completed. Do not misunderstand me. I am standing by this bill. I hope not a dime will be denied on those projects included in this bill. But I am merely calling to your attention the fact that by spending that money you have created a situation here at Cape Girardeau affecting the railroad, affecting the highways, and affecting some of the largest businesses and the public utilities, including the light plant and the water plant in that city, where they have to sandbag the plants to keep them in operation during the flood stage.

I know the way this House has been acting and, frankly, I have been going along with most of it. I do not want to see this bill increased. I am for economy, but I am calling your attention to the fact that in this particular instance a project which already has the approval of the budget, and which has had a study by the Army engineers, has been denied. Despite that, I am going along with it, but I do hope this bill will not be further reduced.

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, on February 21, 1952, I again appeared before the Civil Functions Subcommittee of the Appropriations Committee to urge favorable action on a planning item of $25,000 for the Wellsville, N. Y., flood project. This item of $25,000 is recommended by the Bureau of the Budget for 1953.

To refresh the recollection of the Members of the House, I call the attention of the Members to the fact that in this flooded area in Wellsville, Allegany County, N. Y., there are important defense plants, as General Chorpening testified on page 491 of part I of the civil functions hearings for 1953.

The testimony of General Chorpening in response to the gentleman from Michigan [Mr. RABAUT], a member of the Civil Functions Subcommittee, is as follows:

> Mr. RABAUT. How about Wellsville, N. Y.?
> General CHORPENING. That is a local flood protection project for an area which has a number of manufacturing concerns such as the Sinclair Refining Co., Julius Kaiser Co., and Bausch and Lomb. All these plants supplied equipment to the Armed Forces in World War II and are important at this time in connection with defense production.

It is impossible to explain to the people of an American community why no relief from devastating floods can be obtained from the Government which is supported by their taxes in the light of the expenditures of their tax money in foreign countries.

It may be that our international-minded Members who readily vote away our taxpayers' money for projects abroad can explain their state of mind and their votes for gifts, grants and projects abroad in lieu of helping the home folks in time of floods and other disasters.

Let me ask the international spenders to explain their overseas gifts and grants of more than $100,000,000,000.

Explain to my people, if you will, why you are financing a waterway 354 miles long from the Mediterranean Sea to Lake Geneva, in Switzerland, 1,230 feet above sea level in the heart of the Swiss Alps?

You internationalists who frown upon all items to relieve Americans from floods at home did not hesitate to let our taxpayers finance this waterway. The project calls for 22 dams and 46 power stations. The three dams already completed or under construction cost $685,000,000 dollars—which means the entire project will cost several billions.

Is it more important to spend several billions on this French waterway with its 22 dams and 46 power stations than to protect the men, women, and children and our defense plants in this country from devastating floods?

The internationalists in the House of Representatives may feel so, but I do not.

These internationalists must be of great influence who are more interested in spending our taxpayers' money for monumental boondoggling abroad than they are in relieving distress from floods at home.

I call attention to the railway station in Rome, Italy, financed by our American taxpayers. This great, monumental railway station is a mile long, into which you could put the Pennsylvania Station, the Grand Central Station, the Cleveland Union Station, and all the railroad stations of the Chicago area, and a few small stations left over.

When our internationalists visit Rovigo, Italy, a town of 40,000 population, between Venice and Bologna, take a look at the tremendous railroad station. It dwarfs our railway stations in Albany, Rochester, and Syracuse and it has private offices for everybody from stationmaster to lamp lighter. This station was financed by our American taxpayers.

The fact that men, women, and children are the victims of annual floods in an American community is of no consequence to those who support these preposterous foreign boondoggling projects.

What good does it do to shout economy and pretend to cut appropriations at home especially in an election year, and then finance these white elephants abroad, costing many times the amount alleged to be saved on our domestic front?

The internationalists raise their eyes in righteous horror when the wisdom of these foreign expenditures is questioned. They say, "if we do not spend the taxpayers' money abroad, then the foreign nations will go communistic."

This is the excuse the internationalists offer for financing with our taxpayers' money one of the most beautiful buildings in Italy—a new hotel in Milan. It is 10 stories high, pure white, balconies that give every room a veranda; the whole place air-conditioned; the interior decorations are sumptuous; all rooms with baths; a lovely roof garden, and a fine restaurant.

These are but a few of the projects our taxpayers are financing throughout the world.

Let our people drown.
Let their homes be ruined.
Close the schools.
Flood the defense plants.
Create epidemics.

But, far and above this stop communism by building on the Island of Capri, Italy, with its population of 5,000, the luxurious hotel Caesar Augustus, perched high and remote, which has been the cause of less luxurious and less expensive hotels being boarded up.

All this is internationalism in action.

Mr. RABAUT. Mr. Chairman, I yield 11 minutes to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, I wish to make a few remarks in regard to the desirability of appropriating funds to start construction on the Hartwell project. This project is to be located on the Savannah River in Georgia and South Carolina for the purposes of flood control, navigation, and power. The most urgent need for its construction at this time, however, is power. Approximately $170,000 was made available last year when this project was certified as essential to national defense and the same amount was made available prior to that time for preparing plans for this project so it could be started at an early date. The President has recommended that construction be started in fiscal year 1953, and that $4,000,000 be appropriated for that purpose.

In these critical days when we are endeavoring to maintain and expand the industrial strength of this country, the

maintenance of an adequate supply of power is essential. Nevertheless there is already a shortage of power-generating facilities in our area, and large additions to our present capacity is necessary if the defense effort is not to be retarded. If curtailment of loads is required to meet the shortages which may occur, defense industries will be the ones to suffer.

The prospects in the southeast region of the country are for a tight power situation for some years to come. Industries in the Southeast have expanded rapidly in recent years due in large measure to the existence of natural resources, and favorable labor and climatic factors there. The Electric Power Advisory Committee of the Defense Production Administration in its recent report of December 31, 1951, indicated that new defense industries are gravitating to the region between the Great Lakes and the Gulf. Many of these industries are of extreme importance in the national defense effort. One of these is the plant which the Atomic Energy Commission is now constructing near Aiken, S. C. Additional new defense industries can be expected if the power supply can be developed to serve their needs. Since in general greater time is required to provide power facilities than the industries they serve, it is necessary that we plan additional power capacity now so that industrial expansion can be made. If such additional power supply is not planned now it may be necessary to either delay new industrial capacity until a power supply can be obtained, or to locate them in unfavorable areas. As an indication of the importance of additional power supply to the defense effort, the Electric Power Advisory Committee stated that—

Our investigation shows that 1 kilowatt of capacity can be fabricated and constructed with one one-hundredth as much of these materials—

Critical material including steel, copper, and aluminum—

as the same kilowatt can supply the power to produce in 1 year.

Power requirements of the southeastern region are expected to increase almost 6,000,000 kilowatts from the end of 1951 to the end of 1954. Similar increases can be expected to occur after 1954. Since these estimates include allowances for new industrial expansion only to the extent that such expansion is known at this time, these estimates may be considered low.

A power installation of 180,000 kilowatts is planned for the Hartwell project, which will permit the development of 460,000,000 kilowatt-hours of electric energy annually. In addition, the stream flow regulation provided by Hartwell will substantially increase the dependable power available at the downstream Clark Hill project, and the minimum stream flow available downstream for furnishing water supply for defense establishments. The Atomic Energy Commission has indicated that the assurance of a uniform quantity of flow by Hartwell will benefit its new plant on the Savannah River below Augusta. Power that the Hartwell project will make available is only a small part of the expected increase in the needs for the Southeast in any one year, but it is very important to the region and to the Nation. Hartwell provides a most economical source of power; the benefit-cost ratio is 2.19 to 1.

To produce power by fuel-burning plants requires large continuing amounts of manpower and transportation facilities to keep them supplied with fuel. On the other hand, the power in the flowing water which would be converted to electric power is not now being utilized for any purpose, and after Hartwell is completed only a small amount of manpower would be involved. To produce the same amount of energy at fuel-burning plants as could be produced at Hartwell would require about 230,000 tons of coal each year. It does not appear to be wise national economy of either manpower or natural resources to postpone construction of the Hartwell project.

The $4,000,000 included for Hartwell in the President's budget will permit a construction program to be initiated which will place the first generating unit in service in December 1956. I am convinced, in view of the foregoing factors, that the appropriation of funds in the full amount requested for fiscal year 1953 is a sound investment in national security.

All the agencies which are concerned with the development of our streams, both for increased water supply and electric power, ask that this project go ahead. It was declared and is a national defense project and was recommended for construction by the Director of the Budget, the Army engineers, Defense Electric Power Administration, Atomic Energy Commission, and the Federal Power Commission. A reading of the hearings will convince you that this is true.

I invite your attention to the testimony of Hon. Roger B. McWhorter, chief engineer of the Federal Power Commission, who probably knows this particular stream as well as or better than anyone else. Mr. McWhorter testified at the hearings as follows:

Mr. McWHORTER. Mr. Chairman and other members of the committee, the Hartwell Dam project is one of the two key projects in the basin. The reservoir to be created by that dam is one of the largest east of the Mississippi River, with more than 3,000,000 acre-feet; and I think of only one or two more that may be that large, or possibly a little larger.

Without the Hartwell project, it would be impossible to develop and realize the power and water-resource potentialities of that basin. It and the Clarks Hill project, which is the other key project, are both necessary for that purpose, and they are both coming along.

The Hartwell project is useful not only for developing power at that site, but it is a valuable headwater-reservoir improvement in that the regulated flow is beneficial to all downstream plants; and particularly to the great Clarks Hill plant, which is just now nearing completion. That regulated flow is beneficial for several purposes, the most important of which is providing a better flow necessary down to the atomic-energy plant.

I should not be surprised that the maximum flow of the Savannah River is 100 times the minimum flow; and when the flow of a river varies that way, it is likely to get down so low that you would have a real crisis there at the atomic-energy plant. But with these two great reservoirs around which everything else in that basin will be built, you will always have a regulated flow there of enough to provide a depth in the river of about 8 feet, and of course enough to provide all of the water that the atomic-energy plant might possibly need.

As to the need, Mr. Chairman and gentlemen, if I were in your place, I would feel exactly the same responsibility that you do about authorizing projects in various parts of the country and spending public moneys on them. But this particular project, and projects like it, would not give me any concern at all, because, when one like this is built, it is a prime investment for the people of the country.

The Army engineers have informed you that the benefit-cost ratio of this project exceeds two to one; that is, that the benefits in terms of dollars annually is more than twice as much as the annual cost. So you can readily see that a project like this is a fine thing for the people to have.

Only one more topic will I mention, and that is the need for the power to be produced here. The installation will be 180,000 kilowatts, and the annual energy output nearly half a billion kilowatt-hours, plus an increase in the output down at Clarks Hill of 50,000,000 kilowatt-hours in prime energy. Then into the future, any other hydroelectric plant built off that river, the energy output there will likewise be increased by this regulated flow.

As to the need for the power output of this plant, the only problem is how much more than that will be needed. Certainly every kilowatt of this power will be absorbed just as fast as they can put those generator units in.

In all of my experience with hydroelectric power, extending back over 40 years, I have never known a meritorious project like this one to go begging at all. The power is absorbed almost immediately, and especially will it be in that region because the market is growing so rapidly as to outpace the power installations in the region.

So I think we have no problem there at all. We can be very certain that there will be a market for this power, and it will be badly needed there from the national-defense viewpoint, which, as I understand, a large part of it, possibly more than all of it, will be needed. But it will be needed in the peacetime economy of that region, because that load, too, is growing rapidly enough to take up all of it.

Mr. Chairman, as I have indicated, it is your problem to decide what to do about this matter. I would like to leave this thought with you, if I am not too presumptuous. In the case of this project, you certainly cannot go wrong by getting construction started and getting it finished as soon as possible. The merits of this project are already well known to you, and you are past all of these questions of whether or not it is a good project.

It has already been authorized by Congress. You have already appropriated some $200,000 or $300,000 for the preliminary work, and the project is ready to go ahead and Army engineers are ready to make their final plans and start on construction.

I thank you very much for your kindness and your patience.

The H-bomb plant on the Savannah River is expected to use as much as 1,000,000,000 gallons of water a day. That is about the same amount of water as is consumed by New York City in one day.

Gentlemen, I cannot see any good reason to justify leaving Hartwell project out of the bill. Surely, to say that no new project, regardless of its importance to national defense, shall be started any

time soon, is no good reason and not the proper course for us to follow.

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield 6 minutes to the gentleman from Kansas [Mr. SCRIVNER].

TUTTLE CREEK RESERVOIR

Mr. SCRIVNER. Mr. Chairman, in a few days this House will be asked to put its stamp of approval on about $50,000,000,000—fifty thousand million dollars—the ultimate aim of which, if the time comes, is destruction of lives and property. What I seek to do today is to preserve lives and property.

Mr. Chairman, I understand and appreciate the temper of the House. I know that any amendment to this bill seeking an increase of funds is doomed.

For that reason, when the bill is read for amendment I will not seek to increase the amount provided for flood-control construction. The amendment I will offer will seek only to earmark for the construction of Tuttle Creek Reservoir, Kans., $5,000,000 of the $201,000,000 approved by the Appropriations Committee. I am pleading for this action on behalf of thousands of American flood victims in the Kansas and Missouri Valleys.

I need not tell you that those victims of the flood on black Friday, the 13th of July, 1951, were deeply hurt when they learned that the Civil Functions Subcommittee had denied the President's recommendation for funds for Tuttle Creek be approved. They were disappointed further when they learned that the amendment I offered for a portion of the budget figure had been voted down by the Appropriations Committee.

Notwithstanding these rebuffs they still pin their hopes on Congress.

These flood victims have seen billions of dollars, many of them their tax dollars, sent to sufferers overseas; dollars to be spent for the economic improvement of war victims. They have seen ECA supplies sold by European nations to provide funds for dams on European rivers.

They are sure that Congress will recognize their sad plight, living as they are in devastation worse, in many respects, than that of war. They have heard glowing tributes to the courage and fortitude of those victims of war. They have heard how courageous they were in their hours of peril and tragedy.

Mr. Chairman, the courage of these Kansas and Missourians is great. They are rebuilding their homes, their stores, their factories, restoring their farms, because of that courage—courage which is based on faith—faith in a government to which they have given so much. They look to that Government for assurance that such disaster will not strike them again because of the absence of the dam on Tuttle Creek—a dam which will hold 3 to 5 feet off the crest of nearly every future flood.

Mr. Chairman, I could cite you figures showing the hundreds of millions of dollars of loss. That is not necessary. They are all set forth in the hearings, beginning on page 355.

Mr. Chairman, I favor economy. I practice economy. I vote economy. This proposal is an act of economy, for it will preserve lives and countless millions of dollars' worth of property and will prevent further loss to the United States Treasury. The estimated loss to the Treasury is at least $250,000,000 of income tax from the area flooded in July 1951.

Certainly, Mr. Chairman, if we can send billions abroad as just described by Mr. REED, we can spend a few millions at home. If we admire courage and faith, here is where a few millions will reward these virtues by merely earmarking five million of the two hundred and one million for flood-control construction for the commencement of construction on this vital installation.

Mr. Chairman, let us not jump on these folks at home while they are down. Let us lift them up and restore their faith in themselves, faith in their country, and faith in their Congress.

The Committee on Appropriations in its report, and its chairman, suggest that we await the report of a Missouri River Basin Commission. That report may be a year coming. That report is not necessary. Tuttle Creek is recognized as a key dam in every plan proposed.

One of the ardent advocates of that commission, Mr. HENNINGS, of Missouri, a Member of the other body, and vice chairman of that commission, just a few days ago, in a news article in the Kansas City Star, from which I quote, said:

> Work on the proposed Tuttle Creek flood-protection dam in Kansas should start as quickly as possible. * * * If the engineers say Tuttle creek dam will prevent another disaster like that of last summer, and that is not controverted, I see nothing to do but go ahead with the project as fast as possible.

Special reference was made to this project by the President in his budget message last January, in which he said:

> Only a limited number of new starts for these programs are recommended in this budget. They are restricted to urgently needed power projects in critical shortage areas, flood-control projects in the Kansas-Missouri area, and emergency rehabilitation work which cannot be deferred.
>
> The Kansas-Missouri area during the past summer suffered one of the worst flood disasters in the history of our country. This budget includes twenty-one million dollars for starting construction on Tuttle Creek and Glen Elder Dams, both in Kansas, and for flood-protection work at Topeka, Kans., and Cape Girardeau, Mo.

The Tuttle Creek dam was authorized, Mr. Chairman, in 1938. Its effectiveness in controlling floods in the Kaw River Basin has never been controverted. Had it been built and in operation in 1951, it would not have presented a flood of damaging proportions in July of 1951, but it would have substantially reduced the crest of that flood and, besides, reducing very materially the losses suffered by individuals and industry, in the basin, estimated upward of $2,000,000,000, would have saved for the Treasury in revenue more than the cost of the construction of the dam.

Mr. Chairman, when presented I trust that my amendment will be adopted.

Mr. RABAUT. Mr. Chairman, I yield 8 minutes to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, first I want to congratulate and commend this fine subcommittee. I had the opportunity of appearing before them, and I can assure you that they have done a real job and have made a real contribution. I say that in spite of the fact that I am not satisfied with what they did insofar as recommending appropriations for the central and southern flood-control districts of the great State of Florida. I recognize that they are obsessed with economy-itis, just like the rest of us. Now, we all want to economize. We must economize, and sometimes economy hurts, and I suspect it is going to hurt a number of us in this appropriation bill. Nevertheless, we must come to the conclusion that we cannot continue to disregard the economy of our country and unless we, as Members of Congress, begin to save, this Nation will become bankrupt. Up to the present time I have voted for reductions in appropriation bills. I possibly have made mistakes, as you did. It is very easy for us to make a mistake in the interest of economy, that is, thinking it is in the interest of economy, when at the same time it is not. So far as my project is concerned, last year we had the sum of $6,000,000. Do you know what this committee has done to this project this year? They have knocked it down to the sum of $4,000,000 to do something down there that is in the best interests of this Nation; to do something down there that will tend toward the security of this Nation. Now why do I say that? I say it because this particular area, some 15,750 square miles, is the bread basket of the United States. We furnish vegetables and foodstuffs from that area that feeds the rest of you gentlemen. Whenever we put some hindrance or obstacle in the way of the development of a project that means so much not to Florida alone but the entire Nation, I say we are going just a little bit too far on the side of economy.

What has this Congress done up to the present time about this project? In 1948 we adopted the first phase of this project, and it was to cost some $70,000,000. The Congress at that time authorized an appropriation of $16,500,000. In the Eighty-first Congress we recognized the merit of that project down there and authorized, and you voted for it, the sum of $20,000,000. This Congress has authorized $36,500,000, but do you know what the Congress has given us up to the present time? $13,500,000!

I do not know of any other flood-control project where the State and the local authorities have contributed as much as we have in this particular instance. We have contributed up to the present time on this project the sum of $8,457,802, and this Government has appropriated $13,800,000, that is all. I do not know of another project and I do not know of any Member of Congress who knows of another project, especially a flood-control project, that has contributed so liberally as has the State of Florida. This is a project that is represented by the Army engineers to have a ratio of benefits of 2.26 to 1. This is an investment. The lands down there are increasing in value. By virtue of this project the internal-revenue taxes will in the course of a few years pay off every bit of the contribution you are making.

It is a project that we ought not to delay in its completion. This is a means of saving lives, it is a means of saving property, and it is a means of producing foodstuffs for this Nation. I hope that somehow we may be able to get enough to continue this project. Some $8,500,000 is recommended by the Army engineers. The subcommittee cut us from $6,000,000 last year to $4,000,000 this year. We have the work outlined down there, especially one levee, levee No. 1, which is a part of this project, and the completion of that one levee in the event of a flood or a hurricane, which we have witnessed, would do much for the protection of life, limb, and property. I hope there will be some way found so that the Congress can restore to us at least $5,000,000, which was included in the budget, and which was reduced by this fine committee down to $4,000,000.

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

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, during the committee hearings on the bill now being considered, a question arose in connection with the Pine Flat project on the Kings River in California. Concern was expressed regarding the apparent delay in contract negotiations between the Kings River water users and the Bureau of Reclamation with respect to repayment by the water users for irrigation benefits resulting from Pine Flat.

Under such circumstances, I believe that now is the time to make it clear to the Members of the House that the local water users have acted with diligence and in good faith. They have always been willing, and are still willing, to pay the United States a fair price for the irrigation benefits from Pine Flat.

The Bureau of Reclamation, however, has stalled the negotiations and made impossible and unreasonable the demands upon the water users. The Bureau has done this because it desires to gain control not only of Pine Flat but of the waters of the Kings River, which is against the wishes and desires of both the water users and the Congress.

The Pine Flat project was authorized under the Flood Control Act of 1944, after 4 years of hearings in committee. At all these hearings, representatives of the Bureau of Reclamation appeared in opposition to the inclusion of the Pine Flat project in the act, urging that the project was predominantly for conservation and only secondarily for flood control. Thus, it may be said that the Bureau delayed the construction of the Pine Flat Dam for 4 years.

But even after the act was approved by Congress and signed by President Roosevelt the Bureau continued to appear before Congressional committees and oppose the granting of appropriations for the project. All this resulted in further delay, amounting to another 4 years.

The Flood Control Act of 1944, in recognition of the incidental irrigation benefits that will accrue from the Pine Flat project, provides that "the Secretary of War shall make arrangements for payment to the United States by the State or other responsible agency, either in lump sum or annual instalments, for conservation storage when used." However, in May 1946, President Truman issued a directive requiring that the Secretary of the Interior negotiate a contract with the Kings River water users under the provisions of the reclamation law.

The Kings River water users always recognized that Pine Flat would yield irrigation benefits, and expressed their willingness to pay the United States a fair price for them. Accordingly, in 1945 studies were made by the State engineer of California and, independently, by a board of engineers employed by the water users. Both reported that $10,000,000 was a fair price for Pine Flat irrigation benefits, and the Kings River Water Association, representing a large majority of the diversions on the river, informed the Bureau of its willingness to pay that sum, and also laid down 15 conditions under which the water users were willing to sign a contract. These 15 points were designed to protect the water rights of the Kings River farmers and the administrative freedom of Kings River irrigation districts and other agencies under the laws of California. The Bureau was sent a copy of them in July 1946.

In October of the same year Commissioner Straus sent point-by-point responses to the Kings River Water Association. One of these read as follows:

> The Kings River interests, present and future, should and will have the benefit of storage at Pine Flat to the full extent needed for irrigation service, subject only to the priority of flood-control requirements as determined by the Secretary of War.

Since the Kings River interests claim all the normal flow of the river on the basis of 50 to 80 years of continuous beneficial use, that statement by the Commissioner of Reclamation encouraged them to feel that a mutually acceptable contract might be possible of achievement. However, within less than 2 years the Bureau bluntly stated in its reply brief in the first Kings River power hearings:

> The Bureau is without authority and without intention of offering a contract which would give the water users jurisdiction over any reservoir space, or any direct control in the operation of the dam.

Confronted with this statement, the Kings River water users began to wonder what they were supposed to get in return for their money. Storage space in a reservoir is worthless unless the user has jurisdiction over it, and unless the water users had control over the irrigation operation of the project there would be no guaranty against the impairment of their water rights, these rights being based on the mean daily flow of the river.

Meanwhile, the Secretaries of War and Interior had agreed on a figure not to exceed $14,250,000 for the irrigation benefits at Pine Flat. The water users thought this figure high. Over a 50-year period the flood waters of Kings River have averaged 165,000 acre-feet per year, and that would be approximately the benefit to irrigation accruing from Pine Flat. If the Kings River interests agreed to pay $14,250,000 in 40 years for that amount of conserved flood water they would be paying for it about $2.15 an acre-foot. But the Bureau charges only $1.50 an acre-foot for class II water delivered by the Central Valley project, and Pine Flat water, available only at 5- to 10-year intervals, most certainly would be class II water. It also should be noted that the average cost of water delivered to the farmers throughout the Kings River area is about $1 an acre-foot, and this is class I water, not class II.

Nevertheless, the water users continued to press the Bureau for a clear statement of its position and intentions. It seemed to them that the Flood Control Act of 1944 was still on the books; that the presidential directive of May 1946 did no more than make the Bureau a negotiating agent for the United States; and, on advice of counsel, that Pine Flat is not a reclamation project and that reclamation law does not apply to it. At one time or another they submitted these propositions to the Bureau, requesting comments. They also, on many occasions, asked the Bureau to submit to them a form of proposed contract.

On January 16, 1950—3 years and 8 months after the President had directed the Secretary of the Interior to begin negotiations with the water users—the Kings River Water Association received a draft of contract from the Bureau. This draft was thoroughly analyzed by attorneys for the association and many of its member agencies. But even casual reading of it revealed the fact that it was designed to establish the Bureau in full control of Pine Flat irrigation operations and to place intolerable and illegal restrictions upon the administrative procedures of such public agencies as irrigation districts. This contract draft, moreover, did not specify the amount of repayment required of the water users, though under California law no irrigation district may sign an open-end contract. It contained the so-called 160-acre-limitation provision. And in section after section it provided that in important administrative matters the decision of the Secretary of the Interior should be final. The board of directors of the Kings River Water Association promptly and unanimously voted to reject this contract draft in its entirety, and gave to press and radio a carefully detailed account of its reasons for doing so. The Bureau met this statement with a blast of abusive publicity, Richard L. Boke, regional director, even descending to threats. If the Kings River people did not come to heel, he said, in effect, the Bureau would see to it that further appropriations for Pine Flat were withheld by Congress.

On March 9, 1950, the water users offered the Bureau a contract draft of their own. This was prepared by Walter H. Stammer, a leading Fresno attorney, in conformity with a set of principles set forth by Gilbert H. Jertberg, counsel for

the association, in a letter dated February 6. Jertberg wrote, in response to a query from the association:

It appears to me that the form of contract should be restricted to the acquisition of storage space, that portion of the cost of Pine Flat to be borne by the units desiring storage, the method of payment, and criteria for the operation of the dam. It is my view that those are the only subjects covered by existing law, and that there is no law authorizing the Bureau of Reclamation to take over complete control and administration of the water to be stored at Pine Flat for conservation uses.

The Bureau told the press that this contract had some good features and that it would receive consideration. Actually that was the end of the matter. At their next meeting with Bureau officials the negotiating committee on the Kings River Water Association discovered with astonishment that they were supposed to discuss the rejected draft of January 16 rather than their own. The committee nevertheless continued to seek for some area of agreement with the Bureau; their degree of success being indicated by the following quotation from a letter of June 27, 1950, addressed by Philip A. Gordon, chairman of the association, to Jack W. Rodner, local manager of the Bureau:

Since * * * March 9 a few meetings have been held by the committee and Bureau representatives, but nothing has been achieved, mainly because the Bureau representatives resolutely refused to discuss any contract except the rejected one. * * * The water users demand that negotiations be reopened immediately on the basis of the form of contract they submitted on March 9. * * * Let us remind you that we propose to negotiate with the Bureau of Reclamation "for conservation storage when used" in the Pine Flat Reservoir, as Congress directed in the Flood Control Act of 1944. * * * In short, we propose to adhere to our original offer to pay for actual benefits what they are reasonably worth, and we also insist on negotiating within the conditions clearly laid down by Congress.

Nothing happened until July 27; then the Bureau came up with a second contract draft. This one was hardly more acceptable than the first. The open-end feature had been retained. There was no specific guaranty to respect local water rights established under State law. Many other such points could be cited; but what really made this draft completely unacceptable was the bureaucratic philosophy clearly implicit in every section. The water users were not being treated as free citizens bargaining with an agency of the Government supposed to rest on the consent of the governed.

The contracts offered the water users by the Bureau were simply proposals to place them and their locally operated administrative agencies under the protective custody of a single appointed official, the Secretary of the Interior. The validity of their water rights received no formal acknowledgment. In the opinion of counsel, all their other rigths, as guaranteed by California law, would have been placed in jeopardy by the signing of either contract.

The discouragement now beginning to be felt by the water users had another source; while the local office of the Bureau was supposed to be negotiating with them in good faith, the Secretary of the Interior was trying to obtain control of the King River system, including both the Pine Flat project and the proposed upstream power developments, by having it integrated with the Central Valley project by act of Congress.

A bill, H. R. 5264, drafted by the Bureau and introduced by Representative Cecil F. White, formerly of the Ninth California District, in the spring of 1949 was stopped in the Subcommittee on Irrigation and Reclamation of the House Committee on Public Lands after representatives of the water users appeared in opposition before the committee. In November 1950, Mr. White retired to private life after a campaign based to a great extent on the issue of local against Federal control of water and power. But within a week after this election had shown clearly the will and determination of the people directly affected, Secretary Chapman sent another bill to the Speaker of the House with a request that its introduction and passage be expedited. This bill, like the previous one, proposed to integrate the land and water resources of the Kings River area with the Central Valley project and language which seemed to the water users and their counsel to mean expropriation, if it meant anything.

The Secretary was unable to find a Member of the House willing to lend his name to this bill, but that did not discourage the Secretary. Since that time he has offered at least two more such bills. Now he is trying to get by court action what the Federal Power Commission has twice denied him; namely, power rights on the north and middle forks of the Kings River and at Pine Flat Dam. It should be noted that if the Federal courts should overrule the FPC in this matter the Secretary would have effective practical control of the river, and the water users probably would be compelled to enter into costly and protracted legal action for the protection of their water rights. The outcome of such litigation would be far from certain in view of a number of recent Supreme Court decisions affecting State and local rights under attack by the Federal Government.

Following is a condensed account of how the Bureau of Reclamation negotiates.

September 19, 1950: At a meeting with Bureau representatives on this date S. T. Harding, engineering consultant for the negotiating committee, requested a statement from the Bureau as to exactly how much Kings River water the agency claimed to have purchased from Miller & Lux by virtue of the grasslands contract, how much money the Bureau considered this water to be worth and whether the so-called croplands interest had any rights to such water. A few days later Charles L. Kaupke, chief engineer and water master of the association, followed up this request by telephone and was informed that Bureau engineers would go to work immediately on the job of assembling these data.

October 6, 1950: At a meeting with the Bureau on this date, S. T. Harding and Gilbert H. Jertberg, counsel for the committee, stated that a contract acceptable to the water users "must contain an express recognition by the United States that the rights of the members of the association to the waters of Kings River are as set forth in the water-right indenture and attached schedules." Harding and Jertberg also informed the Bureau that the United States should "expressly disclaim any rights to the waters covered by said agreements and schedules," and suggested that agreements and schedules be incorporated in the contract by reference. The Bureau attorneys agreed to consider these points and prepare a draft of contract provisions including them.

November 30: In a letter to Leland O. Graham, regional counsel for the Bureau, Gilbert H. Jertberg said that the promised draft had not been received, adding that "we would appreciate having it in the very near future."

January 5, 1951: In a letter to Jertberg, Graham suggested, for discussion purposes, the following language relating to the water-right indenture and diversion schedules:

The United States will interpose no objection to the division of the Kings River, as provided in these documents.

January 18: In a letter to Graham, Jertberg said of the above proposal:

I do not feel that the language suggested by you will be satisfactory. I feel that the contract should provide an express recognition by the United States that the rights of the members of the association to the waters of Kings River are as set forth in the various documents. * * * and that the United States expressly disclaims any rights to such water.

In the same letter Jertberg referred to the question of grassland water rights and Graham's statement on January 5 that the inclusion in a contract of the language therein proposed would be "predicated on the assumption that the Kings River interests will purchase from the United States the rights with respect to the Kings River which the United States now owns." Jertberg said:

The negotiating committee has been endeavoring to find out for some time exactly what rights are claimed by the United States with respect to Kings River. We have been anxious to know the extent of such rights, the basis of the claims, and the cost to the United States of the rights claimed by it. * * * Up to the present time it [this information] has not been received.

February 27: In a letter to Graham, Jertberg called attention to his previous letter of January 18, to which "up to the present time I have had no reply." He stated that the January 18 letter also urged that a meeting between the negotiating committee and the Bureau should be held at an early date, and that Mr. Karl W. Shattuck, chairman of the negotiating committee, now urged that such meeting be held promptly.

February 28: A letter from Graham to Jertberg bearing this date contains the following:

I am informed that the Bureau engineers and others have been conducting studies

with reference to the water rights owned by the United States and that within a very short time Mr. S. T. Harding will be contacted, and shortly thereafter a meeting can be arranged with the negotiating committee.

March 3: On this date Jertberg wrote to Graham noting that he would pass along to the negotiating committee the information contained in Graham's letter of February 28, "so that they may hold themselves in readiness for such a meeting." Until February 13, 1952, no such meeting was held.

On February 13, 1952, a meeting was held with the Bureau. Present were the negotiating committee of the association and the board of directors of the Kings River Conservation District. At this time the Bureau stated that it would not be able to discuss the actual amount of repayment until it learned whether or not the Corps of Engineers, Department of the Army, intended to make a new evaluation of costs and benefits at Pine Flat. The agency also intimated that the successful negotiation of a contract would depend upon the willingness of the water users to pay $2,000,000—in addition to the Pine Flat repayment—for the water claimed by virtue of the so-called grasslands purchase from Miller and Lux.

Mr. A. J. Quist, president of the Kings River Conservation District, made it clear that the district board was prepared to insist on two things: First, a discount for cash in the event the water users decided on a lump-sum payment, as authorized in the Flood Control Act of 1944; second, a clear and definite statement from the Bureau as to what and how much water it claimed to be able to sell by reason of the grasslands purchase. To the first, the Bureau replied that it is not authorized by law to waive interest in a lump-sum deal. To the second it suggested that association and district engineers make studies with a view to determining the amount of water for which the Bureau is asking $2,000,000.

It should be noted that Charles L. Kaupke, chief engineer and water master of the association, already had made studies of this matter sufficiently detailed to convince him that the Bureau purchased little, if any, Kings River water from Miller & Lux. The record also shows that Federal Judge Peirson M. Hall, in a memorandum of opinion dated April 12, 1950, and dealing with the suit of some 1,100 San Joaquin River water users to protect their rights from usurpation by the Bureau, said of this transaction:

> The net effect of (Government) counsel's statement was that Miller & Lux had no water rights, that they were a large and rich corporation and would hold up the project by groundless litigation, to prevent which they were given approximately $2,000,000 * * * without any statutory authority for such payment of money.

The water users agree with Judge Hall, and consequently are of the opinion that the Bureau, in this water purchase deal, is merely trying to recover from them the money the agency paid Miller & Lux for good will. The following letter was sent on February 23:

> Mr. E. F. SULLIVAN,
> *Acting District Manager, United States Bureau of Reclamation, Fresno, Calif.:*
>
> With reference to the matter of further negotiations respecting purchase by the Kings River interests of water claimed by the United States by virtue of the so-called grasslands acquirement from Miller & Lux:
>
> Your attention is directed to the letter addressed by Mr. Charles L. Kaupke, chief engineer and water master of the Kings River Water Association, to Mr. Jack W. Rodner, district engineer, Bureau of Reclamation, and dated September 25, 1951.
>
> In this letter Mr. Kaupke acknowledged receipt of a compilation of Fresno slough outflows during the period 1926 through 1949, and stated that it has been checked and found to be correct. However, Mr. Kaupke then went on to say that it would be helpful to have a statement of the actual rights which the United States claims to have acquired by virtue of the grasslands purchase for the entire period of record, and reminded Mr. Rodner that he asked for this information about a year prior to September 1951. To complete this record, it should be stated that Mr. Kaupke, to date, has received no reply to that letter.
>
> The Kings River interests, represented by both the Kings River Water Association and the Kings River Conservation District, are of the opinion that they, as prospective buyers, must know what the Bureau of Reclamation has to sell before they can enter into any negotiations respecting price. The compilation of Fresno slough outflows referred to above is not a statement of rights claimed by the United States, but merely a description of waters that can be used beneficially by the United States on San Joaquin Valley lands.
>
> The division of water resources, State of California, has divided the waters of the San Joaquin River into three classes: (1) Croplands rights; (2) grasslands rights; (3) uncontrolled water. Before fruitful negotiations can be entered into respecting the purchase of Fresno slough water the Kings River interests wish to be informed, not only as to how much water the United States actually claims to be able to sell, but also how this water is classified among the three categories listed at the beginning of this paragraph.
>
> It also would be helpful to know what provision the United States would make in the event of the purchase under discussion to protect the Kings River interests from third-party claims to all or part of the water these interests are asked to purchase.
>
> We request a reply to this letter within 10 days.
>
> Very truly yours,
> KARL W. SHATTUCK,
> *Chairman, Negotiating Committee, Kings River Water Association.*
> A. J. QUIST,
> *President, Board of Directors, Kings River Conservation District.*

As of March 12 no reply to this letter had been received by either the association or the conservation district. On March 5, however, the association received a letter from the Bureau, with a copy to the district, of which these are the pertinent paragraphs:

> As you are aware, we some time ago contacted the Corps of Engineers, United States Army, in order to ascertain whether, in view of the increased construction costs of Pine Flat Dam, there would be a new allocation of costs with respect to Pine Flat project. We now have received a communication from the district engineer of the Sacramento district of the Corps of Engineers, in which we have been informed "that the Department of the Army does not contemplate making a new cost allocation on Pine Flat project either now or in the future."
>
> In view of the decision that there is to be no new cost allocation, we are prepared to proceed with the negotiations for a repayment contract upon the basis of the reimbursable irrigation allocation of $14,250,000. The agreement to repay this sum, of course, will not include the payment for the so-called Fresno Slough rights.

To this letter the following reply was sent on March 7:

> Mr. JACK W. RODNER,
> *District Manager, Bureau of Reclamation, Fresno, Calif.*
>
> DEAR MR. RODNER: This will acknowledge receipt of your letter dated March 5 and addressed to Mr. Karl W. Shattuck. We are pleased to learn that the Bureau is prepared to continue negotiations of a Pine Flat repayment contract on the basis of the Corps of Engineers evaluation of irrigation benefits at $14,250,000. We assume that this figure may now be regarded as final unless it should be changed by Congress. However, we have not abandoned the position that a lump-sum payment of $14,250,000 less interest for 40 years would be more likely to prove acceptable to the water users, who, after all, will make the final decision for the Kings River area.
>
> In respect to payment for the so-called Fresno Slough rights, also mentioned in your letter, our position was clearly defined in the letter of February 23, addressed to Mr. E. F. Sullivan and signed by Mr. Shattuck and myself. Though we requested a reply to that letter within 10 days, none has been received to date. The Kings River Water Association has been asking the same questions we asked in that letter since September 1950. Yet it seems obvious that until the water users' representatives are told what water the United States has to sell negotiations respecting price will be impossible.
>
> Very truly yours,
> A. J. QUIST,
> *President, Board of Directors, Kings River Conservation District.*

And here for the moment ends what the water users regard as a chronicle of wasted time.

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. GEORGE].

Mr. GEORGE. Mr. Chairman, just one short year ago the President of the United States, as well as many Members of the Congress, flew or made trips to Kansas to view the great flood of 1951. This flood did irreparable damage to our State, both to our agricultural, industrial, and economic structures. The total flood loss in our State amounted to over $700,000,000. After viewing this flood, the President of the United States filed a supplemental budget request with the United States Senate requesting $3,000,000 construction money for the Toronto Dam on the Verdigris River watershed. He also requested the Congress for $250,000 to complete planning and to start construction on the Strawn Dam on the Neosho River. These rivers and these projects that I mentioned are a part of the Arkansas River watershed. This is a part of the waters in Kansas

that flood south through southern Kansas into Oklahoma. These projects have been regularly authorized and approved by the Congress. Extensive work and engineering and planning have been done on these watersheds by the Army engineers. The people of this area of Kansas are practically in complete agreement as to the needs, necessity, and the eventual efficiency of these projects. It is my judgment that these projects are just as needed now as they were a year ago. In fact, the need for these projects has existed over a great period of years. To my personal knowledge the Neosho River has flooded 50 times in the past 25 years, and the Verdigris nearly as often. The damage created in the 1951 flood along these rivers alone amounted to millions of dollars. It seems to me that it would be most economical for our Congress to grant money for construction of dams on these watersheds which flood year after year. These floods are in our most fertile valleys and if protection is not properly provided for by the Congress with adequate flood control, these valleys will become a desolate area, unfarmed and uninhabitated, and of course, if such a condition is allowed to continue to exist, will eventually work a definite hardship on our State and on the Nation.

It seems to me if Members of the Congress, during the past several years, have been able to provide hundreds of millions of dollars to be spent on the Po River in Italy for flood control and power projects and irrigation, and if the Congress can provide money in the guise of national defense to be spent on the Rhine and the Rhone Rivers in Europe to provide water transportation, power, and flood control, surely they can give us some of our own money to spend in our own country for the protection of our own people and for the protection of our own economy. Especially do I think they should do so when it will help protect the agricultural capacity to produce in our country, and also help increase the industrial capacity of our people. There are many, many reasons why these projects should be built, evidence of which the people living in these valleys have presented to the proper committees of the Congress, as well as the evidence that has been made part of the record in former years by the Army engineers. Just why the Bureau of the Budget did not submit to this Congress requests for these projects is unexplainable in the light of the evidence of their need and in view of the President's supplemental requests of only one short year ago.

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield 4 minutes to the gentleman from South Dakota [Mr. LOVRE].

Mr. LOVRE. Mr. Chairman, I ask unanimous consent that our colleague the gentleman from Nebraska [Mr. HARRISON] may extend his remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. HARRISON of Nebraska. Mr. Chairman, today I share with other representatives of areas within the great Missouri River Basin a keen disapointment in the action of the committee that if sustained will seriously retard the work of flood control and power development along the Missouri River. Vagrant and uncontrolled, the Missouri River is frequently a scourge. Controlled and with its power applied to the uses of man, it is a great potential asset.

Accordingly, after long and patient planning, construction works along the river were initiated and the thoroughness of the planning is shown by the fact that the several structures fit into a pattern. The initial one of these structures has been completed. Others are in varying stages of construction. None of this work ought to be halted or retarded at this time. Floods along the Missouri River have come and will come again. Water is needed for irrigation. More hydroelectric power is needed along the course of the river.

Others here have spoken of the need for uninterrupted work on projects in course of construction upriver from the Nebraska-South Dakota State line. I make particular reference to the proposed construction of a dam and reservoir at Gavins Point. Gavins Point Dam is not an independent, isolated project. It is, as I have heretofore pointed out, one of the integral parts of the system of dams planned to control floodwaters and to produce hydroelectric power along hundreds of miles of the main stem of the Missouri River.

General Chorpening recently stated in the course of his testimony before the Civil Functions Subcommittee that "all of these dams on the Missouri River are worked out as a system to solve flood control in one, and in another there will be primarily power, but altogether they are parts of a system and all of the dams must be in place to get the greatest benefit. If one is left out, then some of the advantages of flood control, power or irrrigation that goes to make up the whole will be lost." The dams above Gavins Point—Fort Randall, Oahe, Garrison, and so forth—have proceeded in construction according to schedule and in this schedule Gavins Point should be under way so as to reach completion at the time that the whole system has been finished and is ready for the combined job of flood control and power development.

Money for preliminary work on Gavins Point Dam was provided last year and an appreciable amount of that money has been actually spent or has been obligated. It is presently apparent that if the requested $13,000,000, or a substantial part thereof, is not appropriated this year, no more of the money provided last year can be spent and all progress at Gavins Point will cease. This is a situation that ought not to be allowed to occur for the reason that arguments for economy, however powerful they may be, are outweighed by the arguments of expediency and necessity affecting this interior portion of the United States.

I again point out that Gavins Point Dam is a regulating dam essential to the full operation of the whole system along the Missouri River and that the power potential of this particular project is vital to the whole of the community that may share in the utilization of that power. This power will benefit rural electrification as well as industrial development.

It is all well enough to irrigate otherwise arid acres and to underwrite the construction of hydroelectric plants throughout the world, but it is quite all right, too, to use American dollars to keep flood waters off of the richest acres in the world and to develop hydroelectric power for the immediate use of our farms and factories. It is only this morning that I received a letter from a person living within a short distance of the Gavins Point Dam site who has been greatly distressed by the report that the Committee on Appropriations has denied any appropriations for Gavins Point Reservoir in fiscal 1953. The writer's comment is so sincere and so pertinent that I quote the following for the information of the House:

It is with a great deal of regret that we notice in the papers the past few days that the House Appropriations Committee has declined to allocate to the Gavins Point Dam any funds to operate with during this coming year.

No doubt to the people of the eastern part of these United States this Missouri River project means very little, but to us out here it is a vital part of our economy and program. To me it seems very unfair to cut these appropriations which would help our own people, the ones who help pay for these projects through income and other taxes, while on the other hand they do not seem to hesitate one moment to spend billions to help other people in foreign countries. I am not against foreign aid, but I also believe that our own people should start to get some benefit from all the money that is collected by taxes here in our own States. People would be less critical of the spending that is going on in Washington if they could see some benefit accrue to our own people in this country. This Gavins Point project is one example that in the years to come will benefit millions of people, our own people, people who through their sweat and work make it possible to pay taxes that are being spent by you Representatives and Senators in Washington.

Please keep our own people foremost in your mind when you consider bills, keep our own United States ahead of anything else. Save these United States and you save the world, lose the battle here and we lose the world battle.

I am going to ask that you do everything in your power to convince the committee that this Missouri River project is vital to our country and to this part of the United States.

I commend this to the thoughtful consideration of all of you.

Mr. LOVRE. Mr. Chairman, I have asked for this time in order to right a wrong impression that one might gather from reading the report of the committee, insofar as it relates to the Gavins Point, Nebr., and Oahe, S. Dak. projects in the Missouri River development program. Referring to page 7 of the report, one would gather that the Gavins Point project is a waste of public funds and of

highly questionable character. The report says in short:

Estimates submitted in connection with the present project shows an approximately 30-percent increase over the estimated cost of the project in fiscal year 1952. Such estimating procedures point out the utter lack of firm-cost estimates and cause the committee to regard the economic feasibility of the project as highly questionable.

Mr. Chairman, nothing could be further from the true facts. The benefit-cost ratio is the same today that it was a year ago when the Congress appropriated $2,000,000 to start construction of Gavins Point in spite of the 30-percent increase. General Chorpening testified as follows before the subcommittee:

This project is fully justified, as I have stated before, on the basis of the benefits produced at the project for power and flood control. The benefit-to-cost ratio is 1.1 for this project acting alone. Benefits for power at the site total $3,140,000, flood control $350,000, and the annual charges will amount to $3,170,000. In addition full power benefits adding $5,000,000 annually are achieved at Fort Randall from operation of Gavins Point.

Since Gavins Point is in reality a reregulating reservoir for the Fort Randall project, it is desirable to consider these two projects as one unit. Proper operation of Fort Randall for the maximum benefits is only possible through the addition of Gavins Point. Therefore the benefits and costs of the two should be considered together.

The combined Fort Randall-Gavins Point annual benefits are $18,348,000, and annual costs are $12,595,000, giving a benefit-to-cost ratio of 1.46 to 1.

The committee asked General Chorpening very specifically if the cost-benefit ratio was still the same in spite of the increased costs and the general replied "Yes."

It is rather difficult for me to understand how the committee can question General Chorpening's testimony on Gavins Point and refuse funds for this project, and then turn around and approve in full the budget requests for the Maysville, Ky. project, where General Chorpening testifies that the cost-benefit ratio has decreased from 1.21 to 1 to 1.11 to 1, during the past year, on account of increased costs.

It must also be stated in all fairness to the Army engineers that the 30 percent increase for this project was the result principally of increases in the power potential of Gavins Point from 81,000 kilowatts to 100,000 kilowatts which was done at the request of the Federal Power Commission.

Mr. Chairman, in order that the Members of this body may have the facts, I want to call your attention to the fact that the Missouri River program was authorized by the Flood Control Act of 1944. This program is made up of approximately 100 projects, each dependent upon the other, Gavins Point, Fort Randall, Oahe, and Garrison, N. Dak., are the four main units. They are integral parts of the whole program. They are so vital that anything but a speedy completion of them will not only impair, but in some instances jeopardize the program.

The projects I have called to your attention are under construction. They are not new projects and do not fall within the committee formula as new starts. The second criteria used by the committee was, and I quote:

The elimination of certain features on projects that will not interfere with the orderly completion of portions presently under construction.

Apparently the committee felt that Gavins Point could be eliminated because it would not interfere with the orderly completion of portions presently under construction. This was done, in spite of the fact that the committee had been told every year since 1944 that Gavins Point is essential to Fort Randall which will be closed this summer.

I do want to commend the committee for their efforts to effectuate economy, but I do believe that some of their efforts were misguided and I would like to tell you why I feel as I do.

Gavins Point is absolutely essential for Fort Randall. It was designed that way. Fort Randall cannot operate at maximum efficiency without Gavins Point. As a matter of fact, Fort Randall will lose in power benefits alone $5,000,000 annually without Gavins Point. This is not economy in my book, and I am sure the committee agrees with me. Not only is Gavins Point essential to firm up the power at Fort Randall, but also to re-regulate the flow down stream thereby preventing bank erosion and property damage from floods and providing a steady flow of water downstream for navigation, all of which is part of the over-all program.

Mr. Chairman, as further proof of the necessity for funds for Gavins Point, I want to read just one short paragraph of a letter I received from F. J. Lawton, Director of the Budget, dated March 26, 1951. The paragraph reads:

I have written you at this length concerning the background underlying the decision to defer construction of Gavins Point until fiscal year 1952 in order to stress the fact that, at a time of extremely rigid budget limitations, the most careful planning and scheduling of public works improvements is essential. This decision does not, of course, minimize in the slightest the necessity for initiating construction in 1952. It is essential that the project be started in 1952 in order that it will be ready in 1955 to perform its primary function of reregulating power releases from Fort Randall. Otherwise, it will be impossible to obtain full utilization of power generation from Fort Randall.

Now, I recognize that some members of the committee are violently opposed to Government power. I am not going to argue that point other than to say that the question is now moot. This project was started in 1944 for flood control, navigation, and irrigation. Power is only a byproduct of the project and a very important one in my section of the country and also pretty lucrative for the Government. When Gavins Point will add $5,000,000 annually to the income of Fort Randall alone, that is something that cannot be brushed aside and in my opinion false economy not to accept.

Not only is Gavins Point a money maker for the Federal Government, but it will supply power that is so badly needed in South Dakota and surrounding States.

Recently, Secretary of Agriculture Brannan asked for increased farm production for the war effort. In the interest of national defense we must maintain the agriculture production line. Food is as much a part of the battle as are guns, ships, and planes. This is not time to cut the power that turns the wheels of agriculture.

With the power requirements in this market area showing a sharp growth from 1940 to 1950, it is estimated that during the next two decades the energy requirements for this market area will increase from 1,700,000,000 kilowatt-hours in 1950 to 4,200,000,000 in 1960 and to 6,900,000,000 by 1970. It is estimated that in 1953 when the first unit at Fort Randall is scheduled for completion, the energy requirements for the area will be 2,400,000,000 kilowatt-hours annually, and by 1957, at which time the first Gavins Point power should be available, the total firm energy requirements of the area will be 3,500,000,000 kilowatt-hours annually. Even assuming no retirement of existing fuel-burning plants in the system, it is expected that energy requirements will only barely be met by 1957, if the present schedule for completion of Fort Randall and Gavins Point projects is maintained.

Turning now specifically to the Oahe project, Mr. Chairman, those familiar with the authorized plan of development of the tremendous important water resources of the Missouri River Basin know that Oahe is one of the four giant projects that are basic to the plan. Of the four similar projects in this category, Fort Peck is completed, Garrison and Fort Randall are more than half completed, but Oahe has only barely been started. Ultimately the Oahe project will have greater hydroelectric power capacity than any other main stem Missouri River Dam now authorized, and its combined flood control and water conservation benefits will be exceeded only by the Garrison Reservoir.

Information appearing in the hearings before the Civil Functions Appropriations Subcommittee indicates that the Army engineers requested $6,230,000 to be included within ceiling in the President's budget for fiscal year 1953, to permit the minimum efficient progress on this job. However, the budget allowed only $3,500,000 and now the House committee is recommending that this amount be further cut to $700,000. The total costs to the Government of such a meat-ax type of cut on a project under construction far outweigh any transitory advantages of postponing or curtailing appropriations. Large, continuous construction and supply contracts have been let for the excavation of the spillway approach channel, the south abutment, the construction of part of the main dam earth embankment and the steel sheet pile cutoff wall in the foundation. The appropriation of only $700,000 for this project would result in stopping most of these going construction and supply contracts. The contract for stage II earth work on the dam was awarded recently to extend the embankment on the west bank of the river. If the House committee cut of funds for this project is effected, it will be necessary to suspend operations on excavation and embankment in this critical part of the struc-

ture, with consequent deterioration resulting from exposure to the elements.

That Congress has been appropriating at too slow a rate to insure efficient construction progress is evident from the statistics:

Fiscal year 1948 and prior years (planning)	$2,000,000
Fiscal year 1949 (first construction funds)	2,000,000
Fiscal year 1950	2,000,000
Fiscal year 1951	3,600,000
Fiscal year 1952	3,770,000

Thus, the project has been under construction at a reduced rate of progress for more than 3 years, and the committee now proposes to cut the appropriations to such an extent that it will be impossible to meet the required rate of installation of hydroelectric power planned at the dam. Studies made by the Federal Power Commission and the Department of Interior prove that the electrification of farms, the increase in industrial loads in the region—particularly the petroleum industry—and the normal increase in demand for power to continue developments in the area will result in a six hundred to seven hundred million killowatt-hour requirements annually, over and above the power to be supplied by all the other proposed plants such as Garrison, Fort Randall, and Gavins Point. These studies support the fact that the present schedule for construction of Oahe Dam must be maintained.

From an engineering and operating standpoint it is very important that the Oahe project be built simultaneously with Fort Randall, or nearly so, because the Fort Randall spillway is designed—and being constructed—under the assumption that the Oahe project is in existence. As indicated by testimony presented by the Army engineers in support of the civil functions appropriations for fiscal year 1952, the Fort Randall spillway cannot pass the design flood which might occur unless the Oahe Dam and Reservoir is in place.

Mr. Chairman, in the interest of true economy and our defense effort, I sincerely hope that the Senate will restore the cuts made by the House Appropriations Committee for Gavins Point and Oahe and that our conferees will concur at the proper time.

Mr. RABAUT. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. BONNER].

Mr. BONNER. Mr. Chairman, this bill can go down in history as the big-time operators' bill. It is the first time in my experience around the Capitol that an appropriation for civil functions has come to this House that did not have one little project of some nature in it.

This is a splendid committee. There are splendid gentlemen on both sides of this House who are members of that committee. The gentleman from Michigan [Mr. FORD] has put his finger on the trouble in this matter. That is the shelving of projects.

I am not before the House asking for any new project; I am before the House calling your attention to the fact that you have a small business committee in Congress. I think now you had better set up a small appropriation committee in Congress for civil functions.

We built the inland waterway from Maine to Florida, and we have feeder ports. The problem today is that the inland waterway is 12 feet deep and the major feeder ports are from 7 to 9 feet. We must get them to conform to the inland waterway in the matter of depth, in order to carry transportation.

I have a little difficulty, as other Members of the Congress, about these small projects. I have one that the engineers created themselves, turning salt water into a fresh-water area. They cut the inland waterway in a certain project in North Carolina that nobody asked for. They cut it from a salt-water body to a fresh-water body. The prevailing winds drove the salt water through and it has damaged thousands and thousands of acres of fertile land. No correction can be had because they claim that to correct that condition, one they caused themselves, would be a new project. So the engineers do not recommend it to the budget. They did recommend it as an overall project, over the budget limitations.

Then, there is another project in North Carolina that I know of where a large storage grain mill was built on a 9-foot harbor, when the boats necessary to handle the grain draw 12 feet of water. That is an existing project. It has a maintenance operation on it, but the ships that carry the grain necessary for this kind of movement draw 12 feet of water and they cannot get in there to render the service. That is a port that is 95 miles from the nearest railroad. The engineers have been very gracious in putting a maintenance item in the bill for eastern North Carolina, known as the Rollinson Channel. That is 115 miles from any other mode of transportation.

Last year the North Carolina delegation had a great deal of trouble getting the Engineers to maintain it, an authorized existing project, to the project depth. The Engineers had moved all the funds from the State of North Carolina and were using them somewhere else.

So, Mr. Chairman, this bill can go down in history as a deep water ports project, as a large flood control and power project, with which I have no fuss. I am glad to support that. I think they should be supported, but I do think that some attention should be given to deserving, small, meritorious projects that come before the committee, which projects can be shown as meritorious.

I appeared before the committee on the two projects I spoke of, and not a member of the committee questioned the merit of either project; they all told me they were meritorious projects. But they stand on a principle which is probably correct; they will not do anything unless the budget recommends it, and the budget says they cannot do anything unless the Corps of Engineers recommends it. Now, I ask you who in the name of the Lord can do anything? If the small people of this country are deserving of a little crumb from the table, yet the entire budget limitation is given to the big projects, then where in the name of goodness is the little project to get anything?

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield 4 minutes to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Chairman, I want to express my appreciation for the courtesy of this subcommittee in permitting constituents of mine and myself to appear and testify with reference to a serious flood which struck two towns in my district as a result of the overflowing of the Minnesota River, the towns of North Mankato and Mankato, Minn., the latter on the eastern bank of the river and the former on the western bank. The flood was of such proportions that the entire population of North Mankato, a town of 5,000 people, had to be removed from their homes, and about a thousand people were flooded out of their homes in Mankato. The result was about $2,000,000 damage to private and municipal property, and in addition these cities have gone as far as they can and to the limit of their allowed public indebtedness in doing what they can to build dikes to protect against the river.

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

Mr. O'HARA. I yield to my colleague from Michigan.

Mr. FORD. The gentleman from Minnesota appeared before our subcommittee on behalf of the Mankato and North Mankato projects; and he, particularly, made an outstanding presentation of the need for survey funds for that project.

Let me give the gentleman some information which I think will be helpful in expressing the congressional intent as set forth in our bill.

Mr. O'HARA. I would appreciate that.

Mr. FORD. The Army engineers, on pages 499 and 500, have set forth the projects where they would probably spend the money for surveys. Included in the projects, as the gentleman will see on page 500, is a request for $25,000 for the Minnesota River, Minn. Mankato and North Mankato are on the Minnesota River in the State of Minnesota. It would appear from the testimony which was presented to us that certainly the most important area on the Minnesota River, the most urgent area, would be in the Mankato and North Mankato district. As a result, I believe that the gentleman can rest assured if the bill goes through as it is the Army engineers could find enough money in the amount allocated for surveys so that he will not have to worry about this worth-while project.

Mr. O'HARA. Will the gentleman use the words "should find" instead of "could find"? I would appreciate that very much because that is my problem.

Mr. FORD. I am sure that the gentleman from Minnesota, being the outstanding advocate he is, will have no difficulty whatsoever in convincing the Corps of Engineers of the absolute necessity of this project.

Mr. O'HARA. I thank the gentleman very much.

Mr. RABAUT. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. Chairman, as the Members know, 2 years ago, in 1950, a

certain amount was authorized and appropriated for a survey of water power resources up in New England. The survey was to be completed by 1954. Then there was some chance that in the future appropriations would be made for some water power projects.

But, unfortunately, this committee has just about cut the heart out of that program; therefore, it looks as if it is going to be many more years before New England will have an opportunity to share in the water power benefits that the other parts of the country are sharing in.

I have taken a look at the list prepared by the gentleman from Michigan [Mr. FORD] of the States which are going to receive appropriations in this bill for these purposes. There are 26 of them. The State of Maine is not included among them, nor is the State of Vermont, nor is the State of Massachusetts, nor is the State of New Hampshire, nor is the State of Rhode Island. An appropriation of $500,000 is made for Connecticut. It seems to me that the States of New England, should be considered.

We are asking $300,000 in the rivers and harbors appropriation and a larger amount in the flood control portion so that we can carry on this survey. When the TVA appropriation came up, it was suggested by Members from the southeastern part of the country that we in New England should exploit our water power resources. We are anxious to do that, but we cannot do so if this survey is cut. Therefore I am going to ask that the money be restored so that we can get on with the job. It will be 3 or 4 years before we come in asking for any definite appropriation for particular project but, at least, we would like to carry on with the work.

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

Mr. KENNEDY. I yield to the gentleman from Mississippi.

Mr. RANKIN. How much has the appropriation been cut?

Mr. KENNEDY. I may say to the gentleman that there was a request for $6,391,000. They gave only $2,635,000 and of that $2,150,000 is earmarked for fishery facilities, beach erosion, and so forth. The remaining $435,000 must be divided up for surveys in different parts of the country.

Mr. RANKIN. Of course, I am for that survey and the development of the water power. The States that the gentleman mentioned have no coal, no gas, no oil, and very little wood. Raw materials are extremely scarce. Of all sections of the country that needs to have its water power developed it is that area, and I shall support the gentleman's amendment.

Mr. KENNEDY. I thank the gentletman. The result is that for power we pay twice as much as in Chattanooga and we would like to see if we can do something about it.

Mr. DAVIS of Wisconsin. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, page 6, line 15, of the bill states:

For construction of authorized flood-control projects or parts thereof and for other related activities as may be authorized by law, to remain available until expended, $206,017,400.

I have consulted with members of the subcommittee on my side and it is indicated to me that about 80 percent of the $206,000,000 is not for flood control. It is for the development of hydroelectric power. Now, for goodness sake, gentlemen, if you want to talk about flood control, then let us talk about flood control and appropriate for flood control and not kid ourselves into thinking that $206,000,000 in this bill set up for flood control is for flood control, because only about 20 percent of it, or $40,000,000, can actually be said to be for flood control. I think it is a shame to try to fool the people of the United States into thinking we are appropriating $206,000,000 for flood control when we are not doing anything of the kind.

I might point out that we have a genuine flood-control project in my part of the country that has been under construction for 16 years. Mr. Engel, when he was chairman of this subcommittee some years ago, said that all flood-control projects that are started should be completed in 5 years. That project in Los Angeles County still has nearly $200,000,000 to go toward completion. If it were to be completed in the next 5 years you would be appropriating $40,000,000 in this session of the Congress for it. And what do we get? Two million eight hundred and ninety-eight thousand dollars. At that rate, gentlemen, the Los Angeles County flood-control project—and there is no hydroelectric power in it—will be going on for another 60 years. Now, for goodness sake, if the Congress does not want to complete this project, then let us drop the whole thing and let Los Angeles County do it. Someone has to get along with the work. We are contributing our part of it. We pay one of the highest tax bills in the United States and we pay all of our proportionate share of these flood-control moneys in the purchasing of land and so forth. But, if you gentlemen are going to piddle along with this project at this rate, then get out from under and let someone go to work that wants it. That is all I want to say.

Mr. RABAUT. Mr. Chairman, I yield the balance of my time to the gentleman from Tennessee [Mr. DAVIS].

Mr. DAVIS of Tennessee. Mr. Chairman, I can assure you that we only have a few minutes remaining, but these minutes are very important to me, and I should like for the committee to listen because I shall be brief.

The lower Mississippi was allowed $59,605,000. I have the very highest respect and regard for all of the members of the subcommittee handling this bill on both sides of the aisle, but I must very frankly state to them that they have really cut me a "frock" in this particular reduction.

In allowing $59,000,000 to the lower Mississippi, the report contains this statement:

The reduction is achieved mainly by denying the funds requested in the amount of $665,000,000 for the construction of a sanitary sewer for the Memphis Harbor project in the belief that this item is not properly a charge against the Federal Government and should be borne by the local interests.

Now that puts the name of Memphis very definitely on this very nominal reduction. This project covering the Memphis Harbor was authorized under a public law of 1946, and that provision includes the improvement of the Memphis Harbor, Memphis, Tenn., substantially in accordance with the report of the Chief of Engineers dated April 12, 1946.

This harbor project located in Memphis, midway between Chicago and New Orleans, is on a very strategic part of the Mississippi River which bears a tremendous amount of river traffic. This project will cost the city of Memphis $28,000,000. It has been under way since 1947. We had an island and the water flowed around both sides. It was necessary to put a closure dam at the north end of the island and across that closure will be a highway and railroad connections. Nine hundred and sixty acres of industrial land, very important to the city of Memphis and to the mid-South, and to the Nation will be developed as a result.

This project requires the building of a sanitary sewer. Under the rules which have prevailed for many, many years, in the Corps of Engineers, the Federal Government will build the sewer to take care of the sewage which has been collected by the local authorities, and then they take it away to the main channel of the river. The sewer which exists now pours into this still water, made still by the closure dam, and you do not have any water in any stream to take the sewage down into the main stream of the river.

This sewer project was recommended by the district engineer of Memphis, recommended by the president of the Mississippi River Commission, according to the requirements of law came up to the Corps of Engineers, and was recommended by the Chief of Engineers and transmitted to the Congress through the proper channels of the Secretary of War. The public law in 1946 made this provision for the extension of the existing sanitary sewer from its outfall near Nonconnah Creek to the lower Mississippi River at the lower end of the Tennessee chute.

If the men on the committee feel that it is a proper charge against local interests they are seeking to undo what was presented to and passed by both Houses of the Congress, signed by the President, and became a part of the public law of 1946. So I feel that this small item of $665,00 certainly should be included.

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

The Clerk will read the bill for amendment.

The Clerk read as follows:

CORPS OF ENGINEERS

For carrying out the civil functions of the Corps of Engineers as provided in the various flood control and rivers and harbors acts and other acts applicable to that agency, as follows:

Mr. BROOKS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, because I could not get any time to speak in general debate, I ask unanimous consent to proceed for five additional minutes.

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

There was no objection.

Mr. BROOKS. Mr. Chairman, I want to say, as others have said before me, that personally I admire and think a great deal of the men on both sides who compose this subcommittee. My admiration and regard would be even higher had I been able to get the projects in this bill that I had hoped for. But, regardless of that, I know they have a job to do, and I know it is a hard job. In some respects it is not a very pleasant job for them.

On the other hand, I think it is fair that I call to the attention of the House two projects that I think do need some sort of explanation from the subcommittee and an explanation to the House. The first one, which I mentioned, is called the Natchitoches project. I mentioned that in questions I asked my distinguished colleague from Michigan [Mr. FORD]. I want to say a little bit myself regarding that project. This project is not within my own district. It is in the Red River watershed, it is true. Not a cent which is appropriated for the lower Mississippi goes into the Red River watershed. We are entirely separated from the Mississippi River. We have a stream 1,300 miles in length, and all the flood control and help we get, if any, would be entirely independent from the lower Mississippi Valley. Our problems are different and unique.

The Natchitoches project is a water-diversion project. That is, when the Red River is high and you have a flood condition, by simply a slight diversion project below Natchitoches, in Louisiana, we could drain a large part of the flood waters off into a stream called Cane River. Cane River is an old bed of the Red River. By a small expenditure we can protect 135,000 acres of rich alluvial land in that section of the State of Louisiana, the whole project at a total estimated cost of $1,835,000, which is a pitifully small amount compared to the vast sums we have been spending and sending overseas. It has an estimated justification with the engineers of 1.58 to 1.

Mr. Chairman, here is the important part about this project:

This project—

And I am going to read from the testimony of General Chorpening before the subcommittee—

is a local flood-control project consisting of levees, dams, flood gates, and a channel. The funds requested this year in the amount of $500,000 will be applied to the dam, flood gates, and channel entirely, the levee having been built with funds appropriated in previous years.

Then he says further on in reply to a question asked of him by the chairman of the committee, the distinguished gentleman from North Carolina, Judge KERR:

This project is 62 percent completed with the funds received this year, and will be 80 percent completed with the funds we are asking for the year 1953.

This project has been approved by the engineers, and is almost completed, yet there is nothing whatsoever in the bill in reference to funds. I pause here because I have ample time, and I have discussed this with my distinguished friend, the gentleman from Michigan who indicated that he would be glad to make a statement on this project. So, I pause now for my friend, the gentleman from Michigan [Mr. RABAUT] to make some statement, if he cares to, in reference to this particular project, which will be 89 percent completed if the funds were allowed.

Mr. RABAUT. The gentleman is referring to Natchitoches?

Mr. BROOKS. I say again, it is not in my district, but it is vital to the lower Red River Valley.

Mr. RABAUT. The project is deleted. This was an unbudgeted project put in by the Senate last year. It was not in the budget then. It represents the completion of a project, which has actually been delayed for over 8 years. It was asked for this year by the Army engineers.

Mr. BROOKS. May I ask the gentleman, the engineers did ask for it last year?

Mr. RABAUT. It was not in the budget.

Mr. BROOKS. It was not in the budget, but it is in the budget this year, and the engineers asked for it too, and on this amount of money it would be 89 percent completed.

Mr. RABAUT. We figured inasmuch as it had been delayed 8 years, and with the war situation, it would not hurt to delay it another year.

Mr. BROOKS. While the gentleman is on his feet, may I ask him a question with reference to this Red River stabilization project which covers an area 400 miles below the Denison Dam to the mouth of the Red River for bank stabilization. That was also approved by the Army engineers, and approved by the Bureau of the Budget. I talked to General Chorpening less than 30 minutes ago, and he said it was a critically needed project, and that they were very anxious to have it allowed.

Mr. RABAUT. The completion date for it is set for 1959 so you can see that is quite a ways off. The construction was initiated in 1948.

Mr. BROOKS. If the funds had been allowed this year, as they were requested, it would be 47 percent completed. As it is, I think now with the funds that the committee has already granted, it is 40 percent completed. We are down there in the bottom of the valley, subject to floods, and are most anxious that the project be completed.

Mr. RABAUT. Such a long construction period for a project of this size shows that it is relatively unimportant, and certainly without defense significance. As further evidence of this fact, no funds were even requested for the project for the fiscal year 1952. As a matter of fact, information supplied the committee by the Corps of Engineers shows that the plans for the work contemplated in 1953 are only 60 percent completed while those for the remainder of the project are only 40 percent complete. Now, we have a long statement here on this and I can supply it for the RECORD although I do not want to take it out of the gentleman's time.

Mr. BROOKS. What the gentleman has said is adequate and I thank the gentleman very much.

May I say to the chairman of the committee that General Chorpening said on page 283 of the testimony "that the defense significance is that we have a very considerable transportation network in the Red River Basin, together with many industrial plants, large food and fiber production areas and important military installations, such as the Lone Star and Red River ordnance works near Texarkana, and the Barksdale Air Force Base and Louisiana ordnance works near Shreveport."

Then, on page 284, it goes on to say how vital that is, and he sets forth the projects that are of defense significance, that will be held up by the completion of that project. I am going to put those in the RECORD as they appear on pages 283 and 284 of the record so that the House and the country can see that each project will cost but very little money, but which mean so much to both sides of the river from Denison, Tex., south to the mouth of the river.

Mr. Chairman, in completion of what I have to say, I want to say that we had the most disastrous flood in the Red River in 1945. All of the money that has been appropriated and will be appropriated on this particular project will never come up to one-tenth of the damage we suffered from that flood in 1945 along the Red River Valley. When I say there is not a penny for bank stabilization on the Red River, there is only one single project approved on the Red River below Denison, Tex. If there comes another flood, our people in the Red River Valley will pay for the fact that we have not been able to complete the levees at critical areas, as strongly recommended by the Army engineers in the testimony before the committee. I have a high regard for the members of the subcommittee, but I think they have grievously erred in practically excluding the Red River Valley from relief under this act.

Mr. Chairman, the gentlemen from Michigan [Mr. RABAUT] has referred to the relative importance of the Red River levee and bank stabilization project and I am asking that the testimony, with questions and answers, between himself and General Chorpening, Assistant Chief of Army Engineers in charge of civil functions, be reproduced below, together with the material which was furnished the committee at the request of the gentleman from Michigan [Mr. RABAUT]. It shows the vital importance of this project and its extreme importance from the viewpoint of national defense. And I read it:

RED RIVER LEVEES AND BANK STABILIZATION BELOW DENISON DAM, ARK., TEX., AND LA.

Mr. RABAUT. The next project is the Red River levees and bank stabilization below Denison Dam, Ark., Tex., and La.

This is a project with a total estimated Federal cost of $9,088,000. Allotments to date are $3,620,900. There was no appropriation in 1952. The tentative allocation for

fiscal year 1953 is $634,000. This project at the close of 1952 will be 40 percent completed. It has remained at that percentage now for some time. The money requested for fiscal year 1953, namely, $634,000, would bring the rate of completion to 47 percent.

Make a brief general statement on this project.

General CHORPENING. This project is a major component of the comprehensive plan for flood control on the Red River below Denison Dam, and includes the construction of levees and bank protection works for flood control and to prevent the erosion of the banks of the river, which endangers the levees that are in place that have been built at Federal and local expense. These levees protect some highly developed areas in that part of the country.

I may say that the Red River in its characteristics of erosion is quite similar to the Arkansas River and to the Missouri River, which we have discussed at some length in these hearings; and we have a similar problem existing here. The $634,000 which is being requested for this fiscal year will be entirely devoted to the construction of additional bank protection works along stretches of the river where, unless this is done, set-backs of levees would have to be made.

Mr. KERR. Is this river a tributary of the Mississippi?

General CHORPENING. Yes, sir. You will recall on our trip down the Mississippi River, the Red River comes in at what is known as Old River just above the Morganza structure.

Mr. RABAUT. What is the defense significance of this project?

General CHORPENING. The defense significance is that we have a very considerable transportation network in the Red River Basin, together with many industrial plants, large food and fiber production areas, and important military installations such as the Lone Star and Red River ordnance works near Texarkana, and the Barksdale Air Force Base and Louisiana ordnance works near Shreveport.

Mr. RABAUT. What particular projects will be protected by the work that is contemplated in this estimate?

General CHORPENING. I would like to furnish that specific information for the record.

Mr. RABAUT. All right, furnish it for the record.

(The material to be furnished is as follows:)

"McNeely cut-off: Bank protection work is needed for McNeely cut-off to maintain the integrity of the controlling levee. Continued caving would result in destruction of the levee. Destruction of the levee during overbank stages would flood approximately 20,000 acres of land, 10,000 of which is cropland. In addition, the main line of the Louisiana & Arkansas Railroad, and United States Highway No. 71, both important transportation arteries, would be flooded.

"Curtis location: Bank protection works at Curtis are needed to prevent destruction of the controlling levee and to provide a favorable channel alinement. Destruction of the levee during overbank stages would flood approximately 32,000 acres of land, of which 10,000 is cropland. In addition, the main line of the Louisiana & Arkansas Railroad and United States Highway No. 71 would be inundated, thus interrupting traffic on these main transportation arteries. Barksdale Field would also be affected by backwater. If caving is permitted to continue a channel alinement detrimental to the bank stabilization works at Lucas Bend, downstream from the Curtis location, would result. Lucas Bend stabilization works were constructed to prevent destruction of the Texas & Pacific Railroad and Louisiana State Highway No. 30, both important transportation arteries to Shreveport and Barksdale Field.

Coushatta: Bank protection works are needed at the town of Coushatta to protect the improvements adjacent of the river bank and to the highway bridge valued at $1,000,000. Limited bank protection works were contructed during fiscal year 1951 with emergency funds and local contributions to protect the bridge abutments. Failure to arrest caving would result in a loss of existing bank protection works.

Cash Point: Bank protection work is necessary for the Cash Point location to prevent a levee set-back which would result in the relocation of the Texas & Pacific Railroad and United States Highway No. 71. A failure of the levee would destroy these transportation arteries in addition to flooding approximately 22,000 acres of land of which 9,000 is cropland.

ALLOCATION OF FUNDS

Mr. RABAUT. Why were no funds allocated for this work in fiscal 1952?

General CHORPENING. There was a small amount of carry-over funds from previous years which were being expended and no funds were allowed in the budget.

Mr. RABAUT. I ask that question because of the fact that you say it seems necessary now for the defense effort, and last year no funds were allocated for this work.

General CHORPENING. That is correct. There were none allocated last year, but about $74,300 will be obligated in fiscal year 1952 from prior funds.

REQUEST FROM BUREAU OF THE BUDGET

Mr. FORD. What did the Corps of Engineers request in the budget for fiscal year 1952?

General CHORPENING. $360,000 in fiscal 1952.

Mr. FORD. What did the Corps of Engineers request this year in the budget for fiscal year 1953?

To show the extreme importance of the Natchitoches, La., project, I am setting forth below the testimony taken January 29, 1952, and reproduced on pages 395 and 396 of the hearings covering this project. I do so to show the project is 62 percent completed at the present time and with the additional funds requested by the Budget and the Army engineers for the current year, it would be 89 percent completed. We are losing much money by not completing this project. This testimony I am interested in, I read to the House:

TUESDAY, JANUARY 29, 1952.

NATCHITOCHES PARISH, LA.

Mr. RABAUT. We will take up Natchitoches Parish, La.

This is a project with a total estimated Federal cost of $1,830,000. The allotments to date have been $1,129,100, and the amount appropriated for fiscal year 1952 was $360,000. The tentative allocation for fiscal year 1953 is $500,000. This project as of the close of 1952 will be 62 percent complete, and with the money requested for fiscal year 1953 the rate would rise to 89.

General Chorpening, we will be glad to have you tell us about this project.

General CHORPENING. This is a local flood-protection project, consisting of levees, dams, floodgates, and a channel. The funds requested this year in the amount of $500,000, will be applied to the dam, floodgates, and channel entirely, the levees having been built with the funds appropriated in previous years.

The benefit-to-cost ratio is 1.1 to 1. There has been an increase in cost of $70,000 over the previous estimate. This increase in costs is due entirely to price level changes.

Mr. RABAUT. Which is within the cost index increase?

General CHORPENING. Yes, sir.

Mr. KERR. This project is 62 percent completed?

General CHORPENING. It will be 62 percent completed with the funds received this year, and will be 89 percent completed with the funds that we are asking for fiscal year 1953.

Mr. FORD. This project was not included in the budget for the fiscal year 1952; we had no hearings, and there was no mention of it as being an urgent project. Did the corps request it over in the Senate at the time of the hearings over there for the fiscal year 1952?

General CHORPENING. No, sir.

Mr. FORD. I think that is understandable, when you see the benefit-to-cost ratio was 1.1 to 1. Do you have any idea how it got in the bill last year over in the Senate?

General CHORPENING. I believe that the local interests were heard by the Senate Appropriations Committee and that the Senate concluded it was a meritorious project that should be included in the appropriation.

Mr. FORD. What is the story about the conflict among the local interests, which has extended over a period close to 10 years?

General CHORPENING. I believe that there was a difference of opinion as to where the dam and floodgates were to go, which differences were finally resolved among the local people; they are now satisfied and they testified that they were in agreement, I believe.

ANNUAL BENEFITS

Mr. FORD. What is the annual benefit to be derived from this project?

General CHORPENING. The annual benefits are estimated at $104,500. It is primarily a local flood-control project, including levees along the Red River to keep the water of the Red River off approximately 135,000 acres of land and the improvement of the channel at the lower end. We are asking funds for the improvement of the channel to carry the water out of the Cane River down to a point approximately 5 miles below the end of the levee and discharge it into the Red River.

BENEFIT-TO-COST RATIO

Mr. FORD. I understand the benefit-to-cost ratio at the time of the hearings last year before the Senate committee was 1.58 to 1. According to the justification this year it is 1.1 to 1. How do you account for the rather substantial decrease in the benefit-to-cost ratio?

General CHORPENING. I would like to look into that and place a statement in the RECORD.

(The information requested follows:)

"The benefit-to-cost ratio of 1.58 to 1 used in connection with the 1952 budget was based on consideration of the project as an individual unit within the over-all plan for the Red River below Denison Dam. The benefit-to-cost ratio of 1.1 to 1 considers the project as a feature of the over-all plan. The present benefit-to-cost ratio which would be comparable to last year's ratio of 1.58 to 1 is 1.73 to 1."

PROGRESS OF WORK

Mr. FORD. I understand, according to the justifications, the dam, floodgates, and channel have not as yet been started, and the $500,000 requested for the fiscal year 1953 is for that purpose.

General CHORPENING. No, sir; the $360,000 allotted in 1952 will be applied toward the initiation of that work; the $500,000 requested for fiscal year 1953 will be applied to the continuation of that work.

Mr. FORD. Has a contract been let for the dam, floodgates, and channel for fiscal year 1952?

Mr. BOUSQUET. No, sir; it is scheduled for award in April of 1952.

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

Mr. RABAUT. Mr. Chairman, I rise just to make a short statement.

It is the ambition of the leadership of the House and of the committee to complete this bill tonight. There are about 75 different projects in this bill that could be discussed. In justice to the time and the individual members of the committee, I am bringing this to your attention. We can sit here as long as we care to, but I would appreciate it very much, and I think most of the Members present would appreciate it, if we tried to confine our talks to 5 minutes. If there is some highly controversial matter in the bill, we will have to arrange for time on it. I simply wanted to make this statement so that the membership would be informed.

Mr. JONES of Alabama. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Chairman, the report states that $1,215,000 have been set aside for survey work. That is somewhat misleading, because the amount of $1,215,000 for surveys contains functions other than surveys of projects on resolutions from the Public Works Committee.

In the items of work to be covered by this appropriation are the Arkansas, White, and Red Rivers, the New England-New York area surveys; streamgaging stations are to be maintained; the rainfall stations are to be maintained.

Storm studies, flood investigations, and items of fish and wildlife study are carried out by the Department of the Interior; all these functions will be expected to continue from the amount of $1,215,000, in addition to survey works of flood control. There can be little survey works for this amount.

The gentleman from Michigan [Mr. FORD], speaking in general debate, stated in reply to the gentleman from New York [Mr. KEATING] that they wanted the work of surveys to go on in the Great Lakes because of the unusual water situation prevailing there at the present time. He neglected to tell you that under the Joint International Commission such work has to be carried out from the appropriation for surveys, $600,000 as contained in the rivers and harbors survey work. Why do we talk about wanting these surveys in the Great Lakes when we do not have money to carry out those investigations or making surveys in the State of New York?

The gentleman said a great deal about the survey work that was being carried forward on the great streams of this country and that we are making vast investments in the streams producing power. Is there anything unusual about developing the hydroelectric potential of the Columbia Valley? Is there anything unusual about the fact that the water flow in the Mississippi River is such size that it attracts our attention? Is there anything unusual about the greatness of the Great Lakes? Naturally they are going to require a larger proportion of the investment because they give the greatest return, so it does not mean that we are neglecting the smaller streams. We need to give greater attention to them, but we must invest, and make wise investments, in the big streams that can produce the energy necessary to meet the growing and expanding economy of America; and I cannot visualize, for the life of me, how we can be so neglectful as not to provide the funds necessary to carry on a program to make inquiries of investing funds to protect people. But a lot of people like to call items in the bill such as this "pork barrel." Is there anything wrong with the Federal Government sensing a responsibility to keep water off of the lands, to prevent inundations, to protect life and property? I submit to you that we need more funds to carry out public works in flood-control and river and harbor projects.

The Clerk read as follows:

RIVERS AND HARBORS

EXAMINATION, SURVEY, PLANNING, AND OTHER STUDY PROGRAMS

For engineering and economic investigations of proposed rivers and harbors projects; including preliminary examinations and surveys; formulating plans and preparing designs and specifications for authorized rivers and harbors projects or parts thereof prior to appropriations for construction of such projects or parts; for printing, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress; to remain available until expended, $2,635,000: *Provided*, That no part of this appropriation shall be expended in the conduct of activities which are not authorized by law: *Provided further*, That the expenditure of funds for completing the necessary surveys and plans and specifications shall not be construed as a commitment of the Government to the construction of any project: *Provided further*, That from this appropriation not to exceed $2,000,000 shall be available for transfer to the Secretary of the Interior for expenditure for the purposes of and in accordance with the provisions of the act of August 8, 1946 (16 U. S. C. 756) and the act of August 14, 1946.

Mr. HAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HAND: On page 4, line 14, strike out "$2,635,000" and insert in lieu thereof "$3,635,000."

Mr. HAND. Mr. Chairman, the committee has allowed for surveys and planning of rivers and harbors projects all over this country the sum of $635,000, a sum so wholly inadequate that it is a matter for wonder that the appropriation was not wholly eliminated. My amendment adds $1,000,000 which, very frankly, will not do much good, but is offered more or less in the nature of a test as to whether the House is really willing to discontinue this program entirely so that the money can be saved for the support of construction projects everywhere else in the world except in America.

I must associate myself with the earlier expressions of the gentleman from Michigan [Mr. DONDERO] and the gentleman from Colorado [Mr. CHENOWETH]. The country is tired of hearing that we can afford to spend $2,500,000,000 on Greece since the end of the war; that we can afford to build irrigation plants all over Indochina and propose to help some 15,000 villages there; that we can afford to support the construction of school buildings in Turkey, and in short can afford to support the rest of the world in a style to which they have not been accustomed, and still are unable to afford a relatively small sum for the planning of works, which will have to be undertaken some day soon if the economy of large parts of this country is to survive.

This business of eliminating all present and future projects in the guise of emergency simply means that we will never undertake the projects, because there is always an emergency. My people are tired of hearing about the improvement of the Rhone River in France. They want to hear a little bit more about improvement of rivers and harbors here at home, which are vital to our economy even though they contribute nothing to the economy of Timbuktu.

For the want of a few thousand dollars spent in southern New Jersey, important business is disappearing and American lives are lost as a result of the deterioration of inlets. I am not presently suggesting that we start at once on a much needed construction program, but I am suggesting that we require now to plan for work that will have to be done in the immediate future.

A fine area of New Jersey, which pays a very full share of Federal taxes, will suffer if we continue to concentrate on the improvement of foreign economies to the detriment of our own.

It is very unpopular to suggest any increase, no matter how small, in an appropriation bill at this time. I do not hesitate to do so because if you will join with me, we will save ten or fifteen billion dollars before this session is over, and thus can well afford the additional million which I am suggesting for your consideration.

Let this small amendment be a test of whether we are willing to spend all of our money abroad, or whether it is not time to spend at least a small part of it at home.

Mr. RABAUT. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New Jersey, and I ask unanimous consent that all debate on the pending amendment and all amendments to the amendment close in 5 minutes.

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

There was no objection.

Mr. RABAUT. Mr. Chairman, the committee included the amount of $625,000 for river and harbor studies and $1,215,000 for similar work for flood control. The chief purpose of these survey funds is to provide the necessary money for surveys for unauthorized projects so that they may become authorized, and add to the mounting list of projects in the civil works program of

the Corps of Engineers. The total estimated cost of this program is already almost $14,000,000,000. If you appropriate funds for the authorized programs it would require $14,000,000,000. Where would you be with the economy bloc then?

The committee has urged the Corps repeatedly to reevaluate their program and remove the dead wood. Efforts in this respect have resulted in projects valued at only $1,500,000,000 being placed on an inactive list.

The committee has allowed sufficient funds to carry out surveys that are vital to the defense needs of the country. Until the time the Corps of Engineers has made further progress on the presently authorized programs the committee fails to see the need for additional funds.

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

Mr. RABAUT. I yield to the gentleman from Mississippi.

Mr. RANKIN. May I ask the gentleman if these funds could not be used for that survey of the Great Lakes that has been referred to here today?

Mr. RABAUT. The item for survey, of northern and northwestern lakes, is not carried in this item. The gentleman will not put me on the spot by referring to the Great Lakes.

Mr. RANKIN. I think they could be so used.

Mr. RABAUT. Fourteen billion dollars has been authorized. I want the Members of the committee to realize the tremendous authorizations that this House from time to time votes.

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

Mr. RABAUT. I yield to the gentleman from California.

Mr. WERDEL. Can the gentleman give us the estimated cost of the projects that have been commenced; that is, where construction has been commenced as distinguished from those that have been authorized?

Mr. RABAUT. Projects under construction at the present time total $5,950,000,000. We are not playing around here with peanuts. These are tremendous sums. The situation that we are in is not due to the engineers. It is due to the things that we do in this House. Then you put the responsibility upon the Committee on Appropriations that must come in here and present the matter to you. The thing that surprises me is the action of the economy bloc that we have in the House. The Members from the economy bloc on both sides of the aisle were in the majority to come before our committee to want something for their own districts. "Oh, consistency, thou art a jewel."

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. The gentleman realizes that since the war we have only appropriated approximately $5,000,000 annually for survey work. Now, if there has been any error made it certainly would seem that we have been in error in appropriating $38,500,000,000 for work of which your committee has authorized not a single day's work to be done on one of the projects. It seems like the better investment would be to have surveys.

Mr. RABAUT. I ask for a vote on the amendment, Mr. Chairman.

Mr. RANKIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RANKIN. I have heard the arguments made here today by Members representing States along the Great Lakes who are appealing for funds for surveys. I want to know if this money could be used for that purpose.

The CHAIRMAN. The Chair does not understand that to be a parliamentary inquiry. An inquiry of that nature should be addressed to the chairman of the committee.

The question is on the amendment offered by the gentleman from New Jersey [Mr. HAND].

The amendment was rejected.

Mr. KENNEDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KENNEDY: Page 4, line 14, after "expended" strike out "$2,635,000" and insert "$2,935,000, of which $300,000 shall be expended for the New England-New York survey."

Mr. KENNEDY. Mr. Chairman, I made reference before to the request of the New England States for certain moneys to survey our water-power resources. You are all familiar with the fact that, in New England, particularly Massachusetts, in some of our large textiles and shoes centers, we have been suffering from a severe recession, and one of the reasons for this is the high cost of power. We have to pay for power, both industrial and private, about twice as much as they pay for a similar amount of power in the Tennessee Valley and in the Northwest. In 1950, at the President's request, a certain amount of money was set aside for a survey. The report was supposed to be completed in 1954 and thereafter in 1955 and 1956 we expected to take some action on certain projects which would enable us to develop our water-power resources, and thereby reduce the cost of our power. The budget requested this year for rivers and harbors for the New England survey, $300,000; for flood-control survey, $800,000; making a total of $1,100,000. Unfortunately the committee has chosen to cut both of these appropriations. The engineers have informed me this morning that due to the amount of the cut it would probably be impossible to carry on their surveys for another year. It is going to mean postponement of the results of the survey certainly until 1955 or 1956 at the soonest, even if the House takes action favorably next year. Therefore, I am asking for an additional appropriation of $300,000, the amount recommended by the Bureau of the Budget, to be put onto the amount the committee has set aside.

On page 4, line 14, the committee has appropriated $2,635,000. The difficulty is that at least $2,000,000 of that is set aside for fisheries and $135,000 is set aside for another project, leaving only about $400,000 for surveys to cover the entire country.

Therefore I hope this Committee will take favorable action on this request for another $300,000 to carry on the New England survey. We really depend on this money. If this money is not forthcoming, we are really going to be in serious trouble.

There are large appropriations for nearly 26 States. The State of Oregon alone has $86,000,000 in this bill. Year after year since 1935 large sums of money have been appropriated for a good many of the States in this country, particularly in the Southeast United States and in the Northwest. New England has not gotten anything. Not 1 cent of money is appropriated in any of this bill for five of the six New England States.

As the gentleman from Mississippi [Mr. RANKIN] has pointed out, I feel that we are dependent upon the importation of all of our fuel, coal, oil, and natural gas. We have not gone ahead and developed our water-power reserves. We have been at fault. Now we are trying to do it, and just in the middle of the attempt, while we see some results in sight, this committee has chosen to postpone our hopes for at least another year.

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

Mr. KENNEDY. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. Who is asking for this appropriation?

Mr. KENNEDY. The New England States are asking, the Governors and the New England Congressmen, I believe.

Mr. NICHOLSON. There is one New England Congressman that is not.

Mr. KENNEDY. I regret that the gentleman feels that way.

Mr. NICHOLSON. One reason we are paying high power costs is that we are building dams in the Tennessee Valley and the Missouri Valley and every other valley to go in business against private enterprice.

Mr. KENNEDY. That is right.

Mr. NICHOLSON. I do not want to see it happen in New England.

Mr. KENNEDY. An appropriation passed this House of around $174,000,000 for TVA. There are also large appropriations for the west coast. Does the gentleman object to our getting $300,000 for all the New England States for a survey of our waterpower resources?

Mr. NICHOLSON. No, but I object to paying $174,000,000 for the TVA.

Mr. KENNEDY. I do, too. It does seem to me that if the money is going to go there we certainly should expect to receive at least $300,000 to carry on our survey. I know the gentleman is interested in lowering the cost of our power.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY. I yield.

Mrs. ROGERS of Massachusetts. May I ask the gentleman if he will help get the Governors and General Court of Massachusetts and the New Hampshire Legislature to the compact between New Hampshire and Massachusetts so that

we can do more in the development of flood control with the dams than is being done at the present time? It is very important. I think we ought to throw that back to the Governors and get them to do something. I agree with the gentleman that we should have the surveys, but the States should act on the much-needed compacts.

Mr. KENNEDY. The survey must come before we do anything. Unfortunately, we must wait for a long time, 1955, even if this money is appropriated, before the results of the survey become known.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 7 minutes, the last 5 minutes to be reserved to the committee.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. NICHOLSON].

Mr. NICHOLSON. Mr. Chairman, I do not object to the people of Massachusetts getting cheaper power. I think perhaps we ought to have a little cheaper power. But, we cannot get it right away because private enterprise has taken care of the rural districts to the extent of 98 percent in Connecticut and in Rhode Island, and about 95 percent in Massachusetts. So, we have not had to ask for any REA funds or for any valley projects. So far as I know, the people who want these surveys made, and have electric power generated go along with this fallacy that the Government can do it better than private enterprise can. Let me tell you this, Mr. Chairman, if it was worthwhile to build these plants, private enterprise would have done it long ago. It is about time, I think, for the Congress to find out that we can run our own business in our own community, and in our own States without any fatherly advice from the Federal Government. It is pretty near time that we put our foot down because the answer is obvious. We owe $270,000,000,000 and we have a $14,000,000,000 deficit. Now we are trying to sell this idea to the people of New England. I was in the legislature a long time, and I never saw any governors ask for this. I think some pressure may have been put on the Governor of Massachusetts to come here and ask for a survey. What good is a survey going to do, if we do not appropriate any money? The Committee on Public Works has obtained an authorization of something like five or six billion dollars. Why do we not take care of some of that five or six billion dollars before starting on any new construction, and on any new ideas?

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, the gentleman from Massachusetts [Mr. KENNEDY] should be informed that at the present time there are 34 projects under construction in the 6 States to which he referred. There are 10 in Connecticut, 3 in Maine, 15 in Massachusetts, his own state, and 1 in Rhode Island, and 4 in New Hampshire, and 1 in Vermont. The argument against this amendment is the same as I made against the preceding amendment.

Mr. Chairman, I ask for a vote, and ask that the amendment be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY].

The amendment was rejected.

The Clerk read as follows:

CONSTRUCTION

For construction of authorized rivers and harbors projects or parts thereof and for other related activities as may be authorized by law, to remain available until expended, $117,710,000.

Mr. RANKIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RANKIN: Page 5, line 5, strike out "$117,710,000" and insert in lieu thereof "including $2,000,000 for planning and construction of the Tombigbee-Tennessee waterway heretofore authorized by law (Public Law 525, 79th Cong.), $119,710,000."

Mr. RANKIN. Mr. Chairman, we are asking for a small appropriation to complete the planning and begin the construction of the Tennessee-Tombigbee Inland Waterway, which has already been authorized by Congress, and on which something like $800,000 has already been spent on the planning, which is just about complete.

It is the only possible way to provide what will amount to a slack-water route from the Gulf to the Great Lakes, and to all points on the Ohio River up to Pittsburgh, Pa., as well as to all points on the Tennessee, upper Mississippi, and the Missouri Rivers, and at the same time save the swift current of the Mississippi for the downstream traffic.

It will mean more to the States of Kentucky, Illinois, Ohio, West Virginia, and western Pennsylvania than anything else of its kind that has ever been proposed.

It will mean more to the States of Missouri, Kansas, Michigan, Iowa, Nebraska, Wisconsin, and Minnesota, and all the other States in the Middle West, and along the Great Lakes, than any other project of its kind that has ever been proposed.

There is not another place on the face of the earth where the traffic can be transferred from one major watershed to another with so much ease, so little expense, and such tremendous savings in transportation costs and distances. The only other one that even approximates it is the connection between the Don and Volga Rivers in Russia, which has just been constructed with lend-lease machinery, paid for by American people. If you want to practice economy at home and deny to our people the use of their own resources and continue to impose this burden upon the American people to finance similar projects abroad, you certainly are not going to get my support.

If this project were in some foreign country we would probably have no trouble in getting funds to complete it. I understand we have just spent $130,000,000 of American money to build a power project in Italy, and now we are told that we are spending billions of dollars for a similar project in France, hundreds of millions of dollars for similar projects in Switzerland, to say nothing of the vast amounts being spent for that purpose in Israel, China, and other foreign countries, out of the pockets of the taxpayers of the United States.

But this is an American project, and will benefit the American people more than any other development of its kind that has ever been undertaken. Therefore, we are told to wait indefinitely.

A fake hearing was perpetrated last year for the purpose of trying to discredit this project; and of all the misstatements I have ever read, they were poured into that record. One witness stated that in order to connect this project with the Tennessee River, you would have to cut a canal 170 feet deep and 39 miles long, and excavate 100,000,000 cubic yards of dirt. As a matter of fact, every well-informed engineer, who has investigated this project, knows that that statement is false. The truth of the matter is that the back waters of the Tennessee come within about 5 or 6 miles of where this project would connect with the main tributary of the Tombigbee. As I said, it will give you a slackwater route from the Gulf to the Great Lakes, and to all points on the Ohio, the upper Mississippi, the Illinois, the Missouri, and the Tennessee Rivers, and at the same time save the swift current of the Mississippi for the downstream traffic.

There has never been a project proposed that will mean more to the people who pay the freight than this one will. At the very outside, it would not cost as much as one of these projects our people have just been paying for, and are still paying for, in foreign countries that are not contributing one dime to the welfare of the American people.

This is not a power project; it is for navigation only. It is just as sure to be constructed as the night follows the day; and the sooner it is finished the better it is going to be for that great section of the country extending from the Gulf to the Great Lakes and from Pittsburgh, Pa., to the Rocky Mountains.

I appeal to you Members of Congress to give us this small amount, and not be wasting American money abroad, and at the same time denying appropriations that are necessary for the development of American resources. The greatest wealth in America, outside of the soil on which we live, is our navigable streams and their tributaries, and the sooner we develop them for the use of all the American people, the better it is going to be for the entire country.

At this point, I am inserting a statement which I made before the Senate committee 3 years ago, covering this entire proposition. I hope that every one of you will take the time to read and study it, and then help us to speed up the construction of this missing link in the

greatest inland waterway system in the world.

The matter referred to follows:

GENERAL STATEMENT ON TENNESSEE-TOMBIGBEE RIVERS PROJECT

Representative RANKIN. Mr. Chairman, in the beginning, let me say that I agree with the gentleman who have spoken on the Coosa-Alabama project.

I also want to say to the distinguished Senator from South Dakota, Senator Gurney, that I agree with him on the development of the Missouri Valley area. Recently, I checked up on that proposition, and found that the power that could be generated on the Missouri River and its tributaries would be a minimum of 20,000,000,000 kilowatt-hours a year.

Senator GURNEY. Congressman RANKIN, let me say that I have always been, since I have come to the Senate, a supporter of the north-bound channel of the barge line there that takes in Tombigbee. I feel that it is worth while.

Representative RANKIN. I know that and I am grateful, Senator. I remember your support of it all through the years, and I remember your statements for it on the floor of the Senate.

Now, let me say to you in the beginning that the Army engineers say they would like to have $5,000,000 to start this project now. I am not quoting anybody, individually, but that is what they say they would like to have to start with.

If this amendment is inserted in the Senate, I do not have the slightest doubt but that it will be retained in the House.

Let me show you where we are. I brought this map down to show you. You can see from those rivers there that it is almost a duplicate of this map except the lines are made heavier in order that you might more easily see what we have at stake.

Somebody said the other day that there is only a foot or two of water in this river. Where I am pointing is the confluence of Browns and Mackys Creeks, which join to form the Tombigbee about 25 miles from the Tennessee River. My father used to go to Walkers Ridge just below that point on a steamboat that came all the way from Mobile. There is a slight sand ridge between those two rivers, the Tennessee and the Tombigbee, and for more than a hundred years the Army engineers refused to approve this project, because they said they would have to have lifts both ways, and there was no water supply at the summit.

PICKWICK DAM

But in 1938, the Tennessee Valley Authority built the Pickwick Dam on the Tennessee just below the mouth of the Yellow Creek, and raised the water level 55 feet. The Army engineers made a new survey and came back and said that would solve the problem. They could cut through that sand ridge and put the summit of the project in the Tennessee River.

That would give us a slack or still water route for returning or upstream traffic to the Tennessee River, and a downstream route from that point 215 miles to Paducah on the Ohio River or 262 miles to Cairo on the Mississippi.

Mr. Chairman, in order that the Members may have these figures before them, I am inserting three tables here as part of my remarks, which show the savings this project will provide.

As I said, they have been worked out by the Army engineers, and can be thoroughly relied on.

MULTIPLE PROJECT BENEFITS

Here is a table showing the cost per ton and the savings per ton this project will provide on the fuel bill alone, for upstream traffic:

Comparison of costs per ton of upstream traffic

From—	To—	Cost via Mississippi per ton	Cost via Tennessee-Tombigbee per ton	Average savings per ton
New Orleans, La.	Cairo	$2.02	$1.32	$0.70
	Paducah	2.10	1.26	.84
	Tennessee-Tombigbee junction	2.42	.99	1.43
Mobile, Ala.	Cairo	2.39	.95	1.44
	Paducah	2.47	.89	1.58
	Tennessee-Tombigbee junction	2.79	.62	2.17
Port Birmingham, Ala.	Cairo	2.96	.95	2.01
	Paducah	3.04	.89	2.15
	Tennessee-Tombigbee junction	3.36	.62	2.74
Demopolis, Ala.	Cairo	2.68	.67	2.01
	Paducah	2.76	.61	2.15
	Tennessee-Tombigbee junction	3.08	.34	2.74
Columbus, Miss.	Cairo	2.83	.51	2.32
	Paducah	2.91	.45	2.46
	Tennessee-Tombigbee junction	3.23	.17	3.06
Aberdeen, Miss.	Cairo	2.88	.46	2.42
	Paducah	2.96	.40	2.56
	Tennessee-Tombigbee junction	3.28	.13	3.15
Amory, Miss.	Cairo	2.91	.44	2.47
	Paducah	2.99	.38	2.61
	Tennessee-Tombigbee junction	3.31	.11	3.20
Fulton, Miss.	Cairo	2.93	.41	2.52
	Paducah	3.01	.35	2.66
	Tennessee-Tombigbee junction	3.33	.08	3.25

Here is a table showing the cost and the savings on a barge load or tow of 3,500 tons.

I might say here, that except on the traffic from the larger cities such as Pittsburgh, Chicago, and Detroit, a majority of the traffic, at least until recently, was handled by these 3,500-ton tows.

Showing cost per tow of barges carrying 3,500 tons, and showing savings via Tennessee-Tombigbee

From—	To—	Cost via Mississippi per tow of 3,500 tons	Cost via Tennessee-Tombigbee per tow of 3,500 tons	Average savings per tow of 3,500 tons
New Orleans, La.	Cairo	$7,070	$4,620	$2,450
	Paducah	7,350	4,410	2,940
	Tennessee-Tombigbee junction	8,470	3,465	5,005
Mobile, Ala.	Cairo	8,365	3,325	5,040
	Paducah	8,645	3,115	5,530
	Tennessee-Tombigbee junction	9,765	2,170	7,595
Port Birmingham, Ala.	Cairo	10,360	3,325	7,035
	Paducah	10,640	3,115	7,525
	Tennessee-Tombigbee junction	11,760	2,170	9,590
Demopolis, Ala.	Cairo	9,380	2,345	7,035
	Paducah	9,660	2,135	7,525
	Tennessee-Tombigbee junction	10,780	1,190	9,599
Columbus, Miss.	Cairo	9,905	1,785	8,120
	Paducah	10,185	1,575	8,610
	Tennessee-Tombigbee junction	11,305	595	10,710
Aberdeen, Miss.	Cairo	10,080	1,610	8,470
	Paducah	10,360	1,400	8,960
	Tennessee-Tombigbee junction	11,480	455	11,025
Amory, Miss.	Cairo	10,185	1,540	8,645
	Paducah	10,465	1,330	9,135
	Tennessee-Tombigbee junction	11,585	385	11,200
Fulton, Miss.	Cairo	10,255	1,435	8,820
	Paducah	10,535	1,225	9,310
	Tennessee-Tombigbee junction	11,655	280	11,375

Here is another table which the Army engineers have worked out showing the cost per tow of barges carrying 14,000 tons, and also the savings which these barges would provide.

As I pointed out, these larger barges are being used more and more as time goes on.

Showing cost per tow of barges carrying 14,000 tons and showing the savings via the Tennessee-Tombigbee

From—	To—	Cost via Mississippi per tow of 14,000 tons	Cost via Tennessee-Tombigbee per tow of 14,000 tons	Average savings per tow of 14,000 tons
New Orleans, La.	Cairo	$28,280	$18,480	$9,800
	Paducah	29,400	17,640	11,760
	Tennessee-Tombigbee junction	33,880	13,860	20,020
Mobile, Ala.	Cairo	33,460	13,300	20,160
	Paducah	34,580	12,460	22,120
	Tennessee-Tombigbee junction	39,060	8,680	30,380
Port Birmingham, Ala.	Cairo	41,440	13,300	28,140
	Paducah	42,560	12,460	30,100
	Tennessee-Tombigbee junction	47,040	8,680	38,360
Demopolis, Ala.	Cairo	37,520	9,380	28,140
	Paducah	38,640	8,540	30,100
	Tennessee-Tombigbee junction	43,120	4,760	38,360
Columbus, Miss.	Cairo	39,620	7,140	32,480
	Paducah	40,740	6,300	34,440
	Tennessee-Tombigbee junction	45,220	2,380	42,840

Showing cost per tow of barges carrying 14,000 tons and showing the savings via the Tennessee-Tombigbee—Continued

From—	To—	Cost via Mississippi per tow of 14,000 tons	Cost via Tennessee-Tombigbee per tow of 14,000 tons	Average savings per tow of 14,000 tons
Aberdeen, Miss.	Cairo	$40,320	$6,440	$33,880
	Paducah	41,440	5,600	35,840
	Tennessee-Tombigbee junction	45,920	1,820	44,100
Amory, Miss.	Cairo	40,740	6,160	34,580
	Paducah	41,860	5,320	36,540
	Tennessee-Tombigbee junction	46,340	1,540	44,800
Fulton, Miss.	Cairo	41,020	5,740	35,280
	Paducah	42,140	4,900	37,240
	Tennessee-Tombigbee junction	46,620	1,120	45,500

Now let me show you what all this means.

Let us take the river systems that are affected by this project. Just forget us local people for the time being.

This bottleneck of our whole internal waterway system just happens to be in my district.

LOCKS AND DAMS

Now, there are 47 locks and dams on the Ohio River between Cairo and Pittsburgh. Then there are 13 locks and dams on the Monongahela and 8 on the Allegheny. All that traffic is simply stymied behind the swift current of the Mississippi River, so far as their returning, or north-bound traffic, is concerned.

In addition to that, on the upper Mississippi we have 26 locks and dams providing a splendid navigation channel all the way up to Minneapolis and St. Paul, Minn.

On the Illinois River we have seven locks and dams, extending our inland waterway system into the Great Lakes.

All those locks and dams together cost more than $400,000,000, and yet they are virtually isolated for want of the very connection this project will provide.

On the Missouri River, a nine-foot channel is being developed up to Sioux City, Iowa. This project will be worth untold millions of dollars to the people of that area.

We get our grain from that section. The State of Mississippi, and I daresay the State of Alabama, raises no wheat. The same thing is true of Louisiana, Georgia, Tennessee, and all the other States in that part of the South.

They ship it down to us in barges. Those barges can come down the Mississippi flying, and so can these barges from Pittsburgh, Chicago, Minneapolis, and St. Paul; but when they start back here is the trouble. It is 869 miles from Cairo to New Orleans. That is the finest inland waterway in the world for downstream traffic, and the worst for upstream traffic.

You see, when that river is running 5½ or 6 miles an hour your barges cannot move against it. All they can do is stand still and burn up gasoline. A barge only moves about 5½ miles an hour in still water. We have an intercoastal waterway protected by a chain of islands here, extending all the way from Florida to the Mexican line. It is 156 miles from New Orleans to Mobile along this intercoastal waterway—which, of course, is in slack or still water.

This Tombigbee inland waterway is already completed up to Demopolis, Ala., at the mouth of the Warrior River, where I am pointing on the map. Eighteen locks and dams are to be provided between Demopolis and the Tennessee River.

It will be 481 miles from Mobile up this Tombigbee route to the Tennessee River. That will be in still water, just as this is still water up the Ohio River behind those 47 locks and dams between Cairo, Ill., and Pittsburgh, Pa. When you get to the Tennessee River, it is downstream 262 miles to Cairo, Ill., or 215 miles to Paducah on the Ohio River.

So the traffic will come down the Mississippi River to New Orleans and then go across to Mobile along this intercoastal waterway, then back up this inland waterway to the Tennessee River, then downstream to Paducah, that is the traffic going up to the Ohio River, or downstream to Cairo for the traffic going to the upper Mississippi, the Missouri, the Illinois, or the Great Lakes.

This project was unhesitatingly approved by the Ohio Valley Improvement Association of which Mr. Walter M. Larence, of Cincinnati, I believe, is the chairman. He was down here the other day. When the Rivers and Harbors Congress met here, Mr. Larence was on the committee, and they put at the head of the projects they recommended this Tennessee-Tombigbee inland waterway.

There is a firm in Pittsburgh that is engaged in the transportation business. They own a string of barges that come down the Ohio and the Mississippi Rivers bringing materials produced in Pittsburgh, such as steel, farm machinery, and other manufactured products. When they go back they take oil, bauxite, sulfur, salt, lumber, cottonseed meal, and other materials they need.

This firm is tremendously interested, because they realize what it would mean for their returning traffic.

I am going to give you the figures on that in just a moment, but first I want to say one other thing.

Nobody need kid themselves; if we ever have another war, it is going to be fought with airplanes and atomic bombs. The greatest defense project the world has ever known is the Oak Ridge project on the Tennessee River. This inland waterway will cut the water distance between Oak Ridge and New Orleans by 650 miles, and between Oak Ridge and Mobile by 806 miles, and at the same time give us two outlets to the sea instead of one.

In addition to that, it will give us a slack-water route into the Tennessee River and cut the cost of transportation from the Gulf to the Tennessee by more than 75 percent or from $2.79 to 62 cents a ton.

Now, I am going to take some of the barges they handle here, the big ones, because they are drifting rapidly toward the use of 14,000-ton barges.

DISTANCES INVOLVED

Senator STENNIS. Before you leave that, will you retrace your route there from Cairo, Ill., to New Orleans and back to Cairo, and give us that mileage?

Representative RANKIN. Yes; let's take the traffic going downstream from Cairo, Ill. We will say a barge comes down the Missouri River, or down the upper Mississippi, or down the Illinois River, or down the Ohio River. They all come through Cairo.

Going from Cairo to New Orleans, you go downstream 869 miles. That is said to be the finest inland waterway on earth; and I think it is. I have never found one to equal it.

Then it is 156 miles across along the intercoastal waterway from New Orleans to Mobile. If I make a mistake, I want Colonel Jewett, the Army engineer who is sitting near me, to correct me. I do not want to mislead the committee.

It is 481 miles from Mobile to the Tennessee River, of which portion 221 is already developed up to the mouth of the Warrior River at Demopolis.

When you get to the Tennessee River it is 215 miles downstream to Paducah on the Ohio, and 47 miles from Paducah down the Ohio River to Cairo.

In other words, the round trip is 1,768 miles. Of that 1,768 miles, 1,131 or approximately two-thirds of it is downstream, and the rest of it is in slack water. The Army engineers tell me—and I am quoting every engineer that has studied this question from General Reybold, General Feringa, General Wheeler, to our distinguished company here today, Colonel Jewett—they tell there is not another place on the face of the earth, nor can they find a place on the face of the earth where a project of this kind can be constructed so that you can transfer the traffic from one major watershed to another with so much ease, so little expense, and such tremendous savings in transportation costs and distances.

Now let us see what this project will mean. Let us take the 14,000-ton barges. Here is one (pointing to the picture on the map) coming down from Detroit, Mich. It is loaded with automobiles and accessories. It is evidently coming from Detroit. It is coming out of the Great Lakes down the Illinois River.

Here is one coming from Pittsburgh, Pa., loaded with the manufactured products of Pittsburgh.

Here is one over here that is coming, I believe, down the Missouri. I do not know what it is loaded with—probably with grain or beef or other products that those people out in that area produce.

Suppose that 14,000-ton barge gets to New Orleans, what does it cost to go back? If it goes back by way of the Mississippi River to Cairo, it will cost $28,280 for its fuel bill alone.

Going back via Tombigbee and the Tennessee to Cairo the cost would be $18,480, or a saving of $9,800 on its fuel bill alone.

Senator GURNEY. That is about one-third.

Representative RANKIN. That is about right.

Suppose it is going back to Pittsburgh or to Cincinnati or Wheeling or to any point on the Allegheny or the Monongahela, it would cut the cost from $29,400 to $17,640, saving $11,760 on its fuel bill alone going back to the Ohio River.

Suppose it is going into the Tennessee; suppose we are in an emergency and it is going back to Oak Ridge, on the Tennessee River, it will cut the cost from $33,880 to $13,860, or a saving of $20,020 on the fuel bill alone. That is from New Orleans to the Tennessee River.

Every 14,000-ton barge that goes into the Tennessee River from New Orleans via this route would save $20,020 on its fuel bill alone, or two-thirds, as Senator Gurney said.

Suppose it is going from Mobile, carrying a load of that bauxite, we will say, that they are bringing in from South America, or salt or lumber or cottonseed meal, hulls, or oil, anything that they take back in those barges; going back from Mobile to Cairo, the cost would be reduced from $33,460 to $13,300 just on the fuel bill alone—a saving of $20,160.

Now, that means every barge that is going not only to Cairo but to Chicago, any point on the Great Lakes or the upper Mississippi, all the way up to Minneapolis, St. Paul, or anywhere up the Missouri River to Sioux City, Iowa.

Suppose it is going the other way. We will say that it is going to Pittsburgh, Pa.

The fuel bill would be cut from $34,580 to $12,460, or $22,120. That would be the saving on its fuel bill alone. That is a

14,000-ton barge going from Mobile to the Ohio River.

Suppose it is going into the Tennessee River; your cost would be cut from $39,060 down to $8,680, or a saving of $30,380 on its fuel bill alone. That is for material, we will say, that is going to supply our defense plant at Oak Ridge or any other point on the Tennessee River.

Now, let us go a little further. We have this Tombigbee developed up to Demopolis. One of the things these barges takes back is oil. A man from Pittsburgh, talking to me the other day, said, "We are hauling this machinery and other manufactured articles down. We are hauling oil back."

One of the biggest oil fields that has been discovered in recent years is just to the west of Demopolis, Ala. The biggest oil well ever brought in east of the Mississippi River was in Jasper County, Miss., about where I am pointing at this time. It produced a thousand barrels of oil a day, and I am told that no other well has ever been brought in east of the Mississippi that produced that amount.

By the way, this is the saving that the Birmingham traffic would enjoy, because every vessel from Birmingham has to come down the Warrior to Demopolis to go either way. These things I am referring to will apply to traffic going from Birmingham or Demopolis. Let us see what they amount to.

Going from Demopolis to Cairo, the cost will be cut from $37,520 on one of these 14,000-ton barges to $9,380, or a saving of $23,140 on its fuel bill alone.

In other words, that barge going back to Detroit, Mich., would save $28,140 on its fuel bill alone. That barge going to Pittsburgh would save $34,440, or have its fuel bill cut from $40,740 to $6,300, a saving, as I said, of $34,440 going from Demopolis to Paducah.

These figures are worked out by the Army engineers; they are not my figures.

If it were going into the Tennessee, supplying oil or other materials, we will say to the Oak Ridge project, the cost would be cut from $43,120 to $4,760, or a saving of $38,360 on its fuel bill alone.

Now, you talk about water development, traffic transportation development, but nowhere else on earth can the same amount of money bring the same benefits to the people that this project will bring to the people of this vast area, all the Missouri River Valley, all the way up the Mississippi River, all the way up the Illinois into the Great Lakes and along the Great Lakes, all the way up the Ohio River to Cincinnati, Wheeling, Pittsburgh, and up the Monongahela or the Allegheny, and then along the Tennessee River all the way up to Oak Ridge or to Knoxville. There is not another project on earth, and there cannot be one found or constructed that will produce such benefits. The nearest we have ever found was a connection between the Don and Volga in Russia, and it does not have the benefit of the downstream traffic both ways for two-thirds of the distance.

The Senator from South Dakota asked what would happen to it if it went back to the House. I do not have the slightest doubt but that the House will sustain it. I have talked to many Members since this bill was up before. They say that, if the Senate gives us an appropriation for this project, it will be sustained in the House.

All we are asking is that you give us a reasonable amount. I would like to see you provide $5,000,000 or $10,000,000. I think we ought to have that amount. The Army engineers could start with a smaller amount.

But I think it is imperative that we construct this project now as rapidly as possible.

ESTIMATED TOTAL COST

Senator THOMAS. What will it cost, all told?

Representative RANKIN. The latest estimate I see is $116,000,000. Someone said that the advance in the cost of labor and also the advanced cost of materials would probably run it up to $136,000,000 all told.

By the way, they would employ 5,000 people, and we seem to be heading into unemployment in this country, in every section of it.

Senator ELLENDER. What size channel is that?

Representative RANKIN. Nine-foot channel with a 12-foot base, you understand, in the locks, so that if you wanted to increase it to 12, that could be done.

Senator ELLENDER. According to the figures you have just given us, I would assume that if goods are to be sent from Pittsburgh to Mobile, it would be more profitable to go by way of New Orleans.

Representative RANKIN. That is right.

Senator ELLENDER. Although there is about 200 miles difference.

Representative RANKIN. You can go from Pittsburgh to New Orleans without spending a nickel, if you go with the current, and that current is pretty fast after you reach the Mississippi. That stream sometimes runs 6 or 7 miles an hour. That traffic would go down the river, down the Mississippi River to New Orleans, and then it would go back through this slack-water route. In other words, the traffic would move counterclockwise.

Senator ELLENDER. You said there are several locks up there?

Representative RANKIN. Eighteen locks and dams between Demopolis and the Tennessee River.

PROPOSED CHANNEL WIDTH

Senator THOMAS. How wide would the channel be?

Representative RANKIN. I believe it is 170 feet.

Senator STENNIS. Is that large enough to take care of all normal traffic?

Representative RANKIN. Yes.

By the way, when this project was first before the Senate and the House, they recommended locks 75 feet wide and 475 feet long, and there was a good deal of complaint about it by people along the Ohio and the Illinois and the upper Mississippi for the simple reason that all the locks on those streams, and the locks at Pickwich and at Gilbertsville on the lower Tennessee, are 110 by 600 feet. So the Army engineers went back, made a new survey at the request of the Members of the House, and they have made these locks all 110 by 600 feet, so that they will carry all the traffic that can travel any of the rest of these streams.

Senator GURNEY. The only difference we would be short if we approved this $136,000,000 project would be the difference between the 9-foot and 12-foot channel. We would later have to deepen it to 12 feet probably.

Representative RANKIN. We might do it, but we could do it; there would be no trouble about that.

The project has already been approved. It was approved in the Senate by a vote of 44 to 21 and by the House by a good majority, in 1946.

It is already written into the law.

Senator GURNEY. For a 9-foot or 12-foot channel?

Representative RANKIN. Nine foot with 12 feet over the sills so it can be deepened to 12 feet if necessary. That will put it as deep as the current stream along the Mississippi, the Ohio, the Illinois, and the intercoastal canal.

As I said, we people in my district will probably get no more benefit out of it than St. Louis, Pittsburgh, Memphis, New Orleans, Chicago, Minneapolis, or St. Paul. It will not only benefit all these areas here along these streams that are now seeking an outlet; the people on the Ohio River during last year, or 2 years ago, had a mass meeting to figure out some way to get an outlet to the sea.

Well, this will provide exactly what they are seeking.

Senator STENNIS. Will this 9-foot channel take care of all these barges about which you are talking?

Representative RANKIN. Yes; it will take care of every one of them.

Then, in addition to that, it will take care of all this traffic along the Great Lakes from Detroit and Cleveland. In addition to that, it will take care of the traffic along the Gulf of Mexico from Florida clear around to the border of Mexico. We have that Intracoastal waterway that is protected behind a string of submerged islands, and these barges can go down and go either way. It simply completes the missing link in the greatest inland waterway system in the world.

I want to thank the committee for your kindness. I do not want to take up all your time. You have been very generous. We have some more gentlemen here who would like to be heard.

Senator ELLENDER. It has been most interesting.

Representative RANKIN. Thank you, Senator.

Senator THOMAS. Thank you, Congressman RANKIN.

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

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all debate on this amendment now close.

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

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. RANKIN].

The amendment was rejected.

Mr. BUTLER. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BUTLER: On page 5, line 5, after the figure, strike out the period, insert a comma and the following: "of which $436,000 shall be available for continuing work on Buffalo Harbor."

Mr. BUTLER. Mr. Chairman, I hope the Members of this body will see fit to support my amendment to restore to the Civil Functions appropriation bill the sum of $436,000 for the Buffalo Harbor which was deleted in committee. Work on the harbor has been under way for approximately 17 years, being authorized by the act of August 30, 1935, and the funds asked for this year are for dredging the channel and removing the shoals in a portion of the southerly outer harbor.

This particular step is certainly justified on the basis of its importance to the national-defense effort if anything ever was. The channel is used to get ore and other materials into two steel plants, a large cement plant near the entrance, and for entrance inside of break wall to big cold-storage plant, the Ford plant and the city piers.

The dredging of this portion of the project to 25 feet will permit deep-draft vessels to traverse the outer harbor to the large industries. Bethlehem Steel is currently engaged in a $175,000,000 plant expansion and will require deep-draft vessel operation from the outer harbor to supply sufficient raw materials to operate its expanded facilities to capacity. At the present time, the company is deepening and reconstructing

their ore and limestone terminals to accommodate vessels of 25-foot draft, and is also constructing two new Great Lakes ore carriers of 25-foot draft which they proposed to put in operation in the 1953 navigation season. The recommended deepening is necessary for full utilization of the expanded plant and terminal facilities and should be accomplished at the earliest possible date.

In 1950, Bethlehem received about 4,900,000 tons of iron ore and limestone at their plant, which quantities were about the largest that could be handled with their present facilities. After completion of their terminal reconstruction and from the Federal work proposed herein, they expect to be able to handle about 6,855,000 tons of iron ore and limestone. The benefit-to-cost ratio for the project, authorized August 30, 1935, is 3.36 to 1.

All the good business element of Buffalo is highly interested in this and, as I have already stated, the project is justified on the basis of its importance to the national-defense effort, also by a great reduction in transportation costs of bulk commodities. Commerce in 1950 was 16,698,672 tons, principally iron ore, coal, limestone, grain and petroleum products.

This is a highly worthy project and I hope you will support my amendment.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. I yield.

Mr. REED of New York. I want to congratulate the gentleman on the speech he has made. I am familiar with Buffalo Harbor; it is one of the great terminals where the large grain boats come and discharge the grain of the West into those elevators. If you choke that harbor you will destroy a great market there for a lot of western grain. The gentleman is quite right about the importance of this magnificent harbor in the defense effort. There is no reason to throttle that harbor in these perilous times.

Mr. BUTLER. I thank the gentleman from New York.

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

Mr. BUTLER. I yield.

Mr. DONDERO. Is the gentleman seeking to add that to the amount in the bill or is he simply asking that $436,000 be earmarked for the further development of Buffalo Harbor?

Mr. BUTLER. It was in the budget but was taken out in the committee. What I ask is that it be restored.

Mr. MILLER of New York. Mr. Chairman, I rise in support of the amendment.

Mr. MILLER of New York. Mr. Chairman and members of the committee, I rise in support of this amendment.

The $436,000 which is asked is about one-third of the cost of completing the outer harbor project at Buffalo. However, from the standpoint of tonnage, it would benefit more than two-thirds of all of the commerce using that area. The Bethlehem Steel Corp. recently spent $12,000,000 on its canal and docks and has spent over $100,000,000 in plant expansion. Unless this $436,000 is granted, Bethlehem Steel will be unable to move its larger tonnages of ore with larger and deeper draft vessels.

We know that the national need for increased steel production is compelling and urgent. Since that is so, new and larger ships have been constructed for hauling ore on the Great Lakes, but these ships when fully loaded cannot gain entrance to the Bethlehem Steel plant located on the Lackawanna Canal unless this outer harbor project is completed.

This sum of $436,000 is indeed a small investment in the interest of national defense that will accrue from the increased production and transportation of steel throughout the Great Lakes waterways.

The Bethlehem Steel plant is one of the three largest steel producing plants in the world, and is presently making a great contribution to the current defense program. For the Federal Government to grant certificates of necessity for prompt expansion of the steel producing facilities of the Bethlehem Steel Corp. in Buffalo on the one hand, and then to deny this appropriation which would prevent the utilization of those facilities, would be an economic and military catastrophe.

Mr. RABAUT. Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. MOULDER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MOULDER: Page 5, line 4, after the word "expended", strike out "$117,710,000" and insert in lieu thereof the sum of "$121,710,000."

Mr. MOULDER. Mr. Chairman, the bill, H. R. 7268, now before the House for consideration, as reported and presented by the Committee on Appropriations, provides for the appropriation of the sum of $117,710,000, to be expended in the construction of authorized rivers and harbors projects in various parts of the United States. According to the report of the Committee on Appropriations, only $2,300,000 of that amount is earmarked for bank stabilization and levee construction on the Missouri River from "Kansas City to mouth," or the entire length or flow of the Missouri River across the State of Missouri, a total distance of approximately 386 miles.

My amendment, if adopted, will increase the appropriation to the extent of $4,000,000, so as to provide for bank and levee construction on the Missouri River and its tributaries, as previously authorized by acts of this Congress. This increase from $2,300,000 to $4,000,000 for the fiscal year of 1953 is absolutely essential for our national economy.

I consistently support economy in Federal expenditures when it is not detrimental to the people I represent in Congress. There can be no doubt of the need for flood control on the Missouri River and its tributaries. It is common knowledge that thousands of acres of our fertile farm lands are being washed away by river erosion and floods every year. There is emergency need for stabilization of the channel of the Missouri River and its tributaries. It certainly is false economy to fail to appropriate sufficient money for repair and construction of levees and revetments to protect the homes and valuable productive farm lands of the Missouri River Basin. It is the most fertile and productive farming region in the world. It is the Nation's bread basket.

Mr. Chairman and Members of the House, surely there is no reasonable doubt for the need—a real emergency need—for repair and construction of additional bank stabilization and levee construction on the Missouri River Basin and its tributaries. The devastating floods during recent years on the Missouri, Osage, Blackwater-Lamine, Chariton, and Grand Rivers in Missouri are tragic evidence of such need not only for the protection of the lives and property of American citizens but for the general welfare and preservation of our national economy and natural resources. The total property damage, to say nothing of the tragic loss of lives, resulting from the great flood last July alone exceeded $1,000,000,000.

The United States Army engineers appeared before the Committee on Appropriations and requested $8,500,000 for bank stabilization and levee construction on the Missouri River and its tributaries in the State of Missouri. The Bureau of the Budget reduced that request to $3,500,000, but for reasons unknown the Committee on Appropriations further reduced that amount to $2,300,000. The amendment which I offer provides for an increase of $1,700,000 over and above the amount approved and presented here by the Committee on Appropriations, but it is less than one-half of the amount recommended by the Army engineers as necessary for the fiscal year of 1953 for bank stabilization and levee construction in Missouri.

If we continue to squander our resources on overseas or foreign civil construction functions or projects, and continue to neglect equally important, in fact, more important ventures in our own country, all democracy will ultimately pay the price of our neglect. The time is ripe—rotten ripe—for Congress and administration leaders to realize that the economic well being and military strength of our own America is as important to the forces of democracy as such strength in Europe.

I understand the arguments that have been made and propounded here by the committee that new projects should not be allowed and no money be appropriated therefor, but it is unusual that all projects in our own country are called new projects while money is being appropriated so liberally overseas for construction that are in fact new projects.

I also know that we are all for economy, but certainly it is not unreasonable to ask for an appropriation of money necessary to protect the lives and billions of dollars worth of property as well as the natural resources of our own country. It is false economy to do otherwise. We should and must provide for the needs of our own people.

Mr. ANGELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ANGELL. Mr. Chairman, I have consistently voted for economy in Federal expenditures but at the same time I have stressed the policy that in my judgment it is false economy, while we are spending billions of dollars overseas in the European and Asiatic countries to build up their public works of various kinds, to fail to spend the necessary moneys to preserve, develop, and utilize our own natural resources. This is particularly true of our water resources, development of rivers and harbors, construction of flood control works and the production of hydroelectric power, and the conservation of our soil resources so that we may keep our production schedules going full capacity in this great crisis that confronts us.

In this bill I note that there is very little money appropriated for surveys and planning for flood control and river and harbor projects so essential to our economy. The committee, in my judgment, has taken a false position in assuming that because there is a large backlog of projects which have been approved that we should not keep up to date on surveys and planning, to provide for rivers and harbors and flood control to prevent the enormous devastation such as took place on the Columbia River in the past through the occurrence of floods. I am including an analysis of the bill we are now considering for surveys and planning, both for flood control and river and harbor development:

Analysis of House Appropriation Committee action on survey report and related program in civil functions bill for fiscal year 1953 (Mar. 27, 1952)

Line	Function and item	Flood control		River and harbor		Combined total	
		Budget estimate	Allowed by committee	Budget estimate	Allowed by committee	Budget estimate	Allowed by committee
1	General survey program	$1,600,000		$600,000		$2,200,000	
2	2 special surveys:						
3	Arkansas-White-Red	1,000,000		200,000		1,200,000	
4	New England-New York	800,000		300,000		1,100,000	
5	Subtotal	1,800,000		500,000		2,300,000	
6	Operation and miscellaneous:						
7	Stream-gaging stations	425,000		70,000		495,000	
8	Rainfall stations	500,000				500,000	
9	Storm studies	500,000				500,000	
10	Flood investigations	100,000				100,000	
11	Fish and wildlife studies	40,000		15,000		55,000	
12	Subtotal	1,565,000		85,000		1,650,000	
13	Total, surveys and operation	4,965,000	$1,215,000	1,185,000	$485,000	6,150,000	$1,700,000
14	Beach erosion studies			150,000	150,000	150,000	150,000
15	Planning, authorized projects	1,500,000	0	800,000	0	2,300,000	0
16	Construction, fish facilities			4,256,865	2,000,000	4,256,865	2,000,000
17	Subtotal, earmarked funds	1,500,000	0	5,206,865	2,150,000	6,706,865	2,150,000
18	Grand total (committee report, p. 15)	6,465,000	1,215,000	6,391,865	2,635,000	12,856,865	3,850,000

The committee says that there are on hand unexpended funds in the amount of $1,500,000 which may be used for planning and surveys. However, it should not be overlooked that this fund is tied up by order of the President so that no portion of it can be used until it is released by Executive order. As a result of this there will be no money available for surveys and planning for this important work.

I appeared before the subcommittee dealing with civil functions of the Defense Department urging that some funds be appropriated for flood control in the Columbia River area, which is of vital importance to my district. I called the committee's attention to several projects which have been authorized by the Congress and which are vitally necessary if we are to avoid another catastrophe such as occurred in 1948 on the Columbia River, causing immense damage and destruction in the lower Columbia River area, including my district and that of the gentleman from Washington [Mr. MACK], in which over $104,000,000 in loss of property was suffered together with a number of lives that were lost in the flood.

In Public Law 516, Eighty-first Congress, H. R. 5472, these flood-control projects in the Columbia were estimated to cost $22,295,000, covering bank protection and dikes. I call attention to some of the projects which should be constructed at the earliest possible date in order to avoid another catastrophe in the event of flood conditions in the Columbia River such as occurred in 1948.

You will recall that this flood in the Columbia River was one of the major disasters which devastated our country in 1948. The President asked the Corps of Army Engineers to make a special survey and examination of the area and report what protective works should be constructed to prevent a like disaster in the future and to provide so far as possible against flood hazards. The Army engineers made this examination and the projects included in Public Law 516, Eighty-first Congress, for the Willamette River and the Columbia River area are recommendations of the Corps of Army Engineers for emergency projects to prevent so far as possible in a short-range program the recurrence of such a disaster. These projects are so vital to protect against flood damage and are of such emergency nature that it would be unfortunate if they were not authorized at this session of the Congress. As a matter of fact, I urged supplemental or deficiency appropriations be provided for them before the Eighty-first Congress adjourned so that they might be completed before another flood season arrives.

I call attention specifically to three projects which not only have been approved and included in Public Law 516, Eighty-first Congress, but which, according to the information given me by the Army engineers, are essential in the national defense program. One of these is improvement in Multnomah Drainage District No. 1 to prevent flood damage.

Multnomah Drainage District No. 1: This district lies in Oregon along the left descending banks of the Columbia River at mile 112, northeast of Portland, and contains 8,417 acres protected by about 69,000 feet of levees. At the time the levees were constructed, the land was used for general farming, truck farming, and grazing. At present, the area has become primarily residential, except for the important Portland-Columbia Airport, which is within the district. One failure in the levee system, at the pump house, occurred during the 1948 flood. With the degree of development now existing in the area, seepage through the sand levees should be controlled to a greater degree than exists at present. This control requires the construction of a toe drainage system throughout the entire length of the levee, a system of interior drains leading to the pump house, and the installation of additional pumping capacity. Four cross levees will be constructed on existing roads, thus dividing the district into five areas to relieve the present situation in which a continuous area about 15 miles in length is vulnerable to damage from a break at any point in the levee. Total estimated construction cost including new cross levees is $2,000,000, of which $1,758,500 would be Federal costs and $241,500 would be non-Federal.

The average annual flood damages in this district that can be prevented amount to $146,400 and greatly exceed the average annual charges, both Federal and local, to build and maintain the project. A Federal flood control project for this district was authorized in the 1950 Flood Control Act. This act requires that local interests, in addition to agreeing, first, to hold and save the Federal Government free from damages; second, provide rights of ways and lands for the project; and third, maintain and operate it after completion, will also, fourth, make a cash contribution of $180,000.

The defense importance of this project lies principally in the Portland International Airport, which is so vulnerable to flood. In 1948 this airport was completely submerged for several weeks, but has now been repaired and is actively used by commercial airlines, both national and international and as training bases by the Air Force and the Air National Guard. Important defense communications and warning installations are located in the district.

It is urgently requested that $25,000 be provided to initiate planning on this important flood-control project.

Sandy drainage district: Another project is the Sandy drainage district, vitally essential not only for the prevention of enormous flood damage in the event of another disastrous flood such as occurred in 1948, but also to protect installations for the production of materials of vital interest in the war effort.

This district is located at river mile 118.5 in Multnomah County, Oreg., on the Columbia River between Sandy River on the east and Multnomah drainage district No. 1 on the west. The district contains 1,556 acres, and includes the Northwest's largest aluminum reduction plants and the Troutdale Airport. The area is protected by about 19,000 feet of levee, which successfully withstood the 1948 flood. Seepage, however, was considerable, and an active flood fight was necessary. In order to provide adequate interior drainage, a complete system of toe drains with ditches leading to the pump house is required, and additional pumping capacity is necessary. Total estimated construction cost of this work is $368,000, of which $291,000 would be Federal costs, and $77,000 would be non-Federal.

Based on statistics accumulated by the Corps of Engineers, the average annual flood damages which can be prevented in this district exceed the average annual charges to provide protection and a Federal flood control project was authorized for this district in the 1950 Flood Control Act.

The defense aspects of this district are very important. The Troutdale Airport is a defense installation now actively used by the Air Force and the National Guard, and is used as an alternate landing field by commercial air lines when, as occurs often, the Portland International Airport is fog-bound. The aluminum reduction plant owned and operated by the Reynolds Metal Co. is producing tremendous quantities of vital defense materials. In the 1948 flood alone almost 14,000,000 pounds of aluminum production was lost. This loss represented about 10 percent of the annual output of the plant.

Funds for initiating the planning of this project in the amount of $25,000 are urgently needed this fiscal year.

Johnson Creek, Willamette River Basin: Another project of vital concern for the protection against floods in this area is what is known as the Johnson Creek area. Johnson Creek, a tributary of the Willamette River, drains an area of approximately 54 square miles between Clackamas and Columbia Rivers. The flood plain is highly developed and quite populous. The town of Gresham is situated at river-mile 15 and the villages of Cotton, Linneman, and Jenne lie between Gresham and the mouth at Portland. Between river-mile 9.5 and the mouth, the stream passes through the environs of Southeast Portland and at a number of points lies within the city limits. The Cazadero line of the Portland Electric Railroad is built on the banks of the stream from Portland to Haley about 4.5 miles above Gresham.

Flooding by Johnson Creek, which occurs almost annually, results in heavy damage to the adjoining residential and business properties, interrupts transportation, damages bridges, floods septic tanks and cesspools, contaminates wells, and reduces value of real estate. Average annual flood damages amount to about $132,300.

The plan of improvement for Johnson Creek, authorized in the Flood Control Act of 1950, provides flood protection in the Gresham area against floods with an expected frequency of once in 7 years. In the area between river miles 5.19 and 7.79, which includes the Southeast Portland Lumber Co. mill, protection is justified against floods with an expected frequency of once in 25 years. The remainder of the channel between the mouth and mile 10.27 is to be improved by clearing the channel in the various reaches to improve the channel capacity. The cost of these improvements is estimated at $1,376,400, of which $923,900 would be Federal and $452,500 would be non-Federal. Average annual benefits expected from the improvements are estimated at more than $200,000 and the improvements are justified by a ratio of benefits to costs of about 3 to 1.

This project area has considerable defense importance, for main-line transportation systems both parallel and cross the stream valley. These transportation lines are vital to defense, as they service the industrial heart of Portland and its thriving waterfront. An important sawmill producing vital defense timber products will also be protected in this project.

I strongly recommend that consideration be given to the provision of funds to initiate planning on this important project.

The flood plain of the lower Columbia River, from the vicinities of Washougal and Sandy Rivers just upstream from Portland to the mouth, embraces about 170,000 acres, of which approximately 70,000 acres are unprotected against overflow. The degree of protection varies and in numerous instances is inadequate. A considerable portion of these areas is highly developed industrial, urban, and agricultural land, protection of which is definitely feasible and economical. The experience during the recent 1948 flood has demonstrated conclusively that the raising, strengthening, and extending of certain existing flood-control works are essential to provide protection against major floods, and that certain new areas should be protected by levees and necessary appurtenances.

There are a number of other projects approved in Public Law 516, Eighty-first Congress, for the protection of the lower Columbia River Basin, which I am not discussing before you today because I realize that under the program during this emergency and the national rearmament that it is not planned to take up any project that is not of an emergency nature or needed in the war effort. I do sincerely trust, however, that there will be included in this bill at least $10,000,000 to start the planning of these emergency projects in order that construction work may get under way so that they may be completed at an early date, not only in the interest of national defense but to prevent the immense damages that will ensue in the event of the recurrence of another flood in the proportions of the 1948 Columbia River flood.

Mr. Chairman, as is well known, the Columbia River area contains the greatest pool of potential hydroelectric power of any area in the United States; some 40 percent of our hydroelectric power is there and only 10 percent is developed. Notwithstanding we have a great dearth of hydroelectric power at the present time to carry on the national defense program, not only in the Hanford Atomic Energy Plant but in the aluminum, metallurgical, and forest products plants. Two projects on the Columbia River, Albeni Falls and the Dalles Dam, which are under construction have been eliminated from this bill and no appropriations therefor are made. I most sincerely hope that when this bill reaches the other body amendments will be made to include in it sufficient funds to carry on the flood-control projects I have enumerated and appropriations for the Albeni Falls and the Dalles Dam projects so that these essential works may go forward without further delay.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 10 minutes.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, I take this time to bring to the attention of the Members a terrific flood problem which exists on the Missouri River in my district. For several years past the Army Engineers have not received the amount of funds they needed since 1947 when President Truman took it upon himself to freeze 50 percent of the funds which Congress had appropriated for flood control for fiscal year 1948. The money the Engineers have received since 1948 has been spent to a great degree to protect the construction work that had been previously done between Omaha, Nebr., and Kansas City, leaving the stretch from Sioux City to Council Bluffs with but very little construction work except to build a few levees to keep the river from breaking through and starting a new channel, which would eventually cost the taxpayers of America many, many million dollars more than the cost of the levees which they did build during the past several years.

This year the Army Engineers asked for $5,000,000 for channel maintenance and bank erosion control from Sioux City to Kansas City. I appeared before the committee and asked that that be increased $2,000,000 and that the $2,000,000 be earmarked for construction from Sioux City to Council Bluffs, Iowa, for bank erosion control and channel maintenance. I am sorry to say that the committee did not see fit to allow that amount, but, to the contrary, the $5,000,000 was reduced to $4,250,000. Of course, for me to ask that more of the taxpayers' money be spent, I must step out of cast, but I am not apologizing for

doing so in this case because of the fact that flood control on our Federal streams is something the people cannot do for themselves. In fact they are forbidden to do so by law. I have never asked for appropriated funds for things for my people or anyone else which the people could do themselves. Our problem is simply this. Each spring when the floodwaters come down in torrents from that great area northwest of Sioux City, Iowa, it overtops the levees, breaks through, and floods thousands upon thousands of acres of the finest land that lies outdoors, made it unproductive, and which also means that in years to come it will be necessary to spend many, many millions of dollars more than would be necessary to do the job now, in addition to the great loss suffered each year by the farmers and people in that area.

Mr. Chairman, I shall not offer an amendment for I know it would suffer the same fate as other amendments which have and will be offered, but I do want to apprise the Members again of this serious matter in the hope that a new day will soon arrive when we will look after the needs of deserving people here within the United States.

Mr. Chairman, I shall read into the RECORD the statement I made when I appeared before the committee on February 20 in support of my request:

Mr. RABAUT. We will now hear from our colleague, Mr. JENSEN, of Iowa.

Mr. JENSEN. For the record, I am Congressman BEN F. JENSEN, representing the Seventh District of Iowa. You will remember that on May 9, last year, at that time I appeared before this committee in regard to the terrific damaging floods and the need for additional money above the budget. Appearing with me was E. C. Myrland, Iowa State senator; R. A. Rawlings, engineer of Monona County, Iowa; E. M. Prichard, attorney for the board of supervisors, Monona County, Iowa; W. F. Wright, Onowa, Iowa; A. L. Thomas, county engineer, Harrison County, Iowa; William H. Welch, counsel, board of supervisors, Harrison County, Iowa.

These gentlemen, along with me, were especially interested, as you will remember, in that section of the Missouri River from Sioux City to Council Bluffs. While I am of course interested in all of the river problems in my district, that section of the Missouri River is the one that we are most concerned about at this time.

Our testimony appears in part 2, from pages 356 to 546, inclusive, which was given last year by these people whom I have just named. If you will remember, the county engineers had maps here and pointed out the places where bank-erosion control was desperately needed. I have been informed by the Army engineers that they requested $13,000,000 for fiscal year 1953 for channel maintenance and bank-erosion control from Sioux City to Kansas City. That figure was reduced by the Bureau of the Budget to $5,000,000 for bank-erosion control and channel maintenance from Sioux City to Kansas City. I am also informed by the Army engineers that because of that reduction it will be impossible for them to spend any or at least very little for this purpose north of Council Bluffs, Iowa, where the river is out of control today and is eroding the banks terrifically and will sooner or later break through. It could break through in several places, and thus start a new channel, and that new channel may take off across country and go through Missouri Valley, Iowa, a town of 5,000 people, 9 feet lower than the river is 12 miles away. That is what worries us most.

Every spring there are thousands upon thousands of acres of the best productive land in America inundated, and rendered completely useless for agricultural production. Yet irrespective of all the facts we have presented, only a fraction of the funds actually needed to the job which should be done are made available to this area. I have never, since I have been a Member of Congress, asked for a single dime to do things for my people or anyone else that they could do for themselves, and should do for themselves. But you know this is a problem which the people cannot solve; they are helpless. It is criminal to let this condition go on longer. Every year that it is let go is going to cost millions of dollars more than if we do what should be done now. It is quite certain that floods will again occur in this area. And all of those thousands upon thousands of acres of land will be flooded again, and it will wash out agricultural levees, and the farmers will again spend their own money to build them up again as best they can. The engineers help them some, but it is just one of these things which is penny wise and pound foolish to let go year after year when the flooded land could be protected if the needed work is done now.

Mr. RABAUT. The engineers made a request within the ceiling on your project for $5,000,000, and above the ceiling for $8,000,000, so the $13,000,000 is not all within ceiling. The engineers should tell you.

Mr. JENSEN. They did.

Mr. RABAUT. If they wanted $13,000,000 for that project they should have kept within the ceiling.

Mr. JENSEN. Yes; I understand.

I hope you gentlemen will appreciate the fact that the Army engineers have spent approximately $35,000,000 for bank-erosion and channel-maintenance control from Sioux City to Kansas City over years since the Congress directed the Army engineers to make the Missouri River navigable from Sioux City to the mouth. Of that $35,000,000 which has been expended, the Army engineers will testify to the fact that over half of the structures which have been installed with this $35,000,000 have now been washed out and destroyed. They contend that it is better economy to attempt to save the structures below Omaha with the money they have received each year, than it is to attempt to do anything of any consequence above Omaha or Council Bluffs to Sioux City.

North of Omaha the structures which have been installed in the past years are almost completely destroyed and now for several years past the river is taking its natural course, which has destroyed land by the thousand of acres.

Mr. Thomas said last year at this hearing—Mr. Thomas is the engineer for Harrison County—quote: "You will note it has taken this and coming down here"—he was pointing to a map—"there is a very prominent citizen—and it cut this corner off and came in here. It took nearly 3 acres of land off one farm and it does it so fast that you cannot get the stuff out of the way. One man had 160 acres at this point with a full set of buildings and the only thing left today is a trace of that land and the only thing left for that old gentleman to do is go on the county relief.

"He is completely wiped out. All of the title to the land is gone. It is serious. That is just one of the conditions there," unquote.

Mr. RABAUT. We had an explanation of that yesterday.

Mr. JENSEN. Mr. Christenson and Mr. Krogh appeared before this committee.

Mr. RABAUT. Yes. They were here yesterday.

Mr. JENSEN. They live in Woodbury County where Sioux City is located.

Mr. RABAUT. They had pictures of it. They showed how much acreage was taken out of each plot. A fellow had 100 acres, now he has only 62.

Mr. JENSEN. The floodwaters are constantly eating away at the banks, Woodbury, Monona, and Harrison Counties. We are sitting on a keg of dynamite. It is not only destroying the land that is being eroded, but in the spring we know, as every year, thousands upon thousands of acres will be flooded again. Now if the Army engineers were given $2,000,000 more to spend in fiscal year 1953 and that $2,000,000 could be earmarked for bank-erosion control and channel maintenance from Sioux City to Council Bluffs and Omaha, right across the river from each other, then a job could be done in saving the farmers from being flooded and prevent that river from breaking through and starting a new channel next year as it has on many occasions in the past hundred years. I know it is difficult to go above the budget but my committee has done it on several occasions, where we could see we were justified to do so. We are spending money all over the world for things just like this and letting our own problems go by the board. Gentlemen, that kind of business simply does not make sense.

I just know that if this committee can see fit to add $2,000,000 more to the $5,000,000 which the budget has requested for this work from Sioux City to the mouth, to be used in fiscal 1953, that it would save many millions of dollars in years to come.

Then there is another matter which I must bring to your attention, and that is the Little Sioux project; the Little Sioux River empties into the Missouri River in Harrison County. There we have the situation that when the Missouri River is at flood height it backs up the waters of the Little Sioux River and floods a great productive valley. Last year at one time we had about 90,000 acres of land under water in the Little Sioux Valley; and there was not a dime in this budget, the 1952 fiscal year budget, for the Little Sioux Valley project. But the Army engineers were kind enough to allot around $200,000 out of the emergency fund to assist those farmers to get the water off the land after the river went down, that it helped get water out of part of the valley.

You can understand, gentlemen, it is a terrible heartbreaker to see this destruction go on out there year after year in that fine valley and nothing, practically nothing, being done about it. I sit on the Subcommittee of the Interior and help appropriate hundreds of millions of dollars each year for irrigation and reclamation projects to put water on practically worthless land to make it productive and in my district there is almost no money spent to keep water off the finest land that lays outdoors, and let me say, gentlemen, I'm about fed up, and one of these fine days, God willing, fellows like myself may have more power in Congress than we now have. That is not a threat, that is a humble promise, my colleagues, for this committee and others to ponder over.

Mr. RABAUT. It is very good land.

Mr. JANSEN. It just does not make sense, but never have I penalized anybody because of that. Regardless of my feelings, I still know that we must have more land under cultivation or one of these fine days when the good Lord decides not to give us rain and sunshine in proportion to what he has in the last 9 years of bumper crops, if we have a couple of years of drought in this Nation with the land we have in production now, food prices will soar, people will then wonder why they complained about the cost of food in 1952.

Because of that, with the population increasing 2,000,000 or more a year, I know we have to have more land in production to feed our people in years to come. But when I see the best land that lays outdoors, wonderful, fertile, productive land, taken out of production each year because this Con-

gress, which appropriates billions for useless purposes, refuses to appropriate needed funds to protect such land as this, then certainly America is on the wrong track completely.

I plead with you gentlemen to help the people out there to save that valuable land.

We have a bridge situation. They built a bridge on dry land, you know. The Army engineers said, "Here is the channel, build the bridge here." The east end of the bridge is now about 2,000 feet from the east bank because of the bank erosion of the east bank at that point. There it sits and cannot be used until the channel is stabilized upstream, and put where it belongs.

Of course we hope that we can get that channel put back where it belongs. Then of course that bridge can be used. It is a very important highway. It is a Federal highway and certainly could be termed a military highway. In conclusion let me say again that all in all this is one of the things that should be done just as quickly as possible while we have an opportunity to spend a few million dollars which, if not spent very soon, will cost us possibly 10 to 1 in future years to come.

I plead with this committee to allow the funds which I have requested for this worthy cause.

Mr. RABAUT. Thank you very much.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, a very short sentence on this one: Missouri River, Kansas City to the mouth. Our committee reduction was achieved by allowing the same amount as in 1952. Anybody that gets the same amount for 1953 that they got in 1952, with the war effort and the defense program and the tremendous expenditures going on in this country, is doing pretty well.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. MOULDER].

The amendment was rejected.

Mr. HARDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARDY: Page 5, line 5, strike out "$117,710,000" and insert in lieu thereof the figure "$119,210,000, of which not to exceed $1,500,000 shall be used for the Craney Island disposal area."

Mr. HARDY. Mr. Chairman, I shall not take any more time than is necessary——

Mr. RABAUT. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Virginia had already started debate on his amendment. The point of order comes too late.

Mr. RABAUT. All right.

Mr. HARDY. I think a point of order probably would not be well taken, anyway. I presume it would be on the ground that the appropriation is not authorized.

Mr. RABAUT. All right; I will take my chances on a vote on the amendment.

Mr. HARDY. Anyway, since the point of order came too late, I should like to present this picture.

There is a project authorized for the Craney Island disposal area at a total cost of $7,667,700. The reason I am offering this amendment at this time is because of what I consider to be an urgency which I believe will result in a considerably increased expenditure. I believe we can save a considerable amount of money over a relatively short period of time by the adoption of this amendment.

I have before me a letter from the Chief of Engineers in connection with this project. He points out that it will take from 18 months to 2 years to complete the retaining levees and revetments for the authorized project. The project is a disposal area for the disposal of dredged material, without having to haul that material out to the ocean in barges or in the Engineers' dredge boat that is used to maintain the channel. That maintenance work has to go on every year. Up to the present time they have been dumping this dredged material in holes in the harbor. They have reached the point now where those holes are filling up and it has been determined that the present practice cannot be long continued. It is going to take us from 18 months to 2 years to build this facility to take care of this dredged material. We need $1,500,000 to start it, and it will cost in the course of time approximately $7,000,000.

General Chorpening says in his letter that the facility will save annually $1,643,000 in transportation of the dredged material to the open sea, which will have to be done if this facility is not built.

I lay this proposal before you because I think it is of the utmost importance. The project has been approved. It is highly recommended by the Engineers. I understand it was not recommended by the Bureau of the Budget and I do not want anybody to be misled on that. Nevertheless, it is a worth-while project which the Congress has approved and the Engineers support. I hope it will be approved in the interest of economy. That is the only basis on which I offer it.

Mr. RABAUT. Mr. Chairman, I rise in opposition to the amendment, and ask unanimous consent that all debate on the amendment and all amendments thereto close in 2 minutes.

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

There was no objection.

Mr. RABAUT. Mr. Chairman, just a brief statement on this project. There is no planning for this; there is no budget estimate; it calls for the expenditure of $1,500,000, and should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was rejected.

Mr. DONDERO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there is no money in this bill for my congressional district, and not one penny in the bill for my State of Michigan. Nevertheless, I expect to support this appropriation bill.

What has happened on the floor this afternoon in general debate and now under the 5-minute rule is unmistakable evidence of what happens when 6 percent of the world's population, such as the United States represents, tries to take on its back the other 94 percent. We are trying to scatter the funds and resources of this Nation all over this world, and at last the shoe is beginning to pinch. We are beginning to understand that we cannot do that unless we deny improvements to our own people. That is exactly what has happened on the floor today. If these projects, and the many surveys that are being asked for, were somewhere else in the world, they would perhaps receive favorable consideration. We are spending about $500,000,000 in France to build dams and hydroelectric plants, and other public works and we cannot get any money to build the St. Lawrence seaway, which also has navigation and hydroelectric features involved in it. I suppose that is because it is not in the right location. Now, it may be a little bit discouraging to us to learn that on tomorrow, when we take up the State Department bill, we will find in it $325,000,000 for point 4 program to rehabilitate, to improve, and to build works in the undeveloped areas of the world. Just as soon as the people of the United States begin to understand that as long as they vote for and approve a foreign policy which spends eight to ten billion dollars a year in other parts of the world, they must sacrifice here at home. If this is going to continue, then here at home we have to be denied money for surveys, projects, and other improvements, although vitally needed by the people of the United States. That is exactly what has happened here on the floor. Let the country know it. Let the press carry it that we cannot take the whole world on our lap and nurse it forever. I think the Committee on Appropriations for Civil Functions has done a very good job. You have worked hard. It is never popular to come on the floor and ask for more money than any committee sees fit in its wisdom to provide. That is what has occurred here today. I am sorry to see so many of our colleagues from so many States and sections of the country denied what undoubtedly is needed and needed badly. But the reason behind it is a foreign policy that asks for billions of dollars to be spent all over the world, but not for the benefit of our own people.

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

Mr. DONDERO. I yield.

Mr. VURSELL. I think the gentleman will agree with me that we tax our people here to get these billions of dollars to send away, and that prevents them from having a few hundred thousand dollars to improve their own rivers and harbors or anything else, including roads. May I go further and say that we are taxing our people to send 25,000,000 to 30,000,000 tons of coal a year for the last number of years to European countries of which at least 30 percent or 40 percent or 50 percent is an outright gift.

Mr. DONDERO. The gentleman is correct.

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

Mr. DONDERO. I yield.

Mr. KEARNS. Do you suppose, may I ask the gentleman from Michigan, that

we could get more for our projects in America if we created a title similar to the point 4 program for America?

Mr. DONDERO. America seems to be the last country thought of.

Mr. KEARNS. We have reached a condition today where we need a program to help ourselves here.

Mr. DONDERO. There is no question about it, and unless we stop profligate spending, this country faces economic collapse.

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

Mr. DONDERO. I yield.

Mr. GROSS. I wonder how some members of this subcommittee reconcile their position in voting for these millions of dollars and still cutting out worthwhile projects in this country.

Mr. DONDERO. I am not trying to search the conscience of any Member of the House, but am simply stating the facts as they appear to be to me.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARDEN. Mr. Chairman, I move to strike out the last three words.

I take this time, Mr. Chairman, to comment on a paragraph appearing in the report. Funds in the amount of $67,105,000 are contained in the bill for operation and maintenance. Then, in the report is this statement:

> While the committee is cognizant of the fact that emergencies may arise calling for the unanticipated expenditure of funds on certain projects, it will expect the Corps of Engineers to more rigidly adhere to the tentative allocation of operation and maintenance funds presented in justification of these estimates than has been true in the past.

I presume that paragraph grew out of the discussion that took place on the floor at the last session when the appropriation was under discussion. I would like to ask the chairman just how far he expects this to go. He uses the term "While the committee is cognizant of the fact that emergencies may arise." If I understand it, before the United States Army Engineers would be justified in doing what they have heretofore done, that is, take money that was allocated for the maintenance of certain projects and shifting it to some other place, there must be some real justification and some real emergency existing.

Mr. RABAUT. The gentleman is correct.

Mr. BARDEN. I do not interpret that emergency to mean where the Chief of Engineers thinks it would be better spent. You mean where it would be an emergency created by a national defense situation?

Mr. RABAUT. Some situation that would arise that would justify it. I would say that the committee intends to keep an eagle eye on the Engineers about it. I am glad the gentleman brought it up and I am pleased to make that remark for the RECORD.

Mr. BARDEN. I thank the gentleman. I think that is a mild approach to it, but in recent years we have had to go before the Engineers and have a terrific fight to get even a part of the money expended on these maintenance projects that Congress appropriated for that purpose. I am glad to have the gentleman's statement. I shall watch the operation of the Army Engineers with a great deal of interest in this respect.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. MARTIN of Iowa. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to address the Committee briefly with regard to lock 19 at Keokuk, Iowa. I appeared before the committee as a witness regarding that project. It was approved by authorization of Congress back in about 1930. This is one of two projects included in the President's budget for this year—new construction projects in rivers and harbors.

The project is in serious disrepair. It is a very tiny lock, 388 feet long. It was built in 1913, the first one built on the Mississippi River. This ancient lock is in danger of going out, and when it does you will find a serious freight blockage there. This is not just for my district. This is for the eastern part of Iowa, western Illinois, Wisconsin, and Minnesota up to Minneapolis. There are about 11,000,000 tons of freight moving up and down the Mississippi in that upper region, of which about 4,100,000 tons pass through the Keokuk lock. I do not want to see that lock go out and bottle up all that freight traffic. We are dependent on it primarily for oil and coal going up the river and for grain going down the river.

I am speaking in a little broader interest than just that of my own congressional district.

Its importance was recognized by Congress back in 1930 when the new lock was authorized. It was in the President's budget this year, approved by the Bureau of the Budget. The hearings now before us show one particular project, which I will not name because I am not shooting at that particular project, where the total shipping included is only 340,000 tons and where the appropriation here included in this legislation is $16,000,000 now to be appropriated and a $50,000,000 total project cost. The Keokuk project is only an $8,000,000 total cost and $2,500,000 requested in this legislation for the next fiscal year. This sum would insure safe and uninterrupted annual freight movement for more than 4,000,000 tons.

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

Mr. MARTIN of Iowa. I yield.

Mr. WIER. I want to congratulate the gentleman from Iowa for bringing this subject up because, aside from the gentleman's own State of Iowa, if that dam goes out, it completely wrecks all traffic up beyond Keokuk, Iowa.

Mr. MARTIN of Iowa. The gentleman is absolutely right.

Mr. WIER. And the cities of Minneapolis and St. Paul, and all that area up there will have no river traffic.

Mr. MARTIN of Iowa. It would take 2,000 freight cars and 30 locomotives to move the freight that moves through this Keokuk lock.

Mr. WIER. I will guarantee the gentleman 4 votes on this side.

Mr. MARTIN of Iowa. I thank the gentleman from Minnesota very much. I testified before the appropriation subcommittee asking funds for the Keokuk lock. I must now serve notice on the committee that I intend to try to get this appropriation considered in the other body; and if I succeed I hope the conferees will not strike it out. As I say, I asked to be heard and they did give me a courteous hearing. This is probably one of the most serious freight bottlenecks in the entire Nation. Its importance is recognized by the Army Engineers and they recommend it for the appropriation.

I do not like to make comparisons with other projects, but there are included in this bill—and I shall not name them, because I am not shooting at them—projects which in my opinion stand no comparison in importance to this Keokuk project yet they are in the bill and Keokuk is not. The failure of this dam would be a very serious matter and disrupt all Mississippi traffic above this point. I cannot see why some projects were put in this bill that were not approved by the President, yet this project is stricken out.

I have been urging this project during the 13 years I have been in Congress; I am serious about this matter now. I shall try to have it put in in the other body. This was done a couple of times only to be stricken out in conference. I am for economy; I think my record will stand up on the economy issue, but I do not want to see a calamity brought to the upper Mississippi by the failure of this lock.

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

Mr. MARTIN of Iowa. I yield.

Mr. GROSS. Instead of its being Keokuk, Iowa, if it had been Keokuk, France, or Keokuk, Italy, the gentleman probably would have got his money.

Mr. MARTIN of Iowa. I agree to that.

I shall not offer an amendment; I just want this committee to be prepared to have the item appear in the bill when it comes from the other body, and if it does I hope it will not be taken out in conference.

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

Mr. MARTIN of Iowa. I yield.

Mr. RANKIN. How much will it cost?

Mr. MARTIN of Iowa. The estimated total cost is $8,000,000. We are asking $2,500,000 this year. There has been no expenditure on it up to date except for plans and specifications.

Mr. FORD. Mr. Chairman, I move to strike out the last word.

The gentleman from Iowa [Mr. MARTIN] has made a very fair presentation of the Keokuk, Iowa, lock situation. If you will look at the testimony in the committee hearings you will see that the Army Engineers made an excellent presentation of the dire need for this project. However, it is one of six projects that are new projects in the budget.

Our subcommittee felt that we could not approve any new project in the bill on the basis that to permit one breach in the dike would open the way to a flood.

This project is an urgent one, and I can assure the gentleman from Iowa that when we get in the committee on conference with the other body we will give it all possible consideration. If the distinguished and able gentleman from Iowa is successful in getting the project in the bill in the other body, as I am sure he will be, there is an excellent chance that it will finally be in the bill in its final form.

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

Mr. FORD. I yield.

Mr. TACKETT. I would like to know why it is we always leave it to the other body to do something for this body.

During each session of Congress we must depend on the other body to make grants to Arkansas and other States. It happens every time we get what we are entitled to have. We always have to get it from the other body. I would like to know why we leave everything up to the other body?

Mr. FORD. In this bill this year there is $2,000,000 for the Arkansas River emergency bank stabilization, which I think is in the State of Arkansas in the gentleman's area.

Mr. TACKETT. What is in there for the Red River, the White River, the Ouachita River and for all the other rivers down there?

Mr. FORD. Would the gentleman from Arkansas like to know how much money is in this bill for the State of Arkansas? The State of Arkansas has $9,000,000 in this bill for river and harbor flood control. If the gentleman will look through some of the figures for other States he will find that some States received absolutely no funds for the flood problems that plague them.

Mr. TACKETT. Yes, Arkansas is so located as to have greater needs. Every drop of water that goes down to Louisiana goes through Arkansas in order to get down there.

Mr. FORD. Well, that is a matter of opinion.

Mr. TACKETT. It is a matter of proof.

Mr. FORD. The gentleman might be somewhat prejudiced in his opinion as to whether or not Arkansas needs more than anybody else. The State of Arkansas did not do too badly with $9,000,000 while some of the other States did not get anything.

Mr. TACKETT. The State of Arkansas, the State of Louisiana, or any of those States in that area has not asked for one single solitary dime that was not fully recommended unanimously by the Engineers. If we just had what the Engineers have recommended there would not be any trouble. We get one drop out of every billion spent in this counry.

Mr. FORD. The Army Engineers do recommend many projects which the Bureau of the Budget and the Congress do not approve of. I do not think the gentleman's argument is very effective.

Mr. TACKETT. That is also an opinion.

Mr. MARTIN of Iowa. I fully appreciate the gentleman's remarks regarding the Keokuk situation. I know the gentleman's committee has been under a terrific strain; however, I shall look forward to some action being taken on this matter shortly.

Mr. FORD. We will do our very best.

Mr. McCARTHY. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I wish to speak in support of the position which the gentleman from Iowa [Mr. MARTIN] has taken with regard to the Keokuk project. As you know, this has been recommended for a number of years by the Corps of Engineers and has been repeatedly turned down by the committee. Apparently the opinion is that this is something like the deacon's one-horse shay, it will go on forever.

The Army Engineers have testified that this particular lock and dam is in such bad state it might collapse at any time. If that were to happen traffic on the upper Mississippi River would be tied up for from 2 to 3 years.

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

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

Mr. PRIEST. May I say to the gentleman from Minnesota that I have had occasion to look into the situation to which he and the gentleman from Iowa both have referred. I hope that during this session some appropriation may be made to begin work on what I consider to be a very important project.

Mr. McCARTHY. I appreciate the comment of the gentleman from Tennessee because it is my opinion that there are at least three or four other projects presently being recommended in this bill which are much less meritorious than is the project at Keokuk. I hope that if the Senate sees fit to restore this item the House will take action to correct a mistake it is making in not having this project in the bill today.

Mr. SCUDDER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the work we are doing here in Congress reminds me of Don Quixote fighting windmills. About all we do is have recommendations come in from the administration, and they tell us what we can do and what we cannot do, and then we are circumscribed to that extent. It does not matter how much the Engineers recommend or how vital the projects are throughout the country, we are circumscribed by the dictates of the administration. Now, I do not know; I have not been here except over the last 2 years, and possibly the Republicans, when they are in power, will write a slate and tell you what you can do and nothing else; but, at least, since I have been here, we have been told what we can expect to get. The Engineers make a recommendation, it goes to the Bureau of the Budget, and they cut it out, and because they cut it out it is not put back in by a legislative budget.

I have had letters from home, and they told me not to place all the blame on President Truman; that the Congress appropriates the money; they have control of the purse strings and can do or not do the things that need money to have them brought to fruition.

I have a project of very great importance in my district. The people are not asking for anything unreasonable; they are only asking for that which has been natural for the Federal administration to take care of, and that is the flood control and the planning and bank stabilization of rivers. They are ready and willing and anxious to put up their share of the money for a project that is very essential to the entire area. I think that we are going afield in doing a lot of things that private enterprise is ready and willing to do, and that is in the construction of power projects. We had the Engineers before us the other day, and they admitted that there was no flood control in the Grand Coulee project, that cost several hundred million dollars; there was no flood control in the Bonneville project, which cost several million dollars to construct, all of which could have been done by private enterprise. Now we are trying to fool the public by telling them that they are getting flood control, and they are not getting flood control in those two big projects. Without a doubt, a lot more of them are being built throughout this country which are strictly power projects, and they are charged up to flood control. I believe that we should have a right to come in here and amend the bill in order to take care of those types of projects for which the Government is responsible, namely, rivers and harbors and flood control. I believe that we are not doing our duty unless we do segregate these proposals and do what the Congress is supposed to do with taxpayers' money, and not build power projects up and down the entire extent of our country out of taxpayers' money, especially when they can be constructed through private enterprise.

The Clerk read as follows:

FLOOD CONTROL

EXAMINATION, SURVEY, PLANNING, AND OTHER STUDY PROGRAMS

For engineering and economic investigations of proposed flood-control projects; including preliminary examinations and surveys; formulating plans and preparing designs and specifications for authorized flood-control projects or parts thereof prior to appropriations for construction of such projects or parts; for printing, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress; to remain available until expended, $1,215,000: *Provided*, That no part of this appropriation shall be expended in the conduct of activities which are not authorized by law: *Provided further*, That the expenditure of funds for completing the necessary surveys and plans and specifications shall not be construed as a commitment of the Government to the construction of any project.

Mr. JONES of Missouri. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am going to speak just briefly and propound an inquiry to the Chair. We all have a bunch of amendments here that we would like to offer, but I do not think many of us have any hopes of getting them adopted, and I think if we can get them in the RECORD it will probably serve the purpose. I think if we all had the opportunity of extending our remarks we probably could take care of the purpose for which we are sitting here today.

For that reason, Mr. Chairman, I ask unanimous consent that this bill be considered as read and open to amendment at any point and that debate on all amendments to the bill close in 10 minutes.

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

Mr. TABER. I object, Mr. Chairman.

Mr. JONES of Missouri. Then, Mr. Chairman, I will use up the rest of my time, if I may.

We spoke a minute ago about the projects that had not been approved by the budget. There is one project that was denied in this bill that was approved by the budget. I refer to the Cape Girardeau flood-control project. Not only was that project denied by the committee but they have approved in this bill $4,951,000 for the completion of projects which will further contribute to worsening the floods at Cape Girardeau.

All of our trouble at Cape Girardeau has been brought about by projects that have been built by the Federal Government. As I said in general debate, for a hundred years we had only four floods, from 1927 back, and Cape Girardeau was established in 1801. However, from 1942 to 1951, after the building of other projects, we have had floods in 7 out of the 10 years, and with the completion of these projects for which they have authorized almost $5,000,000 you will make conditions worse there. It appears we are going to have water standing 19 feet deep at the flood stage there. During those 7 years out of the 10 that we had the floods, we had 261 days that the railroad could not operate the main line between St. Louis and Memphis.

This is a project that has been approved by the budget and approved by the engineers, and it would be ready to go. We need some money for it. Out of fairness, I am going to offer an amendment as we progress on this bill to try to restore that amount to the bill. It will take $1,000,000 to do it. However, in view of the fact they have already allowed $5,000,000 to complete projects which will make our situation worse there, I think it should be adopted. So I will see what the House is going to do on that.

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

Mr. JONES of Missouri. I yield to the gentleman from Louisiana.

Mr. BROOKS. They will tell you that the project is not approved by the budget and it must be approved by the budget. Then when it is approved by the budget they will tell you it is not important, that there is no use to put it in the bill. I was told that on two projects approved by the budget.

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

Mr. O'HARA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'HARA: On page 6, line 7, strike out the colon and insert a comma and the following: "of which $20,000 shall be available for a survey of the Minnesota River in Minnesota by the United States engineers, from a point 3 miles above and 3 miles below the North Mankato-Mankato area."

Mr. O'HARA. Mr. Chairman, I wish to make it plain that I am not asking to increase the amount the committee has allowed for these preliminary surveys. I merely want to be sure that when we get done my people, before they are flooded again, will have an opportunity to get the survey. Therefore I want the sum earmarked.

What is the situation we are in?

Mr. Chairman, the committee has appropriated $1,215,000 in this item. The Army engineers have brought in about 80 or 85 projects for which they ask $1,600,000 for surveys. The situation is simply this. We cannot move until we get these surveys by the Army engineers. Just think of it. Here is an item of a little, miserable $20,000, and those affected are in the situation where we call up the Army engineers and they say, "Congressman, we are sorry, we asked for $1,600,000 and your $20,000 is not in there." Now, that is certainly the finest sort of a tug of war that we are going to have. There are probably 40 to 50 Members of the Congress, and maybe even more than that, who are interested in various projects in their districts. Somebody is going to be disappointed. Some projects are just simply not going to get their survey, which is the basis for what is to be done or recommended in the matter of flood control. That is the situation in which every Member who has a project which comes under this bill will find himself. The tragic mistake, in my opinion, is that we should find ourselves in that kind of a position when people are risking their lives and their homes are being destroyed or threatened together with all of the other things that they have to worry about, on a little item of $20,000.

Mr. Chairman, perhaps there will be other amendments offered. But I owe my people the duty of doing everything that I can for them. This is the second time that I have ever asked for a single dollar. You were very kind to me a couple of years ago and gave me a small appropriation for a small boat harbor in my State, which was frozen because the Korean war came on. So we did not get it. This will be the first appropriation. I hope to have it earmarked. I hope I will not have to argue with the engineers as to whether I am in or out of the shuffle. I want to be in, and I hope this amendment will be adopted.

It is just about a year since the cities of North Mankato and Mankato were flooded. Some 6,000 people had to be moved from their homes. Damages in excess of $2,000,000 were sustained. In addition to all of the dislocation and damages, the Federal and State and local taxing units have lost thousands and thousands of dollars in tax revenues.

It is a tragic and unfortunate situation that in the allowance which has been made by the committee, the projects were not either specified or eliminated, instead of throwing in a number of projects which require $1,600,000 to allow for the surveys as requested by the United States engineers and that the projects were not allowed item by item and earmarked.

In my opinion it was the responsibility of the committee to decide the need, under the testimony before the committee, and make its decision one way or the other, rather than to leave it in the realm of gamble and uncertainty as to what projects the engineers must necessarily select for survey under this bill.

The result is an impossible situation.

Mr. RABAUT. Mr. Chairman, I rise in opposition to this amendment, and in order to close debate I ask unanimous consent that all debate on this amendment, and all amendments thereto, close in 3 minutes.

Mr. REED of New York. Mr. Chairman, I object. I have been sitting here all day patiently, with work piling up in my office, waiting for an opportunity to offer an amendment to this amendment.

Mr. RABAUT. This, I am sure, is not the gentleman's amendment. I am sure the gentleman is not going to offer an amendment to this one, is he?

Mr. REED of New York. I am going to follow this.

Mr. RABAUT. The gentleman, of course, can offer any amendment he cares to following this.

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

There was no objection.

Mr. RABAUT. Mr. Chairman, I hope the committee realizes the fact that I am here in a legislative position, and it just happens to be my duty in the Congress to oppose these amendments. I hope nobody in this entire body will take any of this in a personal manner. I have the highest respect, and in a most particular way, for the gentleman who just offered the pending amendment. He says some people are going to be disappointed. Why, everybody is going to be disappointed so far as survey money is concerned who does not have a project which is related to the national defense—everybody, and there are 435 of us here. So naturally the gentleman falls in that category with the rest of us. If his project is essential to the defense effort, then it can be included by the engineers, and if it is essential, I would be one who would be willing to help the gentleman. So there is no need of saying this is just a $20,000 item, and is a small amount, because it is these small amounts that have given us the debt which we have today. While I am on my feet I want to say this, so we will not have it a half dozen more times today—about all this money that we are spending abroad. There is not one dime in this bill for any Marshall plan money. There is not one dime in this bill for anything like that, so quit bringing a foreign red herring here and sticking it into the nice clean American waterways.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. O'HARA].

The question was taken; and on a division (demanded by Mr. O'HARA) there were—ayes 52, noes 74.

So the amendment was rejected.

Mr. REED of New York. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. REED of New York: On page 6, line 7, strike out the colon, insert a comma and the following: *"Provided*, That from said sum of $1,215,000, of which $25,000 shall be available for a survey of the Wellsville flood project in the Allegheny County, N. Y."

Mr. REED of New York. Mr. Chairman, I have taken the floor so often in this case that I must confess it is becoming a little bit embarrassing. It becomes a little more so when I fail to get votes that I feel I ought to have for a project that has been recommended by the Bureau of the Budget, that has been recommended by the Army engineers as a defense plant, and a project which has been authorized.

Now, that has been the situation over a period of time. I want to impress the chairman of the subcommittee, the gentleman from Michigan [Mr. RABAUT], who referred to these foreign projects and said he did not want to hear any more about it. I say to you, you told my constituents who were present at the hearing that this was a good project. They thought that you meant that at that time. Now, is it a bad project now or is it a good one?

Mr. RABAUT. Just a minute. If you want to put me on the spot I will put you right back on the spot. I am one member of a committee of five. I said it was a good project and I still say it is a good project.

Mr. REED of New York. That is fine. I thank you for that commitment.

Over a period of years I challenge any Member of the House, particularly on that side, to show the same amount of billions—I say billions of dollars that I have voted against in this House. I have voted against every foreign boondoggling bill that has been before this House since 1933. Every one of them. Now, this is a defense area, and the men cannot even get to their work in these defense plants, and many times during the war they could not even get there, because of devastating floods. We have had a flood in this village, Wellsville, N. Y., in 1942, in 1945, in 1946, in 1947, in 1948, and two in 1950. The last flood cost that fine American town over $400,000 in damages. How much it has cost the defense plants, I do not know, because the people could not even go to work. Our soldiers are fighting abroad and they need the things that these defense plants are producing. I say it is time for us to begin to give some serious thought to this thing.

Here we are, thrown into the hands of the engineers, and they can take it or not, just as they like, but the engineers have seen this project, and they testified before your committee that it was a defense project. You commended it as a good project.

I hope that you people in this House, after the long years of service that I have put in here, will give some consideration to that fact and protect this town in my congressional district from these ruinous floods. I do not know how many of you have witnessed one of these floods, water racing through the town, women so frightened that they gave birth in the boats which were carrying them; when their houses are gutted with floods and the schools are closed and the place is made subject to epidemics among the children. It seems to me we are penny wise and pound foolish here.

I still say that the billions spent abroad are all boondoggling. I have noticed on the Isle of Capri in the Bay of Naples where they built the Augustus Caesar Hotel, one of the finest hotels in the world with our taxpayers money. Do you think that is the way to stop communism? What must the workingman think when he looks up and sees what the Americans have built for the rich over there? That does not make sense. It creates resentment.

Let us be sensible today and give this amendment a favorable vote.

Let me say further that this is an earmarked proposition.

Mr. RABAUT. Mr. Chairman, I rise in opposition to the amendment and wish to say only that the gentleman from New York asks that $25,000 be earmarked for a survey of his project.

Mr. REED of New York. And approved by the Bureau of the Budget.

Mr. RABAUT. For a survey for his project. This has come on us suddenly. The survey is complete, surely the gentleman does not want to spend the money twice. The engineers say that the project is ready for planning.

Mr. REED of New York. I thank the gentleman.

Mr. RABAUT. I am just explaining to the gentleman.

Mr. REED of New York. Mr. Chairman, my statement before the Civil Functions Subcommittee follows:

STATEMENT OF DANIEL A. REED, MEMBER OF CONGRESS, FORTY-FIFTH CONGRESSIONAL DISTRICT, NEW YORK, RELATIVE TO THE WELLSVILLE, N. Y., FLOOD-CONTROL PROJECT

Mr. Chairman and members of the Civil Functions Subcommittee, I am very grateful to you, Mr. Chairman, and to each member of this subcommittee, for this opportunity to present facts in support of an appropriation for an authorized flood project New York, which district I have the honor in the Forty-fifth Congressional District of to represent for the past 33 years.

The project relates to the village of Wellsville in Allegany County, N. Y., which village has a population of about 9,000 according to the recent census. In this flooded village area are important defense plants, as General Chorpening testified on page 491 of part 1 of the civil-functions hearings for 1953, as follows:

"Mr. RABAUT. How about Wellsville, N. Y.?

"General CHORPENING. That is a local flood protection project for an area which has a number of manufacturing concerns such as the Sinclair Refining Co., Julius Kayser Co., and Bausch & Lomb Co. All these plants supplied equipment to the Armed Forces in World War II and are important at this time in connection with defense production."

There was heretofore duly authorized for the project $609,000. The Budget Bureau recommended a planning item for this project last year amounting to $34,500. I am delighted to know that the Budget Bureau has now recommended a planning item of $25,000 for this project for 1953.

Under date of January 4, 1951, Col. H. W. Schull, Jr., United States district engineer at Buffalo, N. Y., at my request furnished these peak flood stages at Wellsville, N. Y., from July 1942 to November 1950 inclusive:

Date	Peak flood stage	Estimated damages [1]
	Feet	
July 1942	11.4	$210,000
May 1945	10.2	30,000
May 1946	13.4	250,000
April 1947	9.4	20,000
March 1948	9.8	30,000
March 1950	12.1	60,000
November 1950	14.3	400,000

[1] Adjusted to 1950 price levels.

I may say in this connection that under date of December 27, 1950 I wrote to Col. H. W. Schull, Jr., district engineer, United States Engineers Office, 960 Elliott Square Building, Buffalo, N. Y., as follows:

"MY DEAR COLONEL SCHULL: I shall appreciate it if you will furnish me with a complete report on the extent of the damage to the residential and industrial districts of Wellsville, N. Y., caused by the flood of November 25 and 26, 1950. I need this information for legislative purposes. I would also like to know to what extent did this flood damage potential war industries in said area. In addition, will you please let me know the severity and damage of this flood as compared with the flood incurred in 1942, 1945, 1946, 1947, 1948 and March of 1950?"

Under date of January 4, 1951, Col. H. W. Schull, Jr., replied as follows to my letter of December 27, 1950:

"DEAR MR. REED: Reference is made to your letter of December 27, in which you requested a report on the flood at Wellsville in November 1950 and a comparison between that flood and previous floods. The enclosed map shows the limits of the areas flooded in Wellsville in July 1942, May 1946, and November 1950. These three floods caused more damage than any others. In 1942 damage was confined principally to the Dyke Creek area.

"Plants of Sinclair Refining Co., Air Preheater Co., and Julius Kayser Co. are in the flood area. The Bausch & Lomb plant on Pearl Street west of the Genesee River is not directly damaged by floods, but employees cannot get to work because it is surrounded by floodwaters. The municipal water and light plant is in the flood area.

"When it is forced to shut down the above industries and the Worthington Pump & Machinery Co., outside the flood area, are affected by loss of electric service. The Bausch & Lomb plant has only recently started operation, but all the others produced military supplies during World War II and all are potential suppliers.

"Flooded areas along Broad, Miller, Hanover, Rauber, Cameron, Chamberlain, Stevens, and Brooklyn Streets are residential, and there are a few commercial establishments affected on South Main Street. The Baltimore & Ohio Railroad is damaged frequently. Except for Island Park and the baseball field on the opposite side of Dyke Creek, the remainder of the flood area is undeveloped.

"Flood damage begins at Wellsville when the river rises above 7.5 feet on the gage at the water and light plant. As a result of heavy rains, the river rose above this stage early in the afternoon of November 25, reached a peak about midnight, and then dropped below flood stage before noon on November 26. The peak was the highest on record.

"The water and light plant was shut down from November 25 to 29. Power service was interrupted for only 1 hour, after which it was supplied from another source. Water pumps were out of service for 24 hours. During that time, the supply in storage fell below a normal day's usage and would have been inadequate for fire fighting.

"Spot interviews were made after the flood and compared with damage at the same points in previous floods. On this basis, the damage at Wellsville from the November 1950 flood is estimated at $400,000. Damages to industries because of lost production were low, since only the refinery normally operates on week ends.

"The following table lists the peak stages at the water and light plant and estimated damages in the floods listed in your letter:

Date	Peak flood stage	Estimated damages [1]
	Feet	
July 1942	11.4	$210,000
May 1945	10.2	30,000
May 1946	13.4	250,000
April 1947	9.4	20,000
March 1948	9.8	30,000
March 1950	12.1	60,000
November 1950	14.3	400,000

[1] Adjusted to 1950 price levels.

"Local officials consider that clearing and snagging work done in Wellsville in 1950 reduced the peak stage of the November flood. They understand that the work was not of sufficient scope to eliminate damage in a major flood.

"Very truly yours,

"H. W. SCHULL, Jr.,
"Colonel, Corps of Engineers, District Engineer."

The authorization for the Wellsville, N. Y., flood project did not become law in time to permit me to get the appropriation; moreover, it is seldom that an appropriation is made for an authorization the same year. To provide against damage to Wellsville from a flash or sudden flood pending a future appropriation, I sent under date of January 11, 1950, the following letter to Col. E. H. Forney, district engineer (at that time), Buffalo, N. Y.:

"DEAR COLONEL FORNEY: I have a flood-control project in my district, with reference to Dyke Creek at Wellsville, N. Y., which, of course, is part of Genesee River and its flood-control problem. The menace of recurring floods to the village of Wellsville is ever present and you may recall that I made application on November 3, 1948, to have Dyke Creek at Wellsville, N. Y., cleared under the authorization for emergency flood-control work.

"A request was submitted by Col. Herbert Vogel, then district engineer stationed at Buffalo, under date of November 18, 1948, for $20,000 for clearing and snagging in Dyke Creek and Genesee River, but funds appropriated for the purpose in the fiscal year 1949 had been exhausted before that time, I was so informed.

"I had an authorization for this entire project at Wellsville inserted in a bill which passed the House during the first session of the Eighty-first Congress, but it did not pass the Senate. The bill is now pending in the Senate and I doubt if it will become a law in time to enable me to procure the appropriation this year to carry out this work.

"In the meantime the people as well as the residential sections and schools and public buildings are in danger of spring floods and even flash floods at any time. Therefore, I feel that I will continue to be under very severe criticism on the part of the people of that village unless some effort is now made under the authorization for emergency flood-control work to relieve this village pending the time when the authorization for this project becomes law and the appropriation procured.

"I want to say here and now that I appreciate the fine cooperation I have had from the Corps of Engineers and I do not intend to ask for anything that I do not think has real merit. I believe that if there is any place where this emergency fund could be made available, at the earliest practicable moment to convince the people that the Government is going to relieve them of this frequent damage of property by floods as well as the danger to the life and health of the community, I think it is this particular community—Wellsville, N. Y.

"I have a letter dated January 25, 1949, from Col. Herbert Vogel, the then district engineer at Buffalo, from which I quote: 'After the next appropriation act has been passed, if you believe the urgency of the work is critical, this office will consider resubmission of the request.'

"I wish to state now that I firmly believe that the flood-control work to be performed at Wellsville, N. Y., is critical and in need of relief under the emergency act pending the time when the authorization becomes law and the appropriation has been made.

"Yours sincerely,

"DANIEL A. REED."

Without going into further detail the following telegram is sufficient to show the fine cooperation I received from the Army engineers:

"Re your telegram September 27, 1950, clearing and snagging operation on Genesee River and Dyke Creek at Wellsville, N. Y., completed on September 22, 1950, included removing snags, debris, and shoals, widening channel where required, widening at bends and clearing under all bridges on Genesee River within limits of Wellsville, N. Y., and approximately one-half mile down stream and on Dyke Creek within limits of Wellsville, N. Y.

"CORPS OF ENGINEERS."

I wish to stress that the industries in Wellsville, endangered by frequent and devastating floods, are industries engaged in national defense. This fact, it will be recalled, is mentioned in Colonel Schull's letter to me under date of January 4, 1951. It has now been brought to the attention of the Civil Functions Subcommittee as set forth on page 491 of the hearings by General Chorpening.

Under date of March 9, 1951, I received from Robert L. Fleischer, Esq., village attorney at Wellsville, the following letter together with a copy of an enclosure, both of which I inserted in the hearings in 1951, as they bear on national defense:

MARCH 9, 1951.

HON. DANIEL A. REED,
Congressional Office Building,
Washington, D. C.

DEAR MR. REED: I thank you for your recent communication and telegram in connection with our flood-control program. I am enclosing, for your information, copy of letter which I am today sending to the Army engineers. Thanking you for your help in this matter and hoping you will continue actively to support our flood-control program, I am

Yours sincerely,

ROBERT L. FLEISCHER,
Village Attorney.

MARCH 9, 1951.

C. H. CHORPENING,
Brigadier General, United States Army,
Office of the Chief of Engineers,
Department of the Army,
Washington, D. C.

DEAR GENERAL CHORPENING: Senator IVES has forwarded to me copy of your letter to him of February 23, 1951, in connection with the proposed Wellsville flood-control project. Your office has previously been sent my memorandum of December 20, 1950, which attempted to set forth in some detail the urgent need for flood control in the light of the defense and war production of this community.

I am today in receipt of further information from the Air Preheater Corp. which is supplemental to the information contained in the memorandum referred to. This corporation is now very deep in defense program and an interruption of its production would be very serious. It has unfilled orders totaling 2-years' production. These are for Ljungstrom preheaters, of which it is the only manufacturer in the United States, and they are for installation in steam plants furnishing power for public utilities, atomic-energy projects, navy yards, ordnance plants, synthetic-rubber plants, and refineries producing high-octane gasoline.

The Power Equipment Division of the National Production Authority has assigned Defense Order No. 35 to apply to its equipment. It addition, it is continuing its research for the Navy Department with regenerators as applied to gas turbines.

In order to meet its deliveries, it is erecting additional building facilities and purchasing new equipment at a cost presently in excess of $241,000.

Will you kindly take these additional factors into consideration in connection with your efforts to speedily hasten the authorized program at Wellsville, the need for which you have indicated your recognition.

Yours sincerely,

ROBERT L. FLEISHER,
Village Attorney.

I repeat that the amount recommended by the Bureau of the Budget for planning this flood-control project for 1953 is $25,000.

I feel that inasmuch as this is an area of national defense industries it is entirely inadequate, but the planning item will initiate this flood-control project.

As I have said the authorization is $609,000. If the threat of an all-out world war III is as serious as we are told and as vast appropriations indicate, it is of the utmost importance that we preserve our essential defense industries from flood damage as well as from enemy destruction.

When on June 12, 1951, the House in Committee of the Whole House on the State of the Union had under consideration the bill H. R. 4386 making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1952, and for other purposes, I offered an amendment to insert the planning item of $34,500 recommended by the budget for the Wellsville project. It was defeated, although the vote was the largest given for any item in the bill H. R. 4386.

I respectfully urge that your committee approve of the item of $25,000 as recommended by the Bureau of the Budget for 1953.

Mr. RABAUT. Mr. Chairman, I ask for a vote on the amendment. I am opposed to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. KENNEDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KENNEDY: Page 6, line 7, strike out "$1,215,000," and insert "$1,615,000, $400,000 of which is to be expended for the New England new job survey."

Mr. KENNEDY. Mr. Chairman, I will not take up the full time to which I am entitled. Eight hundred thousand dollars was requested for the New England survey under this heading.

The total request for all flood-control surveys was $6,465,000. The actual amount given in the bill is only $1,215,000. The total in the bill, therefore, for rivers and harbors and flood-control surveys is only $1,700,000. Since the total request for the New England survey alone for rivers and harbors and

flood control amounted to $1,100,000, and the total is only $1,700,000 for surveys all over the country, it is obvious that very little of this money will be allotted for our New England survey.

I want to ask the gentleman from Michigan exactly why his subcommittee has refused to allow this money for the New England surveys when he knows how important it is to us, when he knows it has been planned from 1950, when he knows it has been approved by the Bureau of the Budget, and when he knows it will not come into fruition until 1954.

Mr. RABAUT. Because there is already $14,000,000,000 authorized and we are just trying to hold it down a little.

Mr. KENNEDY. Will the gentleman tell me why you allow in this bill $80,000,000 for Oregon, around $37,000,000 for California, and yet you reduce so drastically the money for the New England States. Five out of the six New England States will receive no money in this bill for any project.

Mr. RABAUT. The gentleman from Massachusetts, since he has been on this floor today, has been strictly parochial in his arguments and viewpoint. I have not a dime in this bill for my district or for my State except some maintenance of some small harbors, so there is nothing in it for me. But all the gentleman has talked about since he has been here is New England.

Mr. KENNEDY. Does the gentleman object to that?

Mr. RABAUT. No; I do not object to it, but this is not a parochial bill; this is a bill for the benefit of the United States of America.

Mr. KENNEDY. The point I want to make now is that New England is a part of the United States of America, and five out of the six New England States do not receive a penny of money from this nearly a half-a-billion-dollar bill.

Mr. RABAUT. I have explained it to the gentleman.

Mr. KENNEDY. I hope the gentleman does not object to our attempting to protect the interests of New England; and they are not protected in this bill.

Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. I wish to join my colleague from Massachusetts [Mr. KENNEDY] in offering this amendment to the bill. I personally think that it is asking little or nothing for the northeast section of the country. After all, when I look at this flood-control appropriation of $221,000,000-plus, I see only one item going to the Northeast States, and that is the one located in Connecticut of which a paltry sum of $540,000 is appropriated.

Mr. Chairman, far be it from me to be sectional as far as this appropriation bill is concerned. I have not come here and my colleague has not come here at this time asking for this particular appropriation. This was asked for and approved by the Assistant Chief of Engineers of Public Works when he testified before the committee. On page 504 he testified as follows:

Funds in the amount of $800,000 are required for continuation of the survey of the resources of the New England-New York region. This investigation was authorized by the Flood Control Act approved May 17, 1950, the President's directive to the Secretary, Department of the Army, dated October 9, 1950, and resolution adopted by the Federal Interagency River Basin Committee on October 27, 1950.

Membership consists of one representative each of the Departments of Agriculture, Army, Commerce, Interior, the Federal Power Commission, and the Federal Security Agency, with the Department of the Army the chairman agency.

The survey is being conducted in cooperation with the governors of the seven States participating in the survey. Scheduled completion date for the survey report is June 30, 1954.

In the fiscal year 1951, $366,600 was expended by the Corps of Engineers; for fiscal year 1952, the amount of $400,000 was appropriated. This was only one-half of the amount needed to carry forward the investigation on schedule, and in order to meet the scheduled date of completion it will now be necessary to operate at a considerably accelerated rate over that for fiscal year 1952.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY].

The amendment was rejected.

Mr. CHENOWETH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CHENOWETH: On page 6, line 7, strike out the sum "$1,215,000" and insert the sum of "$1,600,000."

Mr. CHENOWETH. Mr. Chairman, my amendment relates to the appropriation for the examination and survey program for flood control.

My amendment adds the sum of $385,000 to the $1,215,000 which the committee has included for survey and investigation work, making a total of $1,600,000 for this program.

The argument has been advanced by the committee this afternoon on several occasions that certain items were not in the budget and therefore could not be included in this bill. This item was recommended by the Bureau of the Budget, in the amount I propose. The Army engineers have also requested the sum of $1,600,000 for this survey program.

If you will refer to page 499 of the hearings you will find a list of about 90 projects in some 35 States which are still under investigation by the Army engineers.

There is only one of these projects in my State of Colorado, calling for the total expenditure of $20,000. I mention this to refute any argument that we are seeking something for Colorado to the exclusion of any other State. There are some 35 States included, so this appropriation is a matter of general interest and concern.

You will recall my colloquy with the gentleman from Wisconsin [Mr. DAVIS], a distinguished member of this subcommittee, when I inquired as to why this amount was reduced from $1,600,000, as requested, to $1,215,000, as contained in the bill. I believe he stated it was because we did not have the money. I do not think our people are going to accept an answer like that, be satisfied with such an explanation.

All I am seeking to do by my amendment is to carry out the expressed will of the Bureau of the Budget and the request of the Army engineers. I know you are going to hear it said that we already have many projects which are authorized and have not yet been completed. But I think this subcommittee should be realistic in its approach to this problem. Congress has authorized and directed the Army engineers to study and recommend flood-control projects. By its attitude this committee is, to a large extent, nullifying the will of Congress and substituting its own program.

I might remind the House that last year this committee refused to appropriate one single dollar for this examination and survey program. The sum of $3,000,000 was inserted in the other body, and this entire amount was stricken in conference. It is obvious that the committee is not in accord with the intent of Congress in authorizing these investigations.

As I stated, there is only one project for Colorado in this program. That is the Purgatoire River project in Trinidad. This project is now pending in the office of the district engineer in Albuquerque. The investigation work is more than 60 percent completed. The report on this project would now be in Washington except for the fact that Congress failed to provide any funds of survey work during this fiscal year. This project is of great importance to the people of Trinidad. The Army engineers have been working on the flood-control problem at Trinidad for many years. It now appears that a feasible project will be worked out.

Along with other Members of this House, some of whom have expressed their attitude this afternoon, I want to be sure that sufficient funds are made available to the Army engineers to complete the investigation work on the projects they have submitted to the committee. There are about 90 such projects located in every section of the country.

After Congress directs the Army engineers to investigate a proposed project we should give them the funds with which to finish their work, so that a report may be submitted to Congress through regular channels.

There are some 471 flood control investigations which this Congress has authorized and which have not been completed. The Army engineers are not asking for funds to investigate all of these, but have selected some 90 of these projects. I am not sure that all of these will be investigated, but I want to make sure that sufficient funds are made available for this number. There are many small projects in here and the amounts requested run as low as $2,500, $3,000 and $5,000. These are small projects as compared to others, but are very important to the people in their respective districts. Let us make certain that no one will be disappointed. I am asking you to support this amendment which will add the sum of $385,000 and provide the full amount requested by the Bureau of the Budget and the Army engineers so that this work may be completed during the next fiscal year. Not all of the reports on these surveys will be favorable. We are not adding one single dollar to the amount that is to be expended for construction work. We do not know and

the Army engineers do not know in advance which of these projects will be feasible and which will be rejected. However, after Congress takes the first step and directs the Army engineers to make an investigation of a flood-control project we have an obligation to the local community involved. The local agencies spend time and money in assisting the Army engineers in these investigations. We should not build their hopes up and then let them down. They have the right to expect fair treatment from Congress. I submit we should give the Army engineers the sum of $1,600,000 so that they can continue the investigation and survey work on these 90 projects and complete their reports as soon as possible.

Let us decide whether we want to continue the civil functions of the Army engineers. In my opinion they have done a good job in years past, and I believe it is the overwhelming sentiment of this body that they continue. If this is true, we should not handicap them with this unnecessary restriction of funds for their survey program. I hope my amendment will be adopted.

Mr. DAVIS of Wisconsin. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall not take the 5 minutes, but inasmuch as my name was mentioned in the colloquy which I had with the gentleman from Colorado with respect to this item, I simply want to say this that because these funds in the amount of $1,600,000 were included in the budget should be the basis for this House going along with the full amount and then referring to the fact that we said we would not add any not in the budget, certainly does not add up to the argument that he made because the budget included this, we ought to allow it in the full amount. The subcommittee never made any commitment of that kind. In fact, a reading of the bill will show to one who even makes a cursory examination, that we do not follow the policy of granting all the money that the Bureau of the Budget happens to recommend. I think it is worthy of note to repeat again that we have about $8,000,000,000 worth of these projects hanging around loose. They have been surveyed and they have been examined and they are now awaiting appropriations to begin them. Now to say that this is not adding a single dollar for construction this year is correct, but it does not tell the story, because this will then be the forerunner of billions of dollars in subsequent years once these projects are started through the surveys and examinations that are contemplated now. I think we need to keep this program—and it is a worth while program of rivers and harbors and flood-control projects—somewhere within balance, and it needs to be kept compact enough so that the Congress and the Corps of Engineers can give it the surveillance it needs to have if it is not going to get completely out of line and in order that it is kept within reasonable bounds and that this Congress has a right to state, especially in this bill, that the committee's recommendation is sufficient to do the job that this Congress ought to expect to have done.

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

Mr. DAVIS of Wisconsin. I yield to the gentleman from Colorado.

Mr. CHENOWETH. I want to be absolutely fair with the gentleman. The only reason I brought in the recommendation of the Bureau of the Budget is that the committee looks on the Bureau of the Budget as being more or less an authority and on their recommendations as being sacred. I do not look on the recommendations of the Budget Bureau in that light myself. We are the legislative body. I think we are the ones to determine what appropriations shall be made, and no other agency should dictate to us or tell us what we have to do. The defense has been made by the gentleman and other members of the subcommittee that a certain item was not in the budget. This is something the budget does recommend, and the Army engineers, too.

Mr. DAVIS of Wisconsin. I think the action of this subcommittee in trimming the request of the Bureau of the Budget by 29 percent, or $200,000,000, belies his statement that we think the recommendations of the Bureau of the Budget are sacred.

Mr. CHENOWETH. But what I am trying to point out to the gentleman is this: They ask for a certain amount for 90 investigations, to complete 90 surveys. The gentleman's committee does not designate which ones shall be completed and which ones shall be ignored. How are the Army engineers going to determine that?

Mr. DAVIS of Wisconsin. They will have to determine that on the same basis they used in submitting this list to the Committee on Appropriations in the first place. They will have to be judged and given a priority on the basis of the need and the emergency of those particular projects.

Mr. CHENOWETH. You have already had this afternoon two very important Members of this body seeking to make sure that their projects would be taken care of, and I suspect there are many others on the floor this afternoon in the same situation. My amendment would take care of the whole group. Then the Army engineers would not have any excuse that the funds are not available.

Mr. DAVIS of Wisconsin. I hope the gentleman's amendment will be given the same consideration as the other amendments that sought to make increases in this amount.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado.

The amendment was rejected.

Mr. REBAUT. 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. HARDY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7268) making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes, had come to no resolution thereon.

BOARD OF VISITORS, UNITED STATES NAVAL ACADEMY

The SPEAKER laid before the House the following resignation:

APRIL 1, 1952.

HON. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: Because of the interference of other official business I hereby tender my resignation as a member of the Board of Visitors to the United States Naval Academy for 1952.

With kindest regards, I remain
Sincerely yours,

SIDNEY R. YATES,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

SPECIAL ORDERS GRANTED

Mr. TACKETT asked and was given permission to address the House for 15 minutes on Thursday next, following the legislative program and any special orders heretofore entered.

Mr. CURTIS of Missouri asked and was given permission to address the House for 15 minutes today, following any special orders heretofore entered.

Mr. DOLLIVER asked and was given permission to address the House for 15 minutes on Wednesday, April 9, following the conclusion of any special orders heretofore entered.

The special order granted to Mr. JAVITS for tomorrow was vacated, and Mr. JAVITS asked and was given permission to address the House for 20 minutes on Tuesday, April 8, following the conclusion of any special orders heretofore entered.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent when the House adjourns today, it adjourn to meet at 11 o'clock a. m. tomorrow.

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

There was no objection.

ORDER OF BUSINESS TOMORROW

Mr. McCORMACK. Mr. Speaker, I want to announce that the first order of business will be the remainder of the debate and consideration of the rule on the judges bill, and then the continuation of the pending appropriation bill.

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 15 minutes.

STATE DEPARTMENT

Mr. CURTIS of Missouri. Mr. Speaker, yesterday, the House agreed to suspend

the rules and passed a bill authorizing $90,000,000 for building offices and residences for the State Department all over the world. The Members of the House were completely hoodwinked by the semantics of the proponents of this controversial piece of legislation. The Members were told that it would cost the taxpayers of this country no money; the Members were told that the payments would come out of funds which this country might easily lose if we did not convert the funds into real estate abroad; the Members were told that we would save money on rent if we authorized the State Department to spend this $90,000,000. All three of these statements are unfounded, on either study or fact.

Why, then, was not the House told the real facts of the case or at least why was not the other side of the controversy presented to the House for consideration so that the Members had an opportunity to make up their own minds after debate? The answer lies in the dangerous procedure followed of voting to suspend the rules. Under this procedure all time is controlled by those favoring the legislation. No time is available to those who are opposed to the legislation. As the gentleman from California, Congressman PHILLIPS, said yesterday: "I have so little time. I have only 2 minutes to oppose the bill, whereas the people who are for it had about 30 minutes." The only time I was able to get was through proponents of the bill yielding to me for questions, which I might add remained either unanswered or erroneously answered.

I certainly hope that in the future the House will see fit that if a matter is brought under a request to suspend the rules that the time be equally divided among those who are for the bill and those who might be against the bill.

However, I would like to point out a few things about this $90,000,000 expenditure that the House voted yesterday which includes, I might remind my colleagues, authorization to spend $600,000 for a single residence in Egypt, $500,000 for a single residence in Greece, $350,000 in Mexico, $200,000 in Austria, in Germany, in Iraq, and Palestine, $250,000 in Chile and Korea. Are we spreading American democracy by building palaces for the representatives of this democracy in these countries.

First, the committee that studied this bill did not print its hearings. At least I could not obtain copies. According to one of the members of the full committee, only two witnesses were heard on this bill. This in itself shows on its face lack of adequate consideration for the expenditure of $90,000,000. Thirty million dollars more, I might remind my colleagues, than the entire annual cost of the legislative branch of Government.

Second, funds of the United States, whether frozen abroad or not, are still assets of the United States. These assets are subject to negotiation toward unfreezing; in other words, they are subject to recapture if we so desired. These assets can be spent in a hundred different ways in the countries concerned, even under the present terms of their freezing. Spending them for State Department buildings and residences is by no means the only way they could be utilized. It is interesting to note the following colloquy from yesterday's brief debate, where the opponents of this highly-controversial matter were able to get in a few remarks edgewise, page 3205:

Mr. LANTAFF, of Florida. Was any thought given to the utilization of these foreign credits to assist countries receiving military aid under the mutual-assistance program, help them balance their budgets, thereby relieving the American taxpayer, and enabling us to cut down on the foreign-aid program about $1,000,000,000?

Mr. CHATHAM (chairman of the subcommittee). That did not come before our committee.

Mr. LANTAFF. Why is it that instead of taking these credits to build residences and other fine buildings, we could not use them in the mutual-assistance program and save $90,000,000 for the American taxpayer?

Mr. CHATHAM. I cannot answer the gentleman's question.

Page 3207:

Mr. JENSEN. What I think the members would like to know is this: Could this money be spent for anything in those countries that this Congress approves?

Mr. BUSBEY. That is not in this bill.

Mr. JENSEN. No; but can it be? That is the question.

Mr. BUSBEY. I am not qualified to answer that. I did not handle the setting up of the credits and have not made a detailed study of the agreements. But that is not in the bill, and I am confining my remarks to the bill.

The answer, I regret to say, is that nobody studied this question.

Third, you will note by examining table 1 of the committee report in the last column entitled "Balance available for other agencies," after appropriating funds under the bill there are 24 items which show minus funds available totaling a total of $12,668,857 minus balance. In other words, twelve million seven hundred thousand of the $90,000,000 in the bill does not come from idle balances. It must come from somewhere else. Where else is it to come from? There is a footnote hidden away which tells us:

Insufficient foreign credits are currently available to complete FBO program plans. It is anticipated that adequate credits will be acquired through subsequent agreements, transfers from other countries and/or purchase of necessary materials and equipment in other countries where credits are available.

Now note this. Credits from subsequent agreements—in other words, more funds of the United States are going to be frozen so that United States taxpayer cannot receive relief from them. Note also that when the State Department wants to transfer these so-called "frozen" funds around, they can do it with great facility. So, if they wanted to capture these unused funds for the United States taxpayer, they could do so.

Fourth, we are told we would lose these funds if we did not spend them. This is not true or, if it is true, then there is no need for $7,900,000,000 additional foreign aid moneys to be voted to be spent abroad. In other words, the $90,000,000 could be spent for every single item listed in the foreign-aid budget if the State Department wanted it to be so spent. If we vote any sum for foreign aid in this Congress, to that extent we are in effect spending new taxpayers' money for the palaces contemplated to be built in this bill.

Fifth, the members are told we will save on rent by building $90,000,000 worth of new buildings. Since spending roughly $130,000,000 already we have saved $5,000,000 in rent, incidentally, a saving of less than a million a year. At this rate, it will take us 130 years to get back our investment of $130,000,000 even if we were to accept these foolish figures. Having had occasion to check some of the Governmental agencies cost accounting, I think it can be assumed that costs of maintenance, repair and janitor service, and so forth, have not been calculated in this $5,000,000 saving, let alone amortization of the buildings.

Finally, I wish to point out that I have the honor to serve on the Subcommittee of Executive Expenditures on International Relations. We have before us a bill long recommended by the Hoover Commission and long needed as a law to create a commission similar to the Hoover Commission to study our overseas administration solely from the standpoint of organization and efficiency. If you could merely skim through the hearings we have already held and the reports we have considered you would shudder at the waste and inefficiencies that exist.

Yet we calmly want to go ahead and build palaces in which to house all personnel serving abroad as the result of such inefficient operation.

I want to close by saying again, we have experienced the danger of passing legislation through the procedure of suspending the rules. Whether you agree or not with the arguments that I have hereto advanced, I am certain that very few will fail to agree, that these matters I have raised should have been studied and debated. They were not studied and debated and the result is the House, in these times when we are supposed to be economizing, has voted $90,000,000 of assets of the United States to build palaces abroad. I hope the Senate will go into this matter thoroughly so we will not have to go back into our districts to explain why there is no money for flood control, for example, but plenty for building castles in Spain.

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. GREEN in two instances, in each to include extraneous matter.

Mr. ROGERS of Colorado and include a statement by Asher B. Wilson, of Twin Falls, Idaho.

Mr. BARTLETT and to include a newspaper article and an editorial.

Mr. JENKINS.

Mr. SMITH of Wisconsin in two instances and to include two editorials.

Mr. COLE of New York and to include an editorial.

Mr. JENISON in two instances, in each to include extraneous matter.

Mr. LANE in three instances, in each to include extraneous matter.

Mr. BURNSIDE.

Mr. KENNEDY in two instances and to include a speech and a statement.

Mr. DONOHUE and to include extraneous matter.

Mr. MCCORMACK and to include an editorial appearing on March 25 of this year in the Louisville Times.

Mr. RANKIN to revise and extend the remarks he made in the Committee of the Whole today and to include extraneous matter.

Mr. HARRISON of Virginia and to include extraneous matter.

Mr. SIEMINSKI.

Mr. CARNAHAN and to include a list of pamphlets issued by UNESCO.

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

Mr. CURTIS of Missouri and to include an editorial.

Mr. MILLER of New York and to include an editorial.

Mr. REED of New York to include as part of the remarks he made in Committee of the Whole today his statement made by him on the same subject before the Civil Functions Committee.

Mr. BENDER in three instances.

Mr. JAVITS in two instances, in each to include extraneous matter.

Mr. BATES of Massachusetts and to include a newspaper article.

Mr. RABAUT in two instances.

SENATE BILL 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. 2748. An act authorizing vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1952; to the Committee on Merchant Marine and Fisheries.

SENATE ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 690. An act to permit certain lands heretofore conveyed to the city of Canton, S. Dak., for park, recreation, airport, or other public purposes, to be leased by it so long as the income therefrom is used for such purposes;

S. 1184. An act to extend the Youth Corrections Act to the District of Columbia;

S. 1212. An act to amend section 2113 of title 18 of the United States Code;

S. 1669. An act to amend the War Claims Act of 1948, as amended, with respect to payments for the benefit of persons under legal disability;

S. 2085. An act to further amend section 5136 of the Revised Statutes, as amended, with respect to underwriting and dealing in securities issued by the Central Bank for Cooperatives;

S. 2266. An act to authorize and validate payments of periodic pay increases for temporary indefinite employees of the Department of the Navy within the periods of March 17, 1947, to July 1, 1948;

S. 2408. An act to amend the act authorizing the negotiation and ratification of certain contracts with certain Indians of the Sioux Tribe in order to extend the time for negotiation and approval of such contracts;

S. 2549. An act to provide relief for the sheep-raising industry by making special quota immigration visas available to certain alien sheepherders;

S. 2677. An act to restore to 70 pounds and 100 inches in girth and length combined the maximum weight and size limitations for appliances, or parts thereof, for the blind sent through the mails; and

S. J. Res. 140. Joint resolution to permit the Federal National Mortgage Association to make commitments to purchase certain mortgages.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MURDOCK (at the request of Mr. PATTEN), for 5 days, on account of illness.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock and 7 minutes p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 2, 1952, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1304. A letter from the Director, Bureau of the Budget, transmitting a report that the appropriation to the Department of Justice for "support of United States prisoners" for the fiscal year 1952 has been reapportioned on a basis which indicates a necessity for a supplemental estimate of appropriation, pursuant to paragraph 2 of subsection (e) of section 3679 of the Revised Statutes, as amended; to the Committee on Appropriations.

1305. A letter from the Administrator, Federal Security Agency, transmitting the annual report of the Public Health Service, Federal Security Agency, for the fiscal year 1951, pursuant to the act approved July 1, 1944 (Public Law 410, title V, sec. 511); to the Committee on Interstate and Foreign Commerce.

1306. A letter from the Postmaster General, transmitting a draft of proposed legislation entitled "To authorize the Postmaster General to contract for motor vehicles for use on motor vehicle routes, and for other purposes"; to the Committee on Post Office and Civil Service.

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. COLMER: Committee on Rules. H. Res. 592. Resolution providing for the waiving of points of order on H. R. 7289. A bill making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1953, and for other purposes; without amendment (Rept. No. 1675). Referred to the House Calendar.

Mr. PHILBIN: Committee on Armed Services. S. 1650. An act to provide for the release of the right, title, and interest of the United States in a certain tract or parcel of land conditionally granted by it to the city of Savannah, Chatham County, Ga.; without amendment (Rept. No. 1676). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. S. 2552. An act to authorize the appointment of qualified women as physicians and specialists in the medical services of the Army, Navy, and Air Force; without amendment (Rept. No. 1677). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services. H. R. 4021. A bill to amend the first section of the act entitled "An act to authorize the conveyance of a portion of the United States military reservation at Fort Schuyler, N. Y., to the State of New York for use as a maritime school, and for other purposes" approved September 5, 1950; with amendment (Rept. No. 1679). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Armed Services. H. R. 6769. A bill to amend section 301, Servicemen's Readjustment Act of 1944, to further limit the jurisdiction of boards of review established under that section; without amendment (Rept. No. 1680). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEE ON PRIVATE 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. BATES of Massachusetts: Committee on Armed Services. H. R. 696. A bill to authorize the President of the United States to present the Distinguished Flying Cross to Col. Roscoe Turner; without amendment (Rept. No. 1678). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. JOHNSON:

H. R. 7337. A bill to facilitate wine production, to modify present requirements with respect thereto, and for other purposes; to the Committee on Ways and Means.

By Mr. COLE of New York:

H. R. 7338. A bill to facilitate wine production, to modify present requirements with respect thereto, and for other purposes; to the Committee on Ways and Means.

By Mr. CELLER:

H. R. 7339. A bill to amend the Clayton Act, so as to provide that domestic corporations may be required by subpena to produce the records of their foreign affiliates and subsidiaries, to require that foreign corporations doing business in the United States register with the Secretary of State, and for other purposes; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H. R. 7340. A bill to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes; to the Committee on Public Works.

By Mr. BURNSIDE:

H. R. 7341. A bill to amend the act of October 30, 1951, Public Law 233, Eighty-second

Congress, to provide a method of computing annual and sick leave for regular and substitute employees in the postal service; to the Committee on Post Office and Civil Service.

By Mr. DONDERO:

H. R. 7342. A bill to amend the Defense Production Act of 1950, so as to provide that incentive pay in the construction industry shall not be stabilized at less than that paid by the individual employer or earned by the individual employee in such industry during the period beginning May 24, 1950, and ending June 24, 1950; to the Committee on Banking and Currency.

By Mr. ENGLE:

H. R. 7343. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Trinity River development, Central Valley project, California, under Federal reclamation laws; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON:

H. R. 7344. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment, and provide certain services to the Boy Scouts of America for use at the third national jamboree for the Boy Scouts, and for other purposes; to the Committee on Armed Services.

By Mr. MILLS:

H. R. 7345. A bill to exclude from gross income the proceeds of certain sports programs conducted for the benefit of the American National Red Cross; to the Committee on Ways and Means.

By Mr. O'TOOLE:

H. R. 7346. A bill to provide certain benefits for members of the police and fire departments and teachers in the Panama Canal Zone on the same basis as in the case of persons holding corresponding positions in the District of Columbia; to the Committee on Merchant Marine and Fisheries.

By Mr. RANKIN (by request):

H. R. 7347. A bill to amend the veterans' regulations to establish for certain persons who served in the Armed Forces a further presumption of service connection for nonpulmonary forms of active tuberculosis; to the Committee on Veterans' Affairs.

By Mr. RANKIN:

H. J. Res. 415. Joint resolution proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreement to the Committee on the Judiciary.

By Mr. SHELLEY (by request):

H. J. Res. 416. Joint resolution to give the Secretary of Commerce the authority to extend further certain charters of vessels to citizens of the Republic of the Philippines, and for other purposes; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. AYRES:

H. R. 7348. A bill for the relief of Epifano Trupiano; to the Committee on the Judiciary.

By Mr. BAKEWELL:

H. R. 7349. A bill for the relief of Anastasios Zawradinos; to the Committee on the Judiciary.

By Mr. LEONARD W. HALL:

H. R. 7350. A bill for the relief of David H. Andrews and Joseph T. Fetsch; to the Committee on the Judiciary.

By Mr. HOFFMAN of Illinois:

H. R. 7351. A bill for the relief of Marie Lim Tsien; to the Committee on the Judiciary.

By Mr. KERSTEN of Wisconsin:

H. R. 7352. A bill for the relief of Nicholas Kobiakov, Gottliebe Bohumila Kobiakov, his wife, and Michail and Iwan, minor children; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 7353. A bill for the relief of Emanuel Greene; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 7354. A bill for the relief of Frederick Hendrik Potgieter; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H. R. 7355. A bill for the relief of Yoshikazu Tomashiro and Yoko Tomashiro; to the Committee on the Judiciary.

By Mr. VAIL:

H. R. 7356. A bill for the relief of the University of Chicago; to the Committee on the Judiciary.

By Mr. WITHROW:

H. R. 7357. A bill to direct the Secretary of the Interior to issue a patent for certain lands to Harold K. Butson; to the committee on Interior and Insular Affairs.

PETITIONS, ETC.

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

663. By Mr. DONDERO: Petition of the City Council of the City of Clawson, Oakland County, Mich., in support of the construction of the St. Lawrence seaway by the United States; to the Committee on Public Works.

664. By Mrs. ST. GEORGE: Petition of residents of Circleville, Orange County, N. Y., advocating the limiting to one the use of members of the same family in combat operations; to the Committee on Armed Services.

SENATE

WEDNESDAY, APRIL 2, 1952

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

God of the nations, by whose kindly providence we are sharers of the rich and dearly bought benefits which are ours in this land of freedom: We pray for Thy continued blessing upon our Republic. Make her, we pray Thee, more and more a nation which deserves Thy blessing. We thank Thee for the wisdom and the vision of the founding fathers; for national leaders who by the will of the people exercise power for them and not over them; for the fidelity of common people in obscure places; and for the patriotic heroism of our sons now defending our liberties on far fields of conflict as they front the powers of slavery and darkness.

Strengthen our determination to stem the tide of an aggression without pity or conscience. Make us worthy of our great heritage. In these decisive days for the whole world, give us a new sense of national destiny, deliver us from all pride and arrogance, and inspire the citizens of our free land to make this Nation, under Thee, as great in spirit as she is mighty in power. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, April 1, 1952, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 993) for the relief of Robert Wendell Tadlock with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 2157) to authorize payment of certain claims for damage to private property arising from activities of the Army, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 63) favoring the suspension of deportation of certain aliens, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 975. An act for the relief of Sarah A. Davies;

H. R. 1099. An act for the relief of the estate of Cobb Nichols;

H. R. 1114. An act for the relief of Edward Charles Cleverly;

H. R. 1162. An act for the relief of Kaiko Sugimote (Kay Fair) and her minor children;

H. R. 1826. An act for the relief of Ellis E. Gabbert;

H. R. 1960. An act for the relief of Erika Nicolo and her minor child;

H. R. 2221. An act for the relief of Gertrude Manhal;

H. R. 2296. An act for the relief of Mother Anna Fasulo;

H. R. 2303. An act for the relief of Sisters Maria Salerno, Eurasisa Binotto, Maria Ballatore, and Giovanna Buziol;

H. R. 2346. An act for the relief of Odette Louise Tirman;

H. R. 2413. An act for the relief of the Kloman Instrument Co., Inc.;

H. R. 2587. An act for the relief of Mrs. Jeannette Thorn Pease;

H. R. 2628. An act for the relief of the George H. Soffel Co.;

H. R. 2789. An act for the relief of Howard S. Lawson; Winifred G. Lawson, his wife; Walter P. Lawson; and Nita R. Lawson, his wife;

H. R. 2902. An act for the relief of Thomas E. Bell;

H. R. 2903. An act for the relief of Mimi Fong and her children, Sing Lee and Lily;

H. R. 3152. An act for the relief of Mrs. Setsuyo Sumida;

H. R. 3378. An act for the relief of Natale Joseph John Ratti;

H. R. 3572. An act for the relief of Ying Chee Jung;

H. R. 3732. An act for the relief of Stephan Joseph Horvath and Lucas Albert Horvath;

H. R. 4037. An act for the relief of M. Neil Andrews;