SUPPLY CORPS

Norman Altman	Bernard C. Hogan
William B. Anderson, Jr.	John C. Huenerberg, Jr.
William A. Armstrong	Thomas J. Ingram III
Joseph R. Audino	John F. Ivers
Erwin L. Aufdenkamp	James R. Juncker
Robert C. Austin	George H. Kapp
Lee R. Balderston	Robert D. Keppler
Erling O. Barsness	John F. Knudson
Carl N. Beatty	Edward M. Kocher
William W. Bennett	Robert P. Kopotic
Harry Birchard	Alfred S. Kulczycki
Richard B. Blackwell	Stanley J. Kulikowski
David A. Bowdoin	Roy W. Lankenau
Glenn S. Brooks	Alan Y. Levine
Everette T. Brown, Jr.	Robert W. Maxwell
Robert M. Brown	Joseph A. Mayo, Jr.
Frederick B. Bunke	Robert T. Mayo
Herbert F. Butler, Jr.	John E. McEnearney
Walter J. Buzby 2d	Malcolm L. McQuiston
John J. Campanile	II
Robert T. Carter	Burton J. Miller
Dominic V. Cefalu	Ralph F. Murphy, Jr.
William A. Chadwick	Richard A. Nemeth
Danforth Clement	Robert G. Nicol
William W. Coons	Donald C. Pantle
Rex S. Coryell	Sumner Parker
Charles L. Culwell	Eugene H. Pillsbury
Charles D. Curriden	Joel Rabinowitz
Dorsey W. Daniel	Jack M. Ratzlaff
Edward G. Dauchess	John F. Rawls, Jr.
Harold R. Davis	William F. Reiser
Jimmy P. Dearing	Robert R. Reiss
Charles Dibenedetto	Lee O. Rensberger
Holton C. Dickson, Jr.	Richard W. Ridenour
Chester L. Ditto	Robert J. Riger
Thomas J. Donoher	Philip T. Riley
Andrew M. Durham	Calvin W. Roberts
Stephen R. Edson	Gerald E. Roberts
Henry D. Elichalt	Ivan L. Roenick
William T. Emery	Loveman F. Rolen
George D. Fisher, Jr.	William Sandkuhler,
Horace P. Fishman	Jr.
Joseph L. Forehand	Alvis D. Sartor
Dick H. Francisco	Harold K. Scott
James J. Garibaldi	Alfred F. Simcich
William L. Gary	Earl G. Siemons, Jr.
Thomas M. Gill	Charles M. Smith
Ephraim P. Glassman	Charles W. Smith
Richard Glickman	Warren H. Stark
Harold E. Haas	Robert J. Stevens
Jack H. Haberthier	Howard M. Stuart, Jr.
Don C. Haeske	Thomas W. Tift, Jr.
Richard W. Haley	Elvin L. VanZee
William G. Hall	John H. Vice
Mark H. Hanna	James B. Way, Jr.
Neil K. Hansen	Howard W. Whitaker
Robert P. Hausold	John C. Wilson
Everett C. Higgins	Anton L. Witte
William W. Hoban	

CIVIL ENGINEER CORPS

Howard I. Bacon	Louis E. V. Jackson
David R. Bird, Jr.	Varne M. Kimmick
Philip S. Birnbaum, Jr.	Lemond D. Lang
Irving Bobrick	Paul G. LeGros
Warren F. Brown	Walter E. Marquardt, Jr.
Wesley A. Brown	Robert H. Nelson
Neal W. Clements	John E. Parsons, Jr.
William L. Collins	Stephen B. Profilet
Rudolph F. Dambra	Claude J. Quillen, Jr.
John F. Dobson	Chester T. Radecki
Wallace F. Forbes	Richard H. Schreiber
James E. Galloway	Claude E. Swecker, Jr.
Stephen A. Gilles	James G. Tapp
Albert C. Gillespie	Kenneth E. Thorp
William C. Hall	Jerome E. Toffler
Gordon W. Hamilton	Donald R. Trueblood
Reinhold M. Hendricks	Roger G. Tweel
	Benjamin E. Weeks
Robert L. Herman	Donald W. Wittschiebe
Charles M. Howe	William E. Wynne

MEDICAL SERVICE CORPS

Travis W. Drummond
Ray F. Paige

NURSE CORPS

Charlotte A. Allen	Helen M. Balashek
Doris M. Allen	Ella Barber
Mary A. Ayars	Myrtis R. Beaudrot
Cleo D. Best	Iris E. Johnson
Dorothy E. Blackmore	Margaret A. Kane
Willidean Blazier	Mary T. Kelly
Jeanne B. Boyce	Marie J. Kirkwood
Margaret E. Brooks	Lorraine A. Lane
Virginia B. Brown	Betty J. Lanier
Mary A. Brunner	Margaret L. LeCroy
Lola C. Bull	Betty J. Lewis
Dolores T. Burns	Katherine M. M. McGovern
Mattie L. Chandler	
Gertrude A. Christ	Katherine M. Merrill
Irene M. Chulack	Verna L. Miller
Florence M. Conner	Onis S. Milligan
Clare P. Cooney	Rose M. Mooney
Bobbie L. Crumley	Mary A. Pandora
Frances R. Crump	Judith K. Paretsky
Charlotte L. Day	Lillian A. Patsel
Audrey M. Devaney	Marie A. Petrovitch
Harriet M. Dimick	Ruth M. Pojeky
Roberta F. Dorsett	Martha A. Price
Grace C. Dugan	Lois A. Prothero
Mary T. Duhamel	May L. Reid
Stella M. Edgecomb	Evelyn L. Rhodes
Hope M. Estey	Shirley M. Riggan
Virginia C. Faeth	Agnes Sarna
Mary E. Farber	Shirley E. Sauvage
Bernice E. Fenn	Louise K. Scanlon
Barbara Frazier	Lorraine C. Schubilske
Anita A. Gagne	Audrey J. Sharafinski
Frieda C. Galipp	Joan D. Sibley
Gwendolyn L. Glazier	Faye J. Slate
Sophia H. Gormish	Arlene E. Sousa
Eileen Hanes	Alice L. Spence
Marchetta Harper	Mary Stefanick
Martha E. Hesson	Lolita D. Surprenant
Bertha K. Hiers	Nadean M. Swoboda
Jana V. Hilaire	Esther M. Thomson
Mary N. Hill	Barbara Touchette
Shirley M. Huston	Mabel H. Tyler
Dolores G. Irion	Mary M. Wentzel
Helen E. Jarvi	Marjorie R. Wilson

HOUSE OF REPRESENTATIVES

MONDAY, MAY 12, 1952

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou great God of our hearts, our homes, and our beloved country, we thank Thee for that sacred day in the calendar of church and state, called Mothers' Day, which we were again privileged to observe and which we are beginning to realize is so full of eternal significance in helping us to achieve national and individual greatness of character.

We rejoice that in obedience to a noble and tender instinct we were joyously constrained to pay honor and tribute to the blessed memory of mothers no longer with us in the flesh and to render gratitude and reverence for the glorious ministry of mothers who are still here to share with us their love and companionship.

Grant that the observance of Mothers' Day may hallow our minds and hearts with a prayerful longing to make every heart and home in our Republic a sacred shrine of God-fearing righteousness.

May all our citizens be inspired to cultivate the noblest ideals and be strengthened to meet the duties and responsibilities of life with that mastery which can only be gained in homes that fear the Lord.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Thursday, May 8, 1952, was read and approved.

MESSAGES FROM THE SENATE

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

S. Con. Res. 75. Concurrent resolution relative to the reenrollment of S. 2307 for the relief of Holger Kubischke.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1365. An act to assist Federal prisoners in their rehabilitation; and

S. 1772. An act for the relief of Ruth Obre Dubonnet.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 4387. An act 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; and

H. R. 4394. An act to provide certain increases in the monthly rates of compensation and pension payable to veterans and their dependents, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 1739) entitled "An act to amend section 331 of the Public Health Service Act, as amended, concerning the care and treatment of persons afflicted with leprosy," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LONG, Mr. SMATHERS, and Mr. ECTON to be the conferees on the part of the Senate.

SUBSTITUTION OF CONFEREES ON H. R. 6947, THIRD SUPPLEMENTAL APPROPRIATION BILL

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. WIGGLESWORTH] be excused from serving as a member of committee of conference on the bill (H. R. 6947) making supplemental appropriations for the fiscal year ending June 30, 1952, and for other purposes, and that the gentleman from Iowa [Mr. JENSEN] be substituted for the gentleman from Massachusetts.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none and appoints the gentleman from Iowa [Mr. JENSEN]. The Senate will be notified thereof.

ELISABETH MUELLER

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2672) for the relief of Elisabeth Mueller, also known as Elizabeth Philbrick.

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

There was 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, Elisabeth Mueller (also known as Elizabeth Philbrick), shall be held and considered to be the natural-born alien child of Chief Warrant Officer and Mrs. Alton H. Philbrick, 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.

COMMITTEE ON ARMED SERVICES

Mr. BROOKS. Mr. Speaker, on behalf of the Committee on Armed Services, I ask unanimous consent that the committee may sit during general debate this afternoon.

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

There was no objection.

SPECIAL ORDERS GRANTED

Mr. FISHER asked and was given permission to address the House for 30 minutes today, following the legislative program and any special orders heretofore entered.

Mr. ABERNETHY asked and was given permission to address the House for 10 minutes today, following the legislative program and any special orders heretofore entered.

Mr. HUNTER asked and was given permission to address the House for 20 minutes today, following the legislative program and any special orders heretofore entered.

OUR STATE DEPARTMENT HAS NEVER WANTED TO DEFEAT THE CHINESE REDS

Mr. KERSTEN of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. KERSTEN of Wisconsin. Mr. Speaker, our State Department was midwife to the birth of Red power in China. That is why it intervened in the field in Korea in the spring of 1951 to prevent effective military steps by the United States to force the surrender of the Chinese Communists. At that time General MacArthur was in a position to crush the Red Chinese apparatus that now threatens all Asia and ties down the bulk of our combat forces in Korea.

The sensational information given last night by Brig. Gen. Bonner Fellers in a radio broadcast, that it became known to us in March 1951 that it was the Communist ruse and strategy at that time, because of the imminence of Red defeat, to get a cease fire and prolonged negotiated talks so that the Reds could have a military build-up, calls for swift and complete investigation.

General MacArthur knew that to fall for such a ruse and strategy would rob us of the opportunity to force a Communist surrender that we then had. The Reds were at that time in a perilous position and reeling under MacArthur's blows. But our left-wing diplomats did not want a Red Chinese defeat. Our left-wing policy makers have succeeded in protecting the Red Chinese from defeat and a few days ago General Ridgway was obliged to state that the situation in which negotiations have been proceeding is not one in which we can write or enforce the terms.

General MacArthur's decision on March 1951 to give the opportunity to the Red commanders to surrender in the field was based on the realities of that time and if the Reds had stalled, MacArthur was then in a position to force their surrender. In acting as he did MacArthur was acting in the tradition of General Washington forcing the surrender of Cornwallis at Yorktown, General Grant forcing the surrender of General Lee at Appomatox Courthouse, General Foch forcing surrender of the German generals in Europe, and General Eisenhower forcing the signature to surrender terms prepared by his staff by General Jodel and Admiral Raeder in World War II.

We are now paying the price in Korea of diplomacy that seeks to compromise and wants to avoid the defeat of the most malicious and aggressive force that the world has yet seen.

WHAT OLD GLORY MEANS TO ME

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

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

There was no objection.

Mrs. BOLTON. Mr. Speaker, we Ohio Members take pleasure each year in entertaining in your graciously available dining room the group of high school students who have won the American Legion's essay contest. The subject is always a patriotic one.

I was particularly fortunate in having one of the winners come from the great Twenty-second District which it has been my privilege to represent in this House for some 12 years. She is Lucy Mehler and she now lives in Cleveland Heights. We who take for granted the privilege we have as citizens of this great free land of ours will do well to read the poignant essay written by one newly come under our flag:

WHAT OLD GLORY MEANS TO ME

(By Lucy Mehler, Cleveland Heights, Ohio)

I am only 9 months under the protection of Old Glory, and never in my life has a flag meant so much to me. What a wonderful country America is.

I am now 15 years old. These 15 years are a background for me to truly recognize the meaning of Old Glory. Since I can remember I lived in fear and insecurity, not knowing what will happen to me tomorrow.

My first 4 years were peaceful. Then came 4 years of concentration camp. Finally to leave the camp. Seven days and nights we walked, my mother and I, in rain through woods and countries, 400 miles to our home. Nothing there—empty walls and the Russian flag over our heads. Then the flight to Bucharest, then Vienna. Our only hope—America. It gave us the strength to wander from one place to the other and to wait that a miracle should happen.

Now, all I have dreamed of 11 long years, it all came true.

I found a new home, for the first time in my life I can plan, I have a future, I have hope, I can work, earn, spend, and save—all the rights I have not had before. People are good to me, they don't push me around and tell me I don't belong to them, they give me the same rights everybody else has, even if I am not yet a citizen of the United States—my greatest ambition.

I can see my way clear in front of me and I don't have to live in darkness from one day into the other. Old Glory is the first flag that gives me security and complete freedom.

I have the opportunity to get a good high school education for free, and I also plan on going to college, if I am successful in school. Where but in America could I make all these plans?

Where but in America can I get up in the morning, eat eggs and butter as much as I like, without being afraid that I will have nothing left for lunch and supper? Where could I get part-time work, earn and buy myself a dress, or save the money or do with it whatever I want, because I am free and nobody tells me what to do with what belongs to me? Where could I go to a library, read and borrow books, without paying anything for them? Where would I have a bathtub or a shower in every house I move? Only in America all these things exist and yet everything seems so natural to the people living here, because they had it all their life. I asked myself: What makes America so great and different compared to other countries?

When I think of America I like to think of an ant hill. It takes the hard work of many ants to build up a hill. It also takes the work and cooperation of all the people to build a great nation.

I will always have confidence in the people of America because if it were not for them I would not be here today.

Old Glory makes my life worth while living, it protects me, I am not afraid anymore because nobody will harm me here. I have reached my goal at last. I live under a flag where I can be a person.

IOWA'S CORN BREAD

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

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

There was no objection.

Mr. JENSEN. Mr. Speaker, recently while Elmer Carlson, of Audubon, Iowa, was in Washington and while dining at the House Restaurant, the Iowa Congressman told him about the restaurant's famous bean soup. He promptly inquired about corn bread, and he agreed to furnish a year's supply of Iowa's best coarse ground corn meal.

Mr. Carlson, the former world's champion corn husker, operates a weekly newspaper and is president of a hybrid seed corn company in my home county of Audubon. He said he hoped that the next time he came to Washington he would find some good Iowa tall corn bread.

The manager of the House of Representatives Restaurant in the United States Capitol accepted Mr. Carlson's generous offer; consequently, Iowa's tall corn bread, plain or toasted, will appear on the menu every day, for all to enjoy. It is famous, too, because it is so good.

The good Lord made our Iowa soil rich and suitable for corn production, that is why there is no corn bread comparable to our famous Iowa tall corn bread.

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

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

There was no objection.

Mr. DOLLIVER. Mr. Speaker, I just want to add my word of commendation to Elmer Carlson especially I say to my colleague, the gentleman from Iowa [Mr. JENSEN] from whose district Mr. Carlson comes, that probably there is no more succulent and flavorable flour or article of food that comes to the tables in the House dining room. Iowa corn bread contains the maximum of nutriment, combined with an appetizing flavor to titillate the taste buds of every diner.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. DOLLIVER. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. I wonder if the corn is going to be stone ground. That makes all the difference in the corn bread

Mr. DOLLIVER. I am sure it will have all the necessary qualifications to make the best corn bread that has ever been served in the dining room of the United States House of Representatives.

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

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

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, I want to join my colleagues from Iowa in calling the attention of the House of Representatives to the excellency of Iowa corn bread. I appreciate the suggestion made that it has to be properly ground, but if any corn can stand up under all kinds of grinding, it is Iowa corn.

Mrs. BOLTON. I am sure of that.

Mr. MARTIN of Iowa. We have been furnished this corn because of the courtesy and the interest of Elmer Carlson, of Audubon, Iowa. I also want to call the attention of the House to the fact that Elmer was a national champion corn husker just a few years ago. If there is anything more colorful in American life than a corn-husking champion, I do not know what it is. I have seen many of them, and it is a thrill to see a national champion in action for 80 minutes, without taking a breath of air, you might say. They go at it with such terrific speed. Now that has passed off the American scene with the bringing in of the mechanical corn husker. I am glad that the gentleman from Iowa brought this matter to the attention of the House.

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

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, like my other colleagues, I am very interested to hear the remarks made by the three distinguished gentlemen from Iowa about the thoughtful action of Mr. Carlson. We all appreciate it very much. I know that Mr. Carlson and the good people of all of the agricultural States appreciate the fact that their prosperity is due to the real leadership that exists in the Democratic Party.

ARMED FORCES PAY RAISE ACT

Mr. VINSON submitted a conference report and statement on the bill (H. R. 5715) to amend sections 201 (a), 301 (e), 302 (f), 302 (g), 508, 527, and 528 of Public Law 351, Eighty-first Congress, as amended.

COTTON PROMOTION

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

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

There was no objection.

Mr. GATHINGS. Mr. Speaker, I wish to call attention of the House to the fact that today marks the beginning of National Cotton Week. For those of us who live in cotton-producing States this is a significant event because it is an example of how the cotton industry, working together as a united front, has been able not only to retain but to expand its market in the face of ever-increasing competition. The fact that consumption of cotton in the United States is at almost peak levels is proof that this aggressive campaign has been successful. Not only have the farmers benefited from the existence of a stable market for their cotton but consumers also have been able to buy an improved product at relatively low prices.

This improved situation in the cotton industry did not just happen. It was brought about by industry-wide cooperation, by the concerted efforts of all segments of the industry—the farmer, ginner, warehouseman, cottonseed crusher, merchant, and spinner. All of us can remember the dire prediction about the future of the cotton industry which was voiced so frequently back before the war, not only by industry people themselves but by Government and private agricultural economists. Indeed, the future did look bleak. The historical markets for cotton were threatened by a new type of competition, offered by the synthetic fibers, which only then was winning wide acceptance from the buying public. There were fears that the very life of the industry, on which 12,000,000 people depend for a livelihood and which produces an income of more than $3,500,000,000 a year, would be eaten away by this competition. Declining consumption of cotton added reality to these fears.

Instead of succumbing to despair, the whole industry came together for a united effort to meet this challenge. Out of this need and desire for common action grew the National Cotton Council which, in the past 12 years, has been in the forefront of all efforts to increase the consumption of cotton. I would like to discuss briefly today some of the results of that 12 years of cooperative effort on the part of the industry.

Two principal tools have been used to meet the competition posed by synthetics—promotion and research. New markets have been created and many of the old markets, vulnerable to competition from the new man-made fibers, were retained. With the aid of public and private agencies, research activities have been expanded and a whole new vista for further improvement of cotton and cotton products has been opened up.

If proof is needed of this, take a look at the market for women's dresses and apparel—the most competitive and coveted of all the fiber markets. Just a few years ago most people thought cotton was doomed in this market. Instead, cotton has not only held its own but it dominates the market as it has never done before. Through intelligent and aggressive promotion, cotton has won acceptance as a fashion fabric. Cotton has moved out of the kitchen and the home and is now worn in all-year-round suits and dresses and as evening and cocktail gowns. The first task of the cotton industry was to convince the designers of clothes that cotton could be adapted to this new fashion use. But simultaneously with this, the quality of the fabric had to be improved. This was accomplished through research, the use of chemical treatments to make cotton crease resistant and soil resistant, and use of new dyes that gave the cotton fabrics a richness of color once thought impossible. Cotton consumption in this field has increased four and one-half times in recent years.

Cotton rugs offer another example of increasing a market through promotion and research. Twelve years ago few people saw much future for cotton in the rug market. Over the last few years, however, cotton has won wide acceptance in this field, creating a new outlet for 200,000 bales a year in all-cotton rugs. This is all the more remarkable when we consider just 6 years ago this market consumed only 50,000 bales. This tremendous gain was made possible by research and promotion, by convincing people that cotton rugs are servicable yet low in cost, by developing colors that are unmatched and by improving the cotton to withstand soiling and to wear longer.

One of the most dramatic examples of how the cotton industry has successfully fought to preserve its markets is in the cotton-bag field. At one time cotton bags were used almost exclusively to package feed, flour and fertilizer. However, gradually this market was lost to paper because it was impossible for cotton to compete pricewise. The cotton industry did not accept the loss of this market as the price of progress; instead, it accepted the challenge. First, it was decided to improve the quality of cotton fabric used in the bag, to add colors and prints so that the bag could be used, once emptied, in making dresses and other apparel. Feed manufacturers agreed to use the cotton bags as an ex-

periment, to make limited quantities of feed available to farm families in the new cotton sacks. Its acceptance was immediate. Farmers were willing to pay a few cents extra for feed to obtain the material in the bag. Now a large share of this market has been recovered and only recently fertilizer manufacturers have started packaging their products in new and improved cotton bags.

So it goes in almost every market for cotton.

The mood of despair for the future which marked the cotton industry 12 years ago has been replaced by one of confidence, confidence in cotton as the world's number one fiber and confidence that with the tools now available, cotton will continue to hold its own against all competition.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia day. The Chair recognizes the gentleman from Texas [Mr. TEAGUE].

HEIGHT OF THE BUILDING KNOWN AS 2400 SIXTEENTH STREET NW., WASHINGTON, D. C.

Mr. TEAGUE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4262) relating to the height of the building known as 2400 Sixteenth Street NW., Washington, D. C., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Cerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That the penthouse on the building known as 2400 Sixteenth Street NW., District of Columbia, despite any restriction on the use or height of buildings imposed by or under any provision of law may be used for office, but not for living, quarters."

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

Mr. SIMPSON of Illinois. Reserving the right to object, Mr. Speaker, and I know of no objection, will the gentleman explain the amendment?

Mr. TEAGUE. This amendment is merely one of clarification. It does not change the meaning of the proposed legislation. It permits the use of the top floor of the building at 2400 Sixteenth Street as office space.

Mr. MILLER of Nebraska. If the gentleman will yield, does it not provide for use for storage purposes, but not for living purposes?

Mr. TEAGUE. That is correct.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

UNLAWFUL ENTRY ON PUBLIC OR PRIVATE PROPERTY

Mr. TEAGUE. Mr. Speaker, I call up the bill (S. 258) to amend section 824 of the Code of Laws for the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

Mr. MILLER of Nebraska. Reserving the right to object, Mr. Speaker, will the gentleman tell us the difference between the Senate bill and the one we had in the House?

Mr. TEAGUE. The difference between the Senate bill and the one we had in the House is that one imposes a fine of $50 and the other a fine of $100.

Mr. MILLER of Nebraska. I believe we had a hearing in the Judiciary Committee of the House on that bill.

Mr. TEAGUE. That is correct.

Mr. MILLER of Nebraska. As the gentleman knows, District of Columbia business on the House side has not been very active. It is difficult to get the House committees together. I just hope the gentleman, being on the majority side, will use his good influence with the chairman and the leadership so that a dozen bills we have in the House District Committee may be given the due consideration. I do not think we have had a meeting now for 2 months. I understand that a committee meeting may be scheduled this week. I hope it will materialize. The District business deserves more attention.

I have no objections to this bill.

Mr. DAWSON. Mr. Speaker, I have had several inquiries about the bill, S. 258, and I object to its consideration at this time. I would like to know more about it.

Mr. TEAGUE. Mr. Speaker, in view of the objection, I ask unanimous consent to withdraw the bill from consideration.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MILITARY PAY INCREASE CONFERENCE REPORT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute in order to make a brief announcement.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, the military pay increase conference report has been reported, and I am programing it for Thursday to be taken up after the conference report on the tidelands bill.

SANTA MARGARITA RIVER PROJECT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to call up the resolution (H. Res. 619) providing for the consideration of H. R. 5368, a bill to authorize the Secretary of the Interior to construct, operate, and maintain certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif., and the joint utilization of a dam and reservoir and other waterwork facilities by the Department of the Interior and the Department of the Navy, and for other purposes.

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

There was no objection.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to 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. 5368) to authorize the Secretary of the Interior to construct, operate, and maintain certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif., and the joint utilization of a dam and reservoir and other waterwork facilities by the Department of the Interior and the Department of the Navy, and for other purposes. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. McCORMACK. Mr. Speaker, I yield one-half hour to the distinguished gentleman from Illinois [Mr. ALLEN].

I yield myself 1 minute.

Mr. Speaker, this rule has been reported out of the Rules Committee, providing for the consideration of the bill H. R. 5368.

I know of no objection to the adoption of the rule. The merits of the bill will be discussed if the rule is adopted, when we go into Committee of the Whole.

I urge the adoption of the rule.

I reserve the balance of my time, Mr. Speaker.

Mr. ALLEN of Illinois. Mr. Speaker, it is my understanding that the Committee on Interior and Insular Affairs reported this bill unanimously. It was considered before the Rules Committee and voted out of the Rules Committee unanimously. I know of no objection to the adoption of the rule, and therefore I reserve the balance of my time.

Mr. McCORMACK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. YORTY. 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. 5368) to authorize the Secretary of the Interior to construct, operate, and maintain certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif., and the joint utilization of

a dam and reservoir and other waterwork facilities by the Department of the Interior and the Department of the Navy, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 5368, with Mr. DEANE in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from California [Mr. YORTY] is recognized for 30 minutes, and the gentleman from Michigan [Mr. CRAWFORD] will be recognized for 30 minutes.

The gentleman from California [Mr. YORTY].

Mr. YORTY. Mr. Chairman, I yield 12 minutes to the gentleman from California [Mr. MCKINNON] the author of the bill.

Mr. MCKINNON. Mr. Chairman, my bill, H. R. 5368, does three things:

First, it establishes the important principle that all Federal officers and employees, in carrying out the laws relating to water-resources development and utilization shall proceed in conformity with the laws of that specific State with regard to the appropriation, use, or distribution of water.

Second, the bill provides for a division of costs between the Navy, the Corps of Engineers, and the Fallbrook Public Utility District for the construction of a dam on the Santa Margarita River in southern California which was authorized in a military construction act passed in January 1951.

Third, the bill authorizes the construction and financing of a distribution system for the water to be taken from the reservoir created by the dam for the farmers of Fallbrook. This cost, plus a portion of the construction costs of the dam amounting to about $4,000,000 is to be repaid the Federal Government by the Fallbrook Public Utility District over a period of 50 years, as authorized by reclamation law.

Water law and water rights are complex and cannot be briefly explained, but, for the benefit of my colleagues, I would like to briefly review a condition that has received widespread publicity and evoked national concern.

Fallbrook is an enterprising community of small avocado and citrus farmers adjacent to Camp Pendleton, the chief training center for the Marine Corps on the Pacific coast.

This community, and its farmers, depend upon stream flow and underground water for irrigation. For years, the Santa Margarita has supplied a considerable portion of this irrigation supply. Millions of dollars invested in groves are dependent for a continued supply from this source. This type of farming is different from grain, cotton, or other crops, where a lack of water for 1 year means a crop failure for that year alone. A prolonged drought dooms not only that year's crop, but the tremendous investment over a period of years in trees.

Meanwhile, due to the national emergency, Camp Pendleton has undergone tremendous development and expansion, and needs additional water particularly since the whole area has suffered from extended drought between 1941 and 1951.

There is urgent need for more water in the whole area.

One answer lies in the development of water in the Santa Margarita. In the summer this stream dies down to a trickle. In fact, the stream bed often becomes so dry that tourists are warned not to throw lighted matches into the stream for fear it may set the river on fire. During the rainy season, however, the stream sometimes becomes a roaring torrent, and over a 24-year period, the State's engineer's studies of stream flow reveal that an average of 21,400 acre-feet of water a year wastes away into the nearby Pacific Ocean.

Last year the Congress authorized the Marines to construct a dam at Camp Pendleton to yield a firm flow of 20,000 acre-feet from floodwaters. The cost of this dam is estimated to be about $22,000,000 and the Government has already undertaken engineering work toward the construction.

California water law recognizes two distinct types of water: riparian flow and flood water. Riparian water is allocated to land owners adjacent to the stream upon the basis of acreage and the history of beneficial usage. Under State law, riparian water may not be damned, but must be used from day to day in proportion to stream flow.

The other type of water, flood water, is allocated by the State water resources division after requests are filed and hearings are held. This water can be allocated to users who may not be adjacent to the stream, and the important factor of flood water is that it may be impounded and used during dry periods.

Some years ago, the Fallbrook Public Utility district, a mutual water agency of the farmers of that area, applied and secured from the State water resources division, the right to impound 1,800 acre-feet of water a year. More recently, an additional 10,000 acre-feet were allocated to Fallbrook.

One of my first acts in coming to Congress in 1949 was to search for a Federal loan to enable this small district to construct a dam to impound this water.

I shall not go into the details of being referred from one agency to another, but in the course of my search, I found that the marines were interested in a dam on this same stream and the marines, the Bureau of Reclamation, and Fallbrook reached a meeting of the minds for a cooperative effort in constructing a dam which would provide water for both Fallbrook and the Marine Corps.

In fact, I was able to persuade Admiral Manning, then chief of Yards and Docks of the Navy, to call a meeting at San Diego and representatives of all agencies of the Federal Government which had an interest in the dam construction were on hand.

Following a 2-day conference, those in attendance produced what is now known as the San Diego agreement which provided for a division of costs of the dam between the Marine Corps and the Fallbrook district, with some allowance for flood-control expense to the Army Engineers. The agreement also provided for a division of water impounded by the dam, and took care to place emphasis upon the allocation of the first availability of water to the marines for our national defense.

This agreement was accepted by all the Federal officers who were on the local scene and understood the local problem. The agreement was forwarded to Washington where demand was made for formal acceptance by the board of directors of the Fallbrook public utility district. This was done.

Then something happened, apparently upon legal advice to the Navy by the Department of Justice.

At any rate, instead of formalizing the San Diego agreement, the results of this San Diego conference were abandoned and the Federal Government in January of 1951 filed a law suit to determine the water rights of all interested parties in the Santa Margarita River.

Over 4,000 individuals have been served and Marine Corps spokesmen estimate more than 14,000 will be served before the suit is completed. The suit will probably require several years—and meanwhile the farmers of Fallbrook and the marine camp at Pendleton are desperate for water.

This bill attempts to cut away the red tape and expense of litigation and to provide water for the interested parties now.

The Fallbrook farmers cannot exist without water. Moreover—and this is of extreme importance to these small farmers—they simply do not have the finances in which to engage in a long protracted water suit.

Ironically, they see Federal funds, partially contributed by their own taxes, being used to fight against their own water rights. They simply do not have the chips to sit in this expensive poker game, and unless remedial action provided in this bill is passed, they will lose their water, their land, and their essential means of livelihood.

While this suit may be valuable for the determination of riparian water rights, this bill provides a quicker and more equitable means of developing water. A suit never develops water; it only apportions what is available.

This bill will create the availability of water that wastes away to the sea. If the proposed dam had been finished this spring, it would have impounded more than 20,000 acre-feet of water which wasted into the ocean last March—water that is so vital to this area that its importance cannot be overexaggerated.

Now under California State water law, the Federal Government has an easy way to acquire water it desperately needs for Camp Pendleton. It may do that simply by applying to the State water resources division for 100,000 acre-feet of flood water. It made application in 1948, but for some strange reason it has not proceeded with the application.

It has been argued by the Navy and by the Marine Corps that if this bill is passed the Navy will not have water, and, therefore, will have to abandon its camp at Camp Pendleton. That is not at all

in accordance with the facts of the situation.

The construction of the dam as proposed under this bill will enable the Federal Government to get more water than is now the case. For additional peak needs, brought about by the short-term military effort, we have acceptance by the metropolitan water district to provide water from the Colorado River through the aqueduct that passes by the camp on its way to the city of San Diego. The metropolitan water district will be able to supply the peak needs for Camp Pendleton from the Colorado River at a cost less than what the water from the dam will cost Camp Pendleton. Some people may ask why does not Fallbrook get the water from the metropolitan water district instead of participating in the construction of this particular dam. The answer to that is that under terms of membership in the metropolitan water district, to which Fallbrook belongs, Fallbrook cannot expand its request for water from the Colorado River; however, the metropolitan water district is able and willing to serve the Federal Government for whatever water it may need for its military establishment at Camp Pendleton.

Thus by the passage of this bill we will accomplish the priority of State water rights as well as providing for economy. It will cost our Government $4,000,000 less in capital outlay because the farmers of Fallbrook will be paying that amount for their share of this dam. Moreover, it will enable the farmers of this district to continue their farming operation and thus provide additional tax revenue for this country.

A few officers in the Navy and Marine Corps threaten that if the Marines are not given everything they ask for in the way of water from the Santa Margarita that they will be forced to close up their $150,000,000 investment in the camp. There is not a bit of logic to this argument. In the first place, the water which now belongs to Fallbrook in accordance with the permit issued by the State of California can be obtained from the Fallbrook farmers through due process of law under condemnation, provided compensation is paid. That is so provided in this bill. Furthermore, Camp Pendleton is assured by the metropolitan water district of any peak waters it may need without one cent for capital outlay and at a rate per acre-foot lower than that which the waters from the dam will cost, when you consider the expenditure for the dam.

Mr. Chairman, for these reasons I urge the House to take favorable action on this bill because it will accomplish the purpose of developing more water for the farmers and the Military Establishment and at the same time protect the priority of States' rights.

Mr. CRAWFORD. Mr. Chairman, I yield 12 minutes to the gentleman from California [Mr. POULSON].

Mr. POULSON. Mr. Chairman, this bill, H. R. 5368, comes to us as the culmination of that highly publicized Fallbrook water grab. It has attained Nation-wide attention, articles having appeared thereon in both the Reader's Digest and the Saturday Evening Post.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. POULSON. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I have asked the gentleman to yield, Mr. Chairman, to state to the House that last October I had the opportunity of being in California, and at the request of some former Ohioans, whom I knew very well, I took a look at the Santa Margarita situation. I was literally amazed and dumbfounded by what I found and what I saw. It would be indeed hard for any Member of the House to believe that such a situation could exist in free America. I talked to many property owners in that area. I remember speaking to one widow lady who owned a small piece of property who said that because of the Government's action she could not sell her property so that she could buy elsewhere, and she was threatened with having the water supply to her property shut off. I hope that every Member of this House will support this bill because I think that which has been done in this case is both indefensible and reprehensible. I shall support with my vote and my voice the action of these Members from California who, regardless of political affiliation, come to the House for a redress of the grievances of the people affected by the action which has been taken. They are entitled to have this bill passed promptly.

Mr. POULSON. I thank the gentleman.

Before I go into the merits of this bill, you might be interested in knowing that this case presents the finest illustration of how the public press can serve its readers. In this particular instance the 14,000 or 16,000 people who were being crushed under the wheels of big government had no organization to get their story out to the public, and to Congress. It began with a letter in the Letters to the Editor column of the Los Angeles Times. This letter caught the attention of one of the editors, Mr. Ed Ainsworth, who read it with alarm. That was the start of the snowball which grew in size until the story was publicized throughout the land. This is really another battle in the age-old war between the various departments of the Government in their quest for more power and authority, and in each such battle the public is always the loser regardless of which department wins. I want to frankly state that this should not be considered a political partisan issue, as this war between the departments will continue unless Congress or any administration does something about it.

I consider the Navy and its "brass" just as guilty as the political appointees of the Justice Department. None of us wants to interfere with our national-defense program, but that does not mean that the Navy should go into any area and take that which it wants without due regard to the regular processes of law. Neither the Navy, nor the Justice Department, nor any department, is infallible.

Let me briefly state what has happened. The Navy, or Marines, moved into California during the last war and built what is known as Camp Pendleton and its various subsidiary developments at Oceanside and Fallbrook. The base has naturally been enlarged, by the establishment of the United States Naval Ammunition Depot at Fallbrook, and the United States Naval Hospital at Camp Pendleton. The Navy rightfully became concerned about an adequate supply of water for the future, and the anticipated enlargement of that base.

The property which Camp Pendleton occupies was purchased from the O'Neill's estate and known as the Rancho Santa Margarita. Prior to the acquisition of the Rancho Santa Margarita by the Navy, the owners had been in litigation with the Vail holdings as to the adjudication of the water of the Santa Margarita River. These were the two large landowners but the litigation did not include the thousands of other small users in that area, many of whom have much older water rights and naturally have priority. Testimony developed in the hearings brought to light all of this information.

As early as 1946, the Fallbrook citizens, through the Fallbrook Public Utility District, filed on the floodwaters of the Santa Margarita River with the proper State agency. They intended to build a reservoir to corral the flood waters of that watershed. The reason for this action was because of the increase in population in that area, as many people were coming there because of the ideal climatic conditions. Most of these people were retired people, and they would purchase from 1 to 2 acres and plant some avocado and citrus trees, and naturally their entire life's savings were invested in these small groves.

The Department of the Interior, whose responsibility is to assist and advise the people of such areas as to the best method of conserving the water and of obtaining additional water, likewise became interested in their problem.

Since the average flood runoff to the sea was around 20,000 acre-feet per year, the Army engineers were interested. Especially should they be concerned since the marine base was situated near the mouth of the river and was subject to damage from these floods.

Therefore, all of the interested parties, the Fallbrook public-utility district representing the people, the United States Navy, the United States Army, and the Department of the Interior started negotiations to arrive at a satisfactory solution of this entire problem. In fact, it progressed to a point where a memorandum of understanding was written, which in reality is the substance of this bill. Now on December 14, 1949, the Fallbrook public-utility district formally approved this memorandum of understanding as the basis for legislation and the solution to the entire problem. And bear in mind that prior to this, this same memorandum of understanding had had the approval of the local representatives of the Department of the Navy, Department of the Interior, and the Department of the Army.

Then the wheels of conciliation broke down when it went to the Pentagon. Evidently, the "brass" was not going to do business with the people of Fallbrook, nor any other civilian department of

Government like the Department of the Interior. Again, it was that age-old battle of the Departments. However, here is where the Navy discovered that they could pick up the ball and run away with it. Under the General Military Authorization Act of January 6, 1951, Public Law 910, Congress authorized various military developments and the Navy utilized this authorization as its authority to construct a dam and reservoir at the junction of the Santa Margarita River and the De Luz Creek in the county of San Diego, Calif. After that, the Navy, under Secretary Dan Kimball, ordered the Justice Department to proceed to restrain everybody from using any water from the Santa Margarita watershed, or even pumping any water from the ground even on their own property within the Santa Margarita watershed. I might say that they even attempted to restrain people living in adjoining watersheds, which water would not even flow into the De Luz Dam. The Navy and the Justice Department took the position that the United States rights were superior to all other users, regardless of the number of years they had been taking water from this area.

The State of California has adequate water laws for determining water rights and adjudicating water, but the Navy in its dictatorial fashion, refused to recognize the State in any form whatsoever and, as I stated before, ordered the Justice Department to begin proceedings. The Justice Department, with its many employees who have the idea that the Federal Government is supreme and has paramount and superior rights, proceeded on that basis. They did not recognize that the 14,000 people in the Fallbrook area were citizens of the United States, and that many of them had lived there longer than the Vails and the O'Neills and certainly long before the Navy had moved in and by all known laws had prior title to the water. The Justice Department just considered that the Navy wanted this property and could run ruthlessly and roughshod over the people regardless of who they were.

This is similar to the Tidelands case, except that the people affected are little landowners. In fact, over 90 percent of them own less than 5 acres each. Some of them own no property, and some of the defendants in this lawsuit are churches, cemeteries, schools, and the like. This case is a disgrace to the United States and certainly could become fine ammunition for the Communists to use against us.

Now this bill will not stop the infamous lawsuit. The title of every foot of ground in the Fallbrook area is clouded by this lawsuit, and no titles can be cleared until it is consummated. Naturally, the sale of any property will be retarded.

But this bill does try to get at the cause of this action. It attempts to make it possible to have the issue settled by alleviating, to a certain extent, the water shortage. At the same time, it writes into law and makes it unmistakably clear that the control, jurisdiction, and distribution of water from the streams such as the Santa Margarita River are subject to State law and that the Federal Government has no control whatever and no vestige of power or right over the waters of these nonnavigable streams. It establishes the fact that the Navy or any Federal agency is only entitled to what water they might buy and no more, and if more water is needed, they should obtain same in due process of law and pay accordingly.

Now, as I stated before, this dam has already been authorized under the Defense Act of 1951 and money for it was included in the naval appropriations bill, but was struck out in the House pending the settlement of this controversy. This bill does not in any way interfere with the development of Camp Pendleton, nor does it preclude the Navy from getting the amount of water it needs. It does require that the Navy proceed in an orderly and legal manner and make due compensation for any water or property taken which does not belong to it.

This bill does not authorize any other project than what has already been authorized, but it does make provision for the disposition of the floodwaters. It positively grants to the Navy all of the water which it will need from the reservoir even for golf courses for its officers, and it also provides for the disposition of the surplus water in the De Luz Dam—beyond the Navy needs—to the civilians in that area. It further provides that a portion of the cost of this dam will be paid back to the Government—which is not the case under the original authorization—by the civilian beneficiaries of this water. Ample provision is made that the civilians get only the surplus water, and only when there is a surplus, which could mean that their orchards would dry up when there was no surplus. This is a new step in the defense programs, in that some of the money will be paid back.

Even in the face of that, the Navy with its apparent lack of concern for the taxpayers of this country and certainly for the inhabitants of the Fallbrook area, wants it to be whole hog or none. Therefore, it is the duty of the Congress, with its power, to step in and say to the Navy, You can have all the water you need, but you cannot prohibit the residents of the Fallbrook area from using what surplus water there might be in the De Luz Dam.

I might add that the purpose of this bill is very well stated by the gentleman from California [Mr. ENGLE], chairman of the subcommittee, in his Report No. 1452, as follows:

> The purpose of the bill is to make it unmistakably clear that the appropriation, use, jurisdiction, and distribution of water is subject to the laws of the affected State, Territory, or insular possession, regardless of the fact that the appropriation, utilization, and distribution may be caused by a Federal project and be the result of an appropriation of funds from the Federal Treasury. Moreover, the legislation makes clear the fact that the Federal Government is a Government of delegated powers and the control, utilization, and distribution of waters from streams has not been delegated to the Federal Government except where navigation interests are sufficiently affected that control is governed by the commerce clause of the Constitution. Therefore, the Federal Government in all but exceptional cases is to be treated as any other owner of water rights.
>
> This bill was passed out unanimously by the subcommittee and likewise by the full Committee of Interior and Insular Affairs.

Mr. CRAWFORD. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

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

Mr. SAYLOR. I am glad to yield to the gentleman.

Mr. HILLINGS. I should like to join the gentleman who just spoke, the gentleman from California [Mr. POULSON] in support of this legislation, which is, I think, important and necessary; and I also join with the gentleman from California in his concern over the tactics employed by the Department of Justice, tactics which certainly can be considered a precedent in this case, particularly the manner in which subpenas were served on the people in the Santa Margarita area. It is my hope that the House Committee on the Judiciary inquiring into the activities of the Department of Justice will check very carefully into the process and the tactics used by the Department in the Santa Margarita case.

Mr. SAYLOR. Mr. Chairman, the implications of this bill H. R. 5368 extend far beyond the citizens of Fallbrook area, and the people who live in the Santa Margarita watershed. The history of this case discloses that various agencies of the Government and the locality getting together, sitting down and agreeing as to how their differences would be settled. They did it in a manner which gave all of the people in the Fallbrook area the feeling that they could freely deal with, talk to the representatives of their Federal Government, and arrive at a satisfactory solution. After they had agreed as to how the waters of the Santa Margarita River would be distributed, ample water being supplied for all of the needs of the military, both present and future, and water being supplied for all of the people in the area, the agreement was reduced to writing, and it was sent back to Washington. Down in the Justice Department, what our colleague from California [Mr. ENGLE] has referred to as a legal eagle, decided that here was a chance for him to make a name for himself. So he has started the largest lawsuit ever started in the history of the United States. There are over 10,000 individual people in that area who have been sued. As some of the other Members who have preceded me told you, they sued churches and cemetery associations; they have even gone so far as to sue school districts, claiming that it is all right for the water to be used to supply the golf course on which dad plays, because most of the children in the Fallbrook schools are children of Marine officers and enlisted personnel who are located at Camp Pendleton, but it is strictly illegal for their children to drink that water.

It is important to note, and the Members should note, I think, that when

Phil Swing, a former Member of this House, who represents many of the people who are defendants in the lawsuits, would confer with representatives of the Justice Department, they would insist that they were not trying to claim any superior right, on behalf of the United States Government, but in the papers which have been filed in the Federal court, the basis of the United States claim is that the United States Government, because they own a piece of property in that area, has a paramount right not only to the water that flows in the river over a part of their land, but also the underground water. If the theory of the Justice Department is successful in this case, you will have set up, not just on the basis of the tideland case, and the few States that are bordering on our oceans, but you will have a precedent for every State in the United States, and where the Federal Government owns a piece of land they could come in and claim a paramount right to all of the assets of the State.

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

Mr. CRAWFORD. Mr. Chairman, I yield the gentleman one additional minute.

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

Mr. SAYLOR. I yield to the gentleman from California.

Mr. HUNTER. I would like to commend the gentleman for his very fine speech. If this bill passes, it will be a victory for States' rights. It will be a victory for the people. It will be a victory for local control of water resources. The gentleman from Pennsylvania [Mr. SAYLOR] has shown a very keen interest in California's water problems, and has also demonstrated a very thorough understanding of them. We from California appreciate it a great deal.

Mr. SAYLOR. I thank the gentleman. I sincerely believe that this bill, if passed by the House, will solve the problem which should be of concern to every Member of this House and every man, woman, and child who lives within the confines of the United States on the growing tendency of an expanding policy of unlimited powers that exist in the Federal Government.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. MURDOCK. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Chairman, being a native son of the Golden State of California, I wish to state that I am very, very familiar with the total property, because I have personally traversed it several times in my lifetime. Being a member of the California bar, also, I am not unfamiliar with some of the legal issues involved. I am for this McKinnon bill, H. R. 5368. I wish to commend the distinguished gentleman from California [Mr. MCKINNON] for his very diligent research and his tenacity of purpose in offering this bill and pressing it through the congressional red tape so promptly.

I wish to compliment, too, the subcommittee of this House in going westward and holding those hearings in California.

Several months ago when the commonly called Fallbrook case was filed in the California courts, I promptly asked the Attorney General of the United States and the attorney general of the State of California in writing whether or not the intention was to apply the law enunciated by the United States Supreme Court in the California tidelands case of paramount rights to the Fallbrook water case or whether or not it was the intention to apply solely the law of the State of California on water rights in the final decision. The case involved the subject matter of the Santa Margarita River water supply, out of which controversy grew the important and timely text of the McKinnon bill which we are debating today. We must, of course, realize that the McKinnon bill does not claim to settle this pending, important lawsuit. I wish it could.

On July 11, 1951, I received from the Department of Justice, Washington, D. C., the original of the following letter which I call to your attention:

DEPARTMENT OF JUSTICE,
Washington, July 11, 1951.

Hon. CLYDE DOYLE,
House of Representatives,
Washington, D. C.

MY DEAR MR. CONGRESSMAN: This will refer to your letter of July 6, 1951, relative to the case entitled "*United States* v. *Fallbrook Public Utility District, et al.*," in the District Court of the United States for the Southern District of California, Southern Division. Accompanying your letter was a pamphlet purportedly prepared for the Long Beach Chamber of Commerce. In your communication were set forth several inquiries in regard to the litigation. Response to these inquiries will be made in the succeeding paragraphs.

In the second paragraph you ask as to whether the United States is claiming directly or indirectly more rights to the use of water than those which it acquired from the Rancho Santa Margarita and which it may have acquired by prescription. In the final paragraph on the first page of your letter there is presented in substance the same inquiry. The United States in this proceeding claims no greater rights in the Santa Margarita River than those which it acquired. Thus, the rights asserted by the United States do not exceed those which a private individual would be entitled to assert under similar circumstances although the water is now utilized for military purposes.

Your next inquiry relates to the uses to which the United States of America will place the water which it acquired. As recognized by you in that paragraph, Camp Pendleton, the United States Naval Ammunition Depot, and the United States Naval Hospital are now and have been for approximately 10 years applying the water which the United States acquired to the purposes mentioned. An additional factor of importance is recognized by you in the final sentence of the paragraph in question. As you state, there has been ceded to the United States by the State of California exclusive jurisdiction over the properties. That is the customary procedure followed where, as here, the vital Military Establishment must be maintained. The cession of that jurisdiction was in complete conformity with the Constitution of the United States of America and of the laws of the State of California.

Finally, you make reference to the term "paramount power." At no time has that phrase been utilized. The term "paramount" was adopted from decisions of the Supreme Court of the State of California. Regarding the matter, this statement was made by the Department's representative at the hearing on May 9, 1951, before Judge Weinberger: "I am perfectly willing to stipulate into this record now, if they [counsel for the defendants] will join in it, that we will agree that the term 'paramount' as used and the connotation to be attributed to it is that given to it in the case of *Peabody* v. *Vallejo* (2 Cal. 2d 351)."

The United States of America is seeking by the litigation to have its rights adjudicated as they pertain to all other rights on the stream. It is not seeking to take rights from anyone, nor does it desire to encroach upon or infringe upon the rights of anyone. It does, nevertheless, in connection with the maintenance of the vital Military Establishments to which reference has been made, seek to have a final determination as to its actual rights in the Santa Margarita River which it acquired by purchase in the years 1941 to 1943.

In view of the objectives of the litigation, it is apparent that the pamphlet, which is returned to you with this letter, does not merit comment.

Sincerely,

A. DEVITT VANECH,
Assistant Attorney General.

On August 19, 1951, I received from the office of the attorney general of the State of California a letter dated August 16, 1951, which I herewith call to your attention:

STATE OF CALIFORNIA,
DEPARTMENT OF JUSTICE,
OFFICE OF THE ATTORNEY GENERAL,
San Francisco, August 16, 1951.

Hon. CLYDE DOYLE,
Member of Congress,
House Office Building,
Washington, D. C.

Re *U. S.* v. *Fallbrook Utility District et al.*

DEAR MR. DOYLE: This is in reply to your letter of August 7, 1951, inquiring about the Fallbrook case.

Mr. William H. Veeder, Special Assistant Attorney General of the United States, in charge of this case, has stated that the use of the word "paramount" in the complaint refers only to the paramount rights of a riparian over an appropriator as the term is sometimes used in the California law. For example, see *Peabody* v. *City of Vallejo* (2 Cal. (2d) 351 at 374–375 (1935)), where the California Supreme Court refers to the preferential and paramount rights of the riparian owner and says: "Any use by an appropriator which causes substantial damage thereto (the riparian right), taking into consideration all of the present and reasonably prospective recognized uses, is an impairment of the right for which compensation must be made either in money or in kind, and in the event public use has not attached, the owner of the paramount right is entitled to injunctive relief." See also Hutchins, Selected Problems in the Law of Water Rights in the West, 32–33 (1942).

As far as we know, the word "paramount" as used in the Fallbrook complaint is used in the above sense and not in the sense in which it is used in the tidelands case.

We are specifically advised on May 16, 1951, by letter signed by Mr. A. Devitt Vanech, Assistant Attorney General of the United States, in charge of the Lands Division, that "the United States is seeking only to protect those rights from the stream in question to which it succeeded from the Rancho Santa Margarita and such other rights as may have accrued to it by reason of prescription. The United States is not

seeking to have accorded to it, by reason of military use, any greater quantity of water than that referred to above."

The State has filed an answer in intervention in the above proceeding for the purpose of insuring that the water rights of the United States be determined in accordance with State law. The United States has stipulated that it will not object to this intervention.

Please contact me if you have any further questions.

Very truly yours,

EDMUND G. BROWN, *Attorney General.*
By B. ABBOTT GOLDBERG, *Deputy.*

One of the reasons I made the inquiries related to both the State and Federal law departments was because I realized by hearing and by reading that some people were apparently capitalizing upon the sensitive situation arising out of the filing of the Federal case in San Diego County and immediately publicizing in an extensive manner a claim that the United States Government was trying to apply to the Fallbrook case the paramount-rights theory applied by the United States Supreme Court in the tidelands oil case. In fact, I received some such written and printed communications. Some of them were manifestly conceived in a petty, politically partisan, inaccurate, and unjust atmosphere and design.

The two foregoing letters from these distinguished lawyers for the Federal Government and the State, respectively, together with subsequent documents and writings in the premises persuaded me that even though I was strongly for the McKinnon bill, I could not go along with any of the unfounded criticism directed to this particular point.

There are plenty of difficulties involving a suit such as this and a settlement of a controversy such as this through litigation or due process without any unnecessary and unfounded, involved criticism or theoretically unsound attacks against any of our Federal Government.

Having said this, I think I should call your attention to the fact that beginning in the Seventy-ninth Congress and each session subsequent I have vigorously supported the State tidelands theory and have filed bills to this effect and have voted in support of the tidelands bills, including the Walter bill in this session. Therefore, in referring to paramount rights, I wish to remind you of the foregoing fact of my attitude on the tidelands bill.

Mr. CRAWFORD. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS. Mr. Chairman, my colleagues on both sides of the aisle have pointed out the technicalities of the situation in which the people of the Santa Margarita Basin find themselves. Few things, in my experience, have indicated a more arbitrary attitude on the part of the Federal Government. Thousands of people in this water basin, if the intent had been carried out, would have been suddenly required to come into court, and hire their own attorneys to prove that they themselves had the right to water which they had been using for generations, many of them. Others of more recent arrival in the area, would have had to prove a right to water, who had given it no more thought than that when they turned the faucet on they got water, and when they turned the faucet off, they did not get it. The water was furnished to them through the utility company. Water laws are not made suddenly; water laws grow; water laws grow with the development and history of the State; and it has been universally understood that when the Federal Government comes into any State under such conditions it follows the water laws of that State, as they do many other laws.

Section 4 of this bill becomes, therefore, a very important section. It states that in cases of this kind the laws of the State must be followed by the attorneys for the Federal Government.

There are other technicalities in the case; but, as I say, these have been pointed out by other Members.

I think it is important that we pass this bill; pass it by an overwhelming majority. We have here a case which in its way is just as basic and just as important as the seizure of the steel mills which aroused the people of the United States. In some ways, I think this is more important. If the Federal Government could establish the theory of paramount right which it asserts in this case, it could go into any State where there is Federal property—and, as you know, Federal ownership of property has increased enormously in recent years—and could invalidate the rights of the people or of the State, which they had prior to Federal ownership.

I ask for an aye vote on this bill.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 2 minutes.

Mr. MURDOCK. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I rise in support of H. R. 5368 and I wish to compliment the gentleman from California [Mr. MCKINNON] for introducing this bill for the protection of the constituents in his congressional district, the Fallbrook area.

I do not care to go into the technical problems involved, because they are intricate and complicated, and I do not have the time to state them completely and correctly; but I do want to indicate my wholehearted support of the resolution.

I wish to thank the chairman of the committee, the gentleman from Arizona [Mr. MURDOCK] and the members of the subcommittee individually, who went out to California and held these hearings out there. Every report I received from the people who live in that area makes me proud of the way in which that subcommittee conducted itself. I believe they brought forth a very good bill here and I trust the House will approve it by an overwhelming majority.

Mr. CRAWFORD. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. MCDONOUGH].

Mr. MCDONOUGH. Mr. Chairman, water is always a serious problem in California as far as legislation is concerned, regardless of which party recommends the legislation. The State needs water and wherever it is affected and the civilian population is affected by the denial of it, it has in the past become serious enough for physical conflict to result.

I think the important section of this bill that not only affects the rights of the people in this area but certainly is a precedent affecting the rights of the people of the United States, in all parts of the country, is section 4 which says:

SEC. 4. All Federal officers and employees in carrying out the laws relating to water-resources development and utilization, including the furnishing of water to national defense installations, in States, Territories, or insular possessions, shall proceed in conformity with the laws of such States, Territories, or insular possessions with regard to the appropriation, use, or distribution of water and shall not interfere with or acquire any vested right except upon specific authorization and upon due compensation being paid therefor.

That says in effect that the States have certain rights in their water resources and that the Federal Government shall not be paramount to those State rights. It says in effect in this instance that the armed services, the Defense Department, shall not be predominant over the civilian population; it says in effect that the people in the Fallbrook area, the farmers who had these water rights for years and years, shall not have those water rights interfered with by any invasion on the part of the armed services, in this case the Navy through the Marine base at Camp Pendleton.

I want to compliment the committee for the work it has done on this bill, for the hearings it has held, for the very democratic manner in which it called in all interested parties and heard testimony on both sides of the question. It has, in my opinion, brought to the House an excellent bill which should pass without any amendments which would weaken any part of it. The bill should be a matter of no controversy insofar as both sides of the aisle are concerned. I recommend a favorable vote on it.

Mr. CRAWFORD. Mr. Chairman, I yield such time as he may desire to the gentleman from Montana [Mr. D'EWART].

Mr. D'EWART. Mr. Chairman, I rise in support of this legislation. It will help solve a serious problem in the West. I want to commend the committee especially with regard to section 4. I think it is important that this section be included. It is a good amendment and reaffirms a principle that we of the Western States have believed in for a long time. It reaches to the matter of the rights of the States to manage their own water and of State law to prevail in connection with the use of the water.

The provision reads in part:

All Federal officers and employees in carrying out the laws relating to water-resources development and utilization, including the furnishing of water to national-defense installations, in States, Territories, or insular possessions, shall proceed in conformity with the laws of such States, Territories, or insular possessions with regard to the appropriation, use, or distribution of water and shall not interfere with or acquire any vested right except upon specific authorization and

upon due compensation being paid therefor.

Mr. Chairman, I would like to quote from the report on this bill that portion which deals with section 4:

The second question stated by the chairman at the commencement of the hearing is whether or not the Federal Government asserts some right or claim in its sovereign capacity which could not be asserted by a private holder of the same purchase documents. It appears from the testimony that the Government is standing on its purchase documents, plus the stipulated judgment between the Vails and the O'Neills. The pleadings filed by the Government are subject to the interpretation that it asserts some claims in its sovereign capacity and for defense purposes, although this has been denied by the Government's attorneys. The Government apparently takes the position that the stipulated judgment between the Vails and the O'Neills divided the river and that the judgment was binding on everyone on the watershed even though other users on the river were not parties to the litigation. This is a novel legal theory, to say the least, but it would seem to indicate that the Federal Government is not asserting a higher position than a private holder of the same purchase documents could assert. However, it might be well to point out that in the testimony before the Judiciary Subcommittee of the House, the representatives of the Attorney General's office indicated that they would assert the Federal Government's sovereignty against any claim of prescriptive use of water which might impair the Government's rights under its purchase documents. If this position is sustained by the court, a Federal agency on any stream in California will to that extent become a preferential user of water with preferential rights not subject to impairment by prescriptive use of water by others.

Mr. Chairman, it is because of the efforts of the Federal Government to assert an authority it does not have and should not have that section 4 is written into the bill. Control of water resources controls the life and economy of the area concerned. Under the claim of paramount right to all our water resources, the Federal Government tries to assert a blanket authority that would provide for the adjudication of water rights in the several States by the Federal courts and such a thing would be disastrous to individual water users. Most Western States have already settled the water rights of their citizens. Such laws should therefore prevail and any surrender by the States of their right and power to settle questions of ownership of property, including water rights arising between citizens or, in the case of the Federal Government in disputes over water, should be settled in the State courts.

Section 4 recognizes the sovereign rights of the State. Its adoption will be a long step forward in settling controversies that have arisen in reclamation States between water users and the Federal Government.

Section 4 should stay in the bill.

Mr. MURDOCK. Mr. Chairman, I yield 12 minutes to the gentleman from California [Mr. YORTY].

Mr. YORTY. Mr. Chairman, I am sure I will not require 12 minutes on this bill, although the implications of the legislation could be the subject of a very long talk.

It was almost a year ago—on May 24, 1951—that I first called the attention of the Members of the House to the Santa Margarita lawsuit by inserting in the RECORD an article from a newspaper in Los Angeles, the Los Angeles Times. The article was written by Mr. Ed Ainsworth, who is responsible in a large degree for the interest that is being taken in this case all over the United States. Interesting, I think, is the fact that he first had his attention directed to the lawsuit by a letter from a little farmer down in the Fallbrook area who wrote to the Times stating that he had been sued by the United States Government which alleged that it owned all of the water in the river. The writer said that he had been there a long time; that he thought his water rights were secure; and that he furthermore thought it was very unfair for the Federal Government to make such sweeping claims and to try to take over all the water in the river. So, from that small beginning the case has attracted attention all over the United States and has received considerable attention from our Committee on Interior and Insular Affairs which acted unanimously in reporting this bill.

We feel that the lawsuit filed in California is a suit that need never have been filed at all. I should like to call your attention to this fact, which is interesting to me and I believe it will be to you: If the Federal Government had not acquired the privately owned property along the Santa Margarita River, the people along that river would have gone on indefinitely settling their water disputes, if they had any, in accordance with the law of the State of California. They would have utilized our administrative processes to solve conflicts without suing everybody on the stream. But because it was the Federal Government which came in and acquired this property, we find then developing an entirely new situation in which it seems that the Federal Government, in order to determine the rights they own or acquired, decided to sue everybody on the stream.

We all know that most of the people being sued have good water rights and the courts are almost bound to so hold. This is the opinion of all of us who have studied this question. But even in having their rights adjudicated and held to be secure against the Federal seizure, they are all being penalized because the Federal Government acquired property on the stream. They are penalized because they have to go and hire lawyers; they have to go into court and file answers. In the interim while the suit is pending, I imagine it is impossible to sell property in the area, and certainly its value is depreciated by the cloud on the title to water rights. All of these things have come about simply because the Federal Government came in and acquired a certain stretch of land on the Santa Margarita River. This is, therefore, more or less of a warning to all of us that we have to watch very carefully when a Federal installation is placed on any stream in any of our States, and we must be very clear as States to realize exactly what we are doing when we give to the Federal Government exclusive jurisdiction over any kind of an establishment.

The State of California granted exclusive jurisdiction to the Federal Government for the purpose of this military installation on the Santa Margarita River. What we had in mind, of course, was the ordinary police power that the Navy, in this particular case the Marine Corps, has to have in order to regulate its affairs in Camp Pendleton. We did not have in mind, in granting exclusive jurisdiction, that we would be changing the water law on that entire stream. Yet that is the dangerous construction being placed on the grant of exclusive jurisdiction by one of the attorneys in the Justice Department, whom I suspect is the fellow that is the source of all this difficulty. Because of his stubbornness he insists on going ahead with the lawsuit, although the matter could easily be settled amicably among the people on the stream, including the Navy, and was at one time settled until, I think it was, the Justice Department which came in and insisted on the colossal lawsuit.

In studying this lawsuit one also has to remember that it was this same Department of Justice which alleged in the case of Nebraska against Wyoming that the Federal Government owns all of the unappropriated water in the nonnavigable streams in the Western United States. It is this attitude threading through these various lawsuits brought by the Federal Government that is of great concern to every State that has a shortage of water and which must husband its water resources as the State of California and the other Western States must do. As most of you know, already the complaint in this case reads like a complaint in eminent domain. I recall when the gentleman from Pennsylvania [Mr. WALTER] first read the complaint, his comment was, "Well, this reads like a complaint in eminent domain."

Most of the rest of us who had read the complaint had come to the same conclusion. There is only one exception to that. It reads like a complaint in eminent domain, but it does not offer compensation for what is being taken. It simply alleges that because of the needs of the national defense and because of the fact that this property has been acquired by the Federal Government, the Federal Government has a paramount right to what amounts to actually more water than there is available in the stream.

Should the claims in the complaint be upheld by the courts, and the Federal Government adjudged to be entitled to the relief prayed for in the complaint, there would be no water available for anybody else on the stream, in spite of the fact that many of the people are old pioneers who have used water out of that stream for as long as 100 years.

I am gravely concerned over the allegation of paramount rights in connection with the needs of national defense. That will remind most of us in California, Texas, and Louisiana, and those in other States, too, of another lawsuit where such an alleged paramount right was used in connection with the needs of

national defense in a case that we think divested us of property that our States rightfully owned, and we were given no compensation for it.

If time permitted, there are some other matters in connection with this to which I would like to direct your attention. The testimony of the special United States attorney handling this case given before this Congress on a bill, S. 18, is very interesting, because he mentioned the fact that they were going into California to test out this question of exclusive jurisdiction which we ceded them. He also mentioned that when the Federal Government goes into a case on a stream it has to allege all of its rights. It has to allege its rights for forestry; it has to allege its right for national defense; it has to allege any right the Interior Department might have for parks, and so forth; and all the other rights, he said, have to be brought into the controversy because otherwise the Federal Government might be splitting its cause of action and, by adjudicating the rights of only one department, might perhaps waive the rights of other departments. So unless we put an end to this type of lawsuit in the United States, it is possible we are going to be faced with a number of tremendous lawsuits of this size, in which the Federal Government will urge all of the rights it knows about and all of the rights it might think it has against the people who are on these streams. In that event they are going to penalize all of the people who are sued; and water rights, particularly in the western part of the United States, are going to be so upset it will be impossible for anybody to know whether he is safe from this type of lawsuit or not.

Most of you, I think, have some knowledge of this case and of the complaint. As far as the bill goes, it is a very simple bill. It takes the principals in the dispute back to the agreement they entered into in good faith a few years ago. It seems to me that this is the simplest and the fairest way to settle this controversy. I have not heard anyone who has had all the facts presented to him object to settling the matter amicably. Most of us feel it should have been settled that way in the first instance.

In the testimony received by our committee down in the Fallbrook area, most of us were very impressed by the statement made by a young minister, who pointed out to us that whether or not the Federal Government's legal rights were as they alleged, he felt the bringing of the suit was not a moral thing to do. I agree with him 100 percent. If technically the Federal Government is entitled to all the water in the river, which I do not believe any person in his right mind would seriously claim—even if technically right—this suit is morally wrong. It is wrong to go in and sue all of these good people and harass them and do what amounts to legally pushing them around instead of cooperating with them in a friendly way, in the right kind of spirit; in the kind of spirit that should always be maintained by anyone as strong and overpowering as the Federal Government.

Obviously, no private owner can adjudicate his water rights in the State of California if this kind of lawsuit is necessary. Nobody could afford to sue everybody on the stream and spend all the money the Federal Government is spending on this lawsuit except the Federal Government.

Therefore, we feel that there are other avenues open for the settlement of this dispute. We feel that this bill will authorize an agreement, a fair agreement, voluntarily entered into. This is the proper way to settle it.

Mr. CRAWFORD. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, after the committee held what I would call fair hearings on this bill, it was reported favorably. In view of the fact that water, perhaps, is one of the greatest needs of the State of California and the Pacific coast in general, it is a great need today, and it will be much greater as the years go by and as the population increases in that area; and in view of the fact that great basic property rights, which have been so well discussed here by members of the California delegation today, are involved in this position which certain departments of the Government have taken, I personally subscribe to the passage of the bill, and hope the Congress, both the House and the Senate, will go along with the recommendations of the committee.

Mr. MURDOCK. Mr. Chairman, I yield myself such time as I may require. I merely wish to say that in presiding over the House Interior and Insular Affairs Committee, I have followed the work of the subcommittee and of the full committee on this legislation. I believe it is a good bill and will serve the desired purpose for the community and the Government. It is a complicated matter. I hope without further delay we can pass the bill here. Its main purpose is to preserve States' rights in the control of our western water without endangering national security. If there is any one thing, as has been said here so often, which is mighty important, it is the protection of our water rights under State law. That is the keynote of this bill.

Mr. CRAWFORD. Mr. Chairman, will my chairman, the gentleman from Arizona [Mr. MURDOCK] be good enough to yield such time as he may require to the gentleman from Idaho [Mr. BUDGE]?

Mr. MURDOCK. Mr. Chairman, I yield such time as he may require to the gentleman from Idaho [Mr. BUDGE].

Mr. BUDGE. Mr. Chairman, I thank the gentleman from Arizona for his courtesy. I should only like to remind the House that about a year ago, on my motion, the House unanimously adopted practically identical legislation as contained in section 4 of this bill, which is the heart of the bill. The other body also adopted the same language when it considered the tidelands bill. I feel the legislation, particularly with section 4 in it, is to be commended, and will do much in the West toward dissolving the disputes now existing between the Federal Government and the individual States.

Mr. CRAWFORD. Mr. Chairman, I should like to ask the chairman of our committee [Mr. MURDOCK] in view of the fact that this question as to section 4 has been mentioned, if our chairman agrees with me that section 4, as herein presented, is a substantial improvement over the section which appeared in the bill originally.

Mr. MURDOCK. Yes; I do think it is an improvement.

Mr. CRAWFORD. Will the chairman go further and say that he agrees with me that section 4 should be adopted?

Mr. MURDOCK. I hope there will be no amendment to strike it out. We need this bill with section 4 in it.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will read the bill for amendment.

Be it enacted, etc., That the Secretary of the Interior, through the Bureau of Reclamation acting pursuant to the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto) as far as those laws are not inconsistent with the provisions of this act, is hereby authorized to construct, operate, and maintain such facilities as may be required to make available to Fallbrook Public Utility District for irrigation, municipal, and domestic use, 7,500 acre-feet of water per annum from the De Luz Reservoir hereinafter described: *Provided*, That the Secretary of the Interior shall allocate to irrigation, municipal, and domestic use an appropriate share of the cost of the De Luz Dam and Reservoir and shall enter into a contract or contracts with the Fallbrook Public Utility District for the delivery of 7,500 acre-feet per annum of water from said reservoir on terms and conditions prescribed by the Secretary of the Interior which contract or contracts shall, among other things provide for payment to the United States, upon such terms and conditions and for such period as the Secretary of the Interior shall deem proper, of charges which take into account (1) an appropriate portion of the cost of operating and maintaining the works, including the dam and reservoir and (2) an appropriate portion of the capital cost of such works (including, but without limitation, that share of the cost of the De Luz Dam and Reservoir which the Secretary of the Interior finds properly allocable to irrigation, municipal, and domestic use and such costs of rehabilitation, replacement, and betterment as are required from time to time and as the Secretary of the Interior finds to be beyond the ability of the water users to pay as an ordinary operation and maintenance charge) which contract or contracts shall be renewable, under such reasonable terms and conditions as the Secretary of the Interior shall specify, at the option of the contracting body or bodies: *Provided further*, That the contracting authority herein granted shall be alternative to, and not exclusive of, such authority provided in the Federal reclamation laws and if, in lieu of contracting as hereinbefore provided, a repayment contract is entered into under section 9 (d) of the Reclamation Project Act of 1939, the general repayment obligation shall be spread in annual installments, which need not be equal, in number and amounts satisfactory to the Secretary of the Interior, over a period not exceeding 50 years, exclusive of any development period: *Provided further*, That the Secretary of the Navy shall operate the dam and reservoir for the storage and delivery of water to the Navy reservations located on the Rancho Santa Margarita in San Diego County known as Camp Pendleton and to Fallbrook Public Utility District pursuant to this section in accordance with regulations to be agreed upon between the Secretary of the Navy and the Secretary of the Interior, which regulations shall conform to and be in harmony with the hereinafter-mentioned memorandum of understanding; and the Secretary of the Interior shall trans-

fer to the Secretary of the Navy from the payments made by the contracting body or bodies, funds equal to an appropriate portion of the operating, maintenance, rehabilitation, replacement, and betterment costs of the dam and reservoir, such appropriate portion to be agreed upon between the Secretary of the Navy and the Secretary of the Interior and the contracting body or bodies: *Provided further*, That the Secretary of the Interior may transfer to any body or bodies contracting under this section the care, operation, and maintenance of the facilities constructed by the Secretary of the Interior, under conditions satisfactory to the Secretary of the Interior, and the said body or bodies, and, with respect to such of the facilities as are located in the naval reservations, satisfactory also to the Secretary of the Navy.

There are hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums as may be required to carry out the purposes of this section.

SEC. 2. That upon the completion of the construction of the dam and reservoir at the junction of the Santa Margarita River and De Luz Creek in the county of San Diego, State of California, authorized by title II, section 201, and title IV, section 401, of the act of Congress of January 6, 1951 (ch. 1212, Public Law 910), the joint utilization thereof is hereby authorized by the naval reservations located on Rancho Santa Margarita in the county of San Diego, State of California, and by the Fallbrook Public Utility District, a public agency of the State of California, for flood control, conservation, and storage of water for irrigation, municipal and domestic purposes, for the use and benefit of said naval reservations and said Fallbrook Public Utility District on a basis of 12,500 acre-feet per annum to the Navy and 7,500 acre-feet per annum to Fallbrook Public Utility District, all in accordance with that certain memorandum of understanding between the Department of the Navy, the Fallbrook Public Utility District, Department of the Army, and the Department of the Interior, agreed to by representatives of said agencies at San Diego, Calif., December 14, 1949, so far as the same is not inconsistent with the provisions of this act and as further hereinafter provided.

SEC. 3. The Secretary of the Army through the Chief of Engineers, acting in accordance with section 7 of the Flood Control Act of December 22, 1944 (Public Law 534, 78th Cong.), is authorized to utilize for purposes of flood control such portion of the storage capacity of the dam and reservoir as may be available.

SEC. 4. All Federal officers in carrying out this and laws relating to water resources development and utilization, including the furnishing of water to national defense installations, in States or Territories lying wholly or partly west of the ninety eighth meridian, shall proceed in conformity with the laws of such States or Territories with regard to the control, appropriation, use or distribution of water and shall not interfere with or acquire any vested right except upon specific authorization and upon due compensation being paid therefor. The provisions of this act shall not be construed as affecting or intended to affect in any manner whatsoever the provisions of section 8, Reclamation Act, 1902.

Mr. MURDOCK (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read, and printed in the RECORD, and open to amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 11, following the word "acre", strike out the balance of line 11 and down to and including line 10, on page 3, and insert "feet per annum of water from said reservoir under section 9 (d) of the Reclamation Project Act of 1939 and the general."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, line 14, strike out the words "in number and amounts" and insert "and which may be varied in accordance with the economic conditions, all in a manner."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, line 18, following the words "development period," insert "which period shall start with the availability of water as announced by the Secretary and shall stop with the year in which the District's full entitlement of 7,500 acre-feet of water is available, during such period the District shall pay operation and maintenance costs and an appropriate share of the capital costs. During such period water shall be delivered to the District under annual water rental notices at rates fixed by the Secretary payable in advance, and any moneys collected in excess of operation and maintenance costs shall be credited against the capital costs and the repayment period fixed herein reduced proportionally."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 5, line 3, after the word "Navy:" insert *"Provided further*, That in the event of a national emergency involving mobilization, it becomes necessary for the Department of the Navy to exercise its rights, under the hereinafter mentioned memorandum of understanding, to utilize the yield of the De Luz Reservoir, in excess of 12,500 acre-feet per annum, the Secretary of the Interior shall determine the amount and extent of the damages to the water users of the Fallbrook public utility district, taking into consideration the damage as a result of being deprived of water for that year and the long-term effect of such deprivation. An amount equal to the damages as determined by the Secretary shall be considered as a payment on the district's obligation to the United States under its repayment contract. In the event the amount of such damages shall exceed the unliquidated obligations of the contract, the Department of the Navy shall pay to the district the difference between the amount of damages and the unliquidated obligation. During the period of such excess use, the operation and maintenance charges shall be reduced to an amount equal to such cost during said period. The latter proviso is not intended to give, nor shall said water users individually have any independent claim or right of action against, the United States of America for damages for deprivation of water, such damages being deemed fully compensated by the credit herein provided for to be made on the repayment contract of the Fallbrook public utility district and the contract, or contracts, with said district shall so provide, which contract, or contracts, shall be effective only if approved and ratified by a majority vote of the electors of said district voting at an election called for that purpose."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 7, line 18, strike out all of section 4, down to and including line 4, on page 8, and insert:

"SEC. 4. All Federal officers and employees, in carrying out the law relating to water-resources development and utilization, including the furnishing of water to national-defense installations, in States, Territories, or insular possessions, shall proceed in conformity with the laws of such States, Territories, or insular possessions with regard to the appropriation, use, or distribution of water and shall not interfere with or acquire any vested right except upon specific authorization and upon due compensation being paid therefor. The provisions of this act shall not be construed as affecting or intended to affect in any manner whatsoever the provisions of section 8, Reclamation Act, 1902."

The CHAIRMAN. The question is on the committee amendment.

Mr. ROGERS of Colorado. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have taken this time for the purpose of trying to straighten out some matters which deal with water rights generally.

You will note, under the first section of this bill, the Secretary of the Interior is authorized, pursuant to the Reclamation Act of June 7, 1902, to construct this dam and then sell or rent the water, as provided in other provisions of this bill.

The first question I would like to ask is if the Secretary of the Interior, in compliance with the first section of this law, complies with the law of the State of California and thereby obtains water rights, which he thereafter disposes of under the terms of the bill, who is the owner of that water under the California water law? Can anybody answer that question for me?

Mr. ASPINALL. I do not wish to speak for California in an interpretation of this law, but my understanding is that the authority granted in this bill is the same authority as would be granted in any general reclamation project authorization; that the United States Government as such does not gain any water right, but as a distributor of water, that water will be distributed by the Secretary of the Interior just so long as this project remains under the control of the Secretary of the Interior. The water rights which will be secured under this bill will be no different than those secured under any other provision of the California laws; they will be secured to the users of the water. I do not know whether that answers the gentleman's question or not, but that it my understanding.

Mr. ROGERS of Colorado. The point I am trying to get answered is whether the Secretary of the Interior under this bill is required in conformity with the laws of the State of California to make whatever application is necessary to secure a priority, be it a riparian or an

appropriation right. Is he required to make application according to the laws of the State of California as is provided in section 4 of this bill and the amendment which is now before us? Now, does he or does he not have to apply?

Mr. ASPINALL. I am of the opinion that he must make the application for any unappropriated waters.

Mr. ROGERS of Colorado. Then if he makes the application, can anyone present tell us what waters are available that could go into this reservoir after it has been constructed? Can anyone from California inform me of those facts?

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

Mr. ROGERS of Colorado. I yield.

Mr. McKINNON. I may say that the Fallbrook public utilities district, which is the beneficiary of this language, has an application approved by the State water resources division of 11,800 acre-feet; that is, its own appropriated water rights given to it by the State of California, the right to store that much water. That right has already been secured by the Fallbrook public utilities district. There is no need for the Secretary of the Interior to make application for additional water rights; those water rights have already been secured by the Fallbrook utilities district.

Mr. ROGERS of Colorado. Do I understand by the gentleman's answer that the Secretary of the Interior, prior to the time that he may construct this dam, is under no obligation to file any application for priority of water in California and that the objective of this bill is that upon its passage the Secretary may proceed with the construction of the reservoir, and upon its completion he then stores the Santa Margarita public utilities district's water for disposition then to other people? That is to say, he will sell water stored by the Government to the extent of $12,500 per acre-feet as provided in this bill to the Navy. He will also sell to the Fallbrook public utilities district water at $7,500 per acre-feet of water.

Mr. McKINNON. The gentleman is partially correct, but let me explain it a little more to the point. The Fallbrook public utilities district has 11,800 acre-feet of appropriated water right in the stream at the present time. The Marine Corps has not secured the right of storing water in the Santa Margarita.

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

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. If I may interrupt the gentleman there, do I understand that the Navy as such has been using this water contrary to the appropriation laws, riparian and otherwise, of the State of California?

Mr. McKINNON. To the present time there has been no determination of water rights in this particular stream by the State water resources division. There are the riparian rights on the stream which are undetermined in many respects. The Federal Government has been using riparian rights at Camp Pendleton in accordance with the historical and beneficial usage program, but to store water behind this dam under the State water law will require a permit from the State. The Government should make application to the State for the right to store water behind this dam. Fallbrook has already done so, and the Secretary of the Interior will not be called upon to make an application to the State for water stored behind this dam for the use of Fallbrook.

Mr. ROGERS of Colorado. Do I now understand that the Navy as such, being the owner of certain appropriated water rights in the State of California, has already secured those, and by this bill their rights, along with the Fallbrook public utility district so far as water is concerned, will then be stored in this reservoir?

Mr. McKINNON. Both the Navy and the Fallbrook water will be stored behind this dam.

Mr. ROGERS of Colorado. Let me ask a further question. Will there be any other water rights stored in this reservoir than that owned by the Fallbrook public utility district and that owned by the Navy?

Mr. McKINNON. No other water storage is contemplated.

Mr. ROGERS of Colorado. Can the gentleman explain how many other water rights are on this river that will be affected by the dam that will be constructed?

Mr. McKINNON. I believe there are two or three minor appropriated water rights on the stream that will not be affected by storage in the Santa Margarita or Camp Pendleton Dam.

Mr. ROGERS of Colorado. Are there any other water rights than the Fallbrook public utility district and the Navy and these two or three that the gentleman mentioned?

Mr. McKINNON. There are many riparian water rights along the stream that are not involved in this dam construction.

Mr. ROGERS of Colorado. May I ask the gentleman from California whether or not the California law authorizes the construction of dams that may stop water to riparian water owners? In other words, can the United States Government or the State of California pursuant to its laws construct a dam that will deprive the riparian water right users of the water?

Mr. McKINNON. There is very strict prohibition in the State water law in reference to the storing of any riparian water. It may not be done under State water law. So you cannot dam up riparian water rights. This proposed dam is built on the last piece of property on the river. There is no private property owner below the dam to the ocean. I think that also answers the gentleman's question.

Mr. ROGERS of Colorado. There are no riparian rights on the river below the dam to the ocean?

Mr. McKINNON. That is privately held. It is all Government property.

Mr. ROGERS of Colorado. Now when the gentleman from California was discussing the bill a moment ago he made some reference to the use of water from the metropolitan water district by the Navy and I believe he made reference also to the Fallbrook public utility district. Is there any plan in the construction of this dam for purchase of water from the Metropolitan Water District of Southern California?

Mr. McKINNON. There may be a need for the Federal Government and Camp Pendleton to buy from the metropolitan water district certain water that is now in surplus of the metropolitan water district's need in order to supply Camp Pendleton; but, to anticipate the gentleman's concern, the purchase of this water from the metropolitan water district would not in any way affect the Colorado River compact nor the allocation of water to the water districts.

Mr. ROGERS of Colorado. That was my next question. There is nothing in this bill that would authorize the United States Government, the metropolitan water district, or any person below the Boulder or Hoover Dam, depending on which you want to name, to become the owner or entitled to any water save and except as is provided by the Colorado River compact and the allocation of the river according to the compact between the seven States?

Mr. McKINNON. The gentleman is correct. There is nothing in this bill that would in any way involve or change the Colorado River compact or any other agreement for the allocation and use of Colorado River water between the several Colorado River Basin States.

The CHAIRMAN. The time of the gentleman from Colorado has again expired.

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. I understand that this bill will solve the needs of the people along the Santa Margarita River in California.

Mr. McKINNON. To the best of my knowledge this bill will be a godsend to them.

Mr. ROGERS of Colorado. One other question. As to the agreement that the people worked out among themselves, which appears on page 16 of this report, is it the plan to keep that agreement entered into between these parties?

Mr. McKINNON. The gentleman is referring to the so-called San Diego agreement, which is part of this basic bill.

Mr. ROGERS of Colorado. Yes. That is part of this basic bill?

Mr. McKINNON. That is correct.

Mr. ROGERS of Colorado. I thank the gentleman.

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

Mr. ROGERS of Colorado. I yield to the gentleman from Colorado.

Mr. ASPINALL. I can understand how the gentleman, who is recognized as one of the best water attorneys in Colorado and did a great service to Colorado in such capacity as attorney general,

would be very much concerned about the disposition of water from the Colorado River, and it was a concern to his colleague from the Fourth Congressional District. However, it is my opinion that this authorization follows the provisions of the Colorado River compact and the law of the river entirely, and that it permits the people in the lower basin to use the water to which they are entitled as they see fit, in accordance with their own law; it does not in any way jeopardize those rights in the Colorado River water which have been set aside for the upper basin, and I am thoroughly in accord with that position.

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

Mr. ROGERS of Colorado. I yield to the gentleman from Arizona.

Mr. MURDOCK. The gentleman from Colorado has been fair in the questions that have been asked, and I am in agreement with the questions asked by the gentleman from Colorado, that this bill does not affect in any way the law on the Colorado River.

Mr. ROGERS of Colorado. There is one other point I would like to bring out. You will remember when we had the Justice Department appropriation bill, our friend, the gentleman from California [Mr. YORTY] proposed an amendment which in effect said that the Federal Government shall not proceed with a suit against the State or proceed in any suit where there is an excess of 2,500 defendants. Now will the provisions in this bill meet the objectives that the gentleman had in mind in offering that amendment at that time?

Mr. YORTY. Mr. Chairman, if the gentleman will yield, yes. The purpose of the amendment, or that part of the amendment which applied to 2,500 defendants, would be met by this bill, because this is the lawsuit I had in mind, and I would have preferred to draft the amendments specifically naming this lawsuit but under the rules I could not.

Mr. ROGERS of Colorado. Then the passage of this legislation would accomplish the thing that the gentleman attempted to accomplish in that amendment?

Mr. YORTY. Yes. This bill, if enacted, would make the lawsuit unnecessary.

Mr. ROGERS of Colorado. Now, addressing myself to section 4 of this bill, I think it is highly important that we do adopt this particular section, because we have had any number of conflicts between the Federal Government and the State government as to the adjudication of water rights. As was brought out in the debate heretofore, the United States Government, in a lawsuit in Nebraska versus Wyoming and Colorado, asserted that they were the owners of the unappropriated waters in the streams. Luckily the Supreme Court held that this contention was fallacious and knocked out the contention made by the Federal Government that they were the owners of the unappropriated waters. However, since that time we are continuously confronted with the proposition of whether or not the adjudication of these water rights shall be in the Federal courts or in the State courts, and section 4 specifically spells out that all Federal officers and employees in carrying out this law relating to water resources development and utilization are required to comply with the State law. I think this is a good amendment and should be adopted because we, in the West, recognize that without water development we cannot proceed further, and this amendment leaves it to the States to go ahead with the development of their water rights under State laws.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. If there are no further amendments, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. MILLS, having assumed the chair, Mr. DEANE, 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. 5368) to authorize the Secretary of the Interior to construct, operate, and maintain certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif., and the joint utilization of a dam and reservoir and other waterwork facilities by the Department of the Interior and the Department of the Navy, and for other purposes, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

THE CAPEHART AMENDMENT

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. MULTER. Mr. Speaker, we are faced today, as a result of the recent decition of the Emergency Court of Appeals interpreting the Capehart amendment, with a wholly unexpected development which threatens to cripple the administration of our stabilization laws and undermine our struggle against inflation. I will not dwell upon the fact, which is obvious to all of us, that the present situation was not intended or contemplated by this Congress in the enactment of the Capehart amendment. The legislative history both before and after the passage of the 1951 amendment is clear and ample proof that no such results were intended. Nevertheless, a judicial opinion negating our intention is now in full force and effect, and I should like to indicate some of the staggering implications which flow from it.

In the first place, we must consider the inability of OPS to administer the Capehart amendment as now interpreted by the court. We have from time to time in the past heard testimony of OPS officials stressing the serious difficulties and time-consuming burdens in administering this amendment when it was being interpreted as applying merely to manufacturers and processors. We have heard OPS officials describe how the individual adjustments permitted by the amendment interfered seriously with the necessary program of developing uniform workable tailored regulations, due to the fact that, unless OPS was willing to establish the price level in these tailored regulations at the highest point permitted to any individual seller under the Capehart amendment, tailored regulations presented enormous and often insurmountable problems in draftsmanship.

But these serious administrative difficulties, already experienced by OPS in the administration of a Capehart amendment which applied merely to manufacturers and processors, are nothing as compared to the staggering and overwhelming administrative burden which the agency will have to assume in administering a Capehart amendment applicable to wholesalers and retailers as well.

The difficulty is further compounded by the fact that the applicant himself, if a wholesaler or retailer, faces extraordinary burdens in attempting to formulate his application under the amendment. The Capehart formula was adapted to the accounting systems of a manufacturer or processor. The application of the Capehart amendment to the business of a wholesaler or retailer presents inordinate difficulties to the applicant and the agency reviewer as well.

But the most obvious and immediate result of the Court's interpretation of the Capehart amendment is its inflationary effect upon present prices.

As argued by those of us who opposed the Capehart amendment, it required OPS to raise prices unnecessarily. It directed increases in ceilings even where there was no showing of hardship and even if ceilings were already generally fair and equitable. As a matter of fact, manufacturers' ceiling price increases under the amendment already have reached almost $850,000,000 and that does not include the $3-per-ton increase which the steel companies are permitted to take. This increase will amount to another quarter of a billion dollars—and this was only the beginning.

But the increases which result under the Capehart amendment as applicable to manufacturers and processors are small compared to those which will result from the applicability of Capehart to wholesalers and retailers as well.

Take, for example, Safeway Stores' own figures in the Capehart application which it presented to OPS and which gave rise to the recent emergency court

ruling. It may be estimated that the increase which would accrue to Safeway Stores thereunder would amount to some 5 percent of sales, or approximately $70,000,000. Let us project these figures further. It is estimated that Safeway Stores account for roughly 3½ percent of the total food sales in this country. If we can assume that conditions similar to those shown by Safeway exist throughout the industry—and there is every reason to believe that they do—the American housewife can expect something like a $2,000,000,000 increase in her food bill as a result of the application of the Capehart amendment to retail food sales. And her food bill is only part of her budget.

The emergency court in the Safeway decision clearly pointed out our present duty when it stated that "the way is open to correct the error by amendatory legislation."

By the economic stabilization program, the American people have received some insurance on the value of their dollars. The Capehart amendment, as now interpreted, renders that insurance policy ineffective and useless.

If we are to escape the disastrous results which the emergency court decision foreshadows, we must repeal that amendment, or, at least amend it to clearly limit its benefits to manufacturers and processors as was originally intended.

AMENDMENT TO FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. HOLIFIELD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 4323) to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to enter into lease-purchase agreements to provide for the lease to the United States of real property and structures for terms of more than 5 years but not in excess of 25 years and for acquisition of title to such properties and structures by the United States at or before the expiration of the lease terms, and for other purposes.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Is that the lease-purchase bill?

Mr. HOLIFIELD. That is right.

Mr. BROWN of Ohio. Mr. Speaker, I do not like to object to the consideration of this bill, but I am afraid I am going to have to object to bringing it up at this time.

Mr. HOLIFIELD. The bill has beeen scheduled for consideration at this time. I hope the gentleman will not insist on his objection to considering the bill at this time.

Mr. BROWN of Ohio. There will have to be a roll call on this bill if it is not properly amended to protect the interests of the people of the United States. There will have to be a roll call on the passage of the bill.

Mr. McCORMACK. May I say to my friend from Ohio that if that develops, I announced to the House the other day that I would have any roll calls put over to Thursday.

Mr. BROWN of Ohio. There will also be a motion to recommit.

Mr. McCORMACK. Yes. That would all be protected unless something along the lines we have discussed can be worked out.

Mr. BROWN of Ohio. If we can proceed on the basis the gentleman has stated, I will withdraw my objection.

Mr. McCORMACK. So that we will have a meeting of the minds, I do not know what will develop in the Committee of the Whole, but if the bill does not satisfactorily emerge from the Committee of the Whole, so that Members want to take action in connection with recommittal, in the way of instructions, and so forth, I intend to protect the rights of those Members by asking that further consideration of the bill go over until Thursday.

Mr. BROWN of Ohio. May I say to the gentleman that I understand there will be a motion to recommit and there will be a demand for a roll call, unless something is worked out as we have discussed previously.

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

Mr. HOLIFIELD. I yield.

Mr. COLMER. What measure does the gentleman propose to call up?

Mr. HOLIFIELD. The resolution was adopted on April 28.

Mr. COLMER. Yes; but what resolution.

Mr. HOLIFIELD. The bill, H. R. 4323, is pending. It was debated, and we were at the point of concluding debate, when a quorum call was made and the committee rose. It is the lease-purchase bill introduced by the gentleman from Arkansas [Mr. TRIMBLE].

The SPEAKER pro tempore (Mr. MILLS). The question is on the motion of the gentleman from California [Mr. HOLIFIELD].

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 further consideration of the bill (H. R. 4323) to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to enter into lease-purchase agreements to provide for the lease to the United States of real property and structures for terms of more than 5 years, but not in excess of 25 years and for acquisition of title to such properties and structures by the United States at or before the expiration of the lease terms, and for other purposes, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on April 28, there was pending the amendment of the gentleman from Montana [Mr. D'EWART] on which a teller vote had been ordered.

Without objection, the Clerk will again report the amendment of the gentleman from Montana [Mr. D'EWART].

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. D'EWART: On page 5, line 25, strike out "and any" and on page 6, lines 1 and 2, strike out all of line 1 and all of line 2 through the word "space."

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent that the order for tellers be vacated. The committee has no desire to pursue this further, and will accept the amendment of the gentleman from Montana [Mr. D'EWART].

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

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. D'EWART].

The amendment was agreed to.

Mr. HOLIFIELD. Mr. Chairman, I have no further amendments to offer, but I understand an amendment is to be offered at this point.

The CHAIRMAN. Does the gentleman from Michigan [Mr. HOFFMAN] desire recognition?

Mr. HOFFMAN of Michigan. Not at this time, Mr. Chairman.

The CHAIRMAN. If there are no further amendments, under the rule the Committee rises.

Accordingly the Committee rose and the Speaker pro tempore [Mr. HARDY] having assumed the chair, Mr. PRICE, 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. 4323) to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to enter into lease-purchase agreements to provide for the lease to the United States of real property and structures for terms of more than 5 years but not in excess of 25 years and for acquisition of title to such properties and structures by the United States at or before the expiration of the lease terms, and for other purposes, pursuant to House Resolution 582, he reported the bill back to the House with sundry amendments, adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. HARDY). Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. McGREGOR. Mr. Speaker, I ask for a separate vote on the so-called Hoffman amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gross.

The other amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN of Michigan:

On page 4, line 21, after the last word insert a new paragraph as follows:

"(e) No proposed lease-purchase agreement calling for the expenditure of more than $50,000 per annum shall be executed under this section until it has been submitted to the Committee on Expenditures in

the Executive Departments (Government operations) of the Senate and the Committee on Expenditures in the Executive Departments of the House of Representatives."

Page 4, line 22, strike out "(e)" and insert "(f)."

Page 5, line 12, strike out "(f)" and insert "(g)."

Page 6, line 5, strike out "(g)'" and insert "(h)."

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that further consideration of this bill be postponed until next Thursday.

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

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, if it is in order, I ask unanimous consent that I may revise and extend my remarks at this point and insert letters pertaining to the bill just under discussion.

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

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, during the debate on H. R. 4323, the so-called lease-purchase bill, on April 28, the question was raised as to the extent of lease-purchase property acquisition which might take place under the program; also the present plans on the part of the GSA Administrator in regard to the program.

I requested from Mr. Larsen, the GSA Administrator, a letter showing their intent on this program, and I present the letter at this point under unanimous consent heretofore granted:

GENERAL SERVICES ADMINISTRATION,
Washington, D. C., May 7, 1952.

Hon. CHET HOLIFIELD,
House of Representatives,
Washington, D. C.

DEAR MR. HOLIFIELD: On April 28, 1952, the Committee of the Whole House on the State of the Union commenced debate on H. R. 4323, as reported by the Committee on Expenditures in the Executive Departments, to authorize the Administrator of General Services to enter into lease-purchase agreements for the permanent activities of the Government. During the debate a question was raised as to the surveillance by the Appropriations Committees over such lease-purchase agreements.

Section 211 (e) of the bill (p. 4, line 22, etc.) limits the funds which may be used for lease-purchase agreements to those appropriated and available for the payment of rent and related charges for premises. At the hearings before the Committee on Expenditures in the Executive Departments, representatives of the General Accounting Office and my general counsel testified that, before any lease-purchase agreement could be executed, this Administration must have in hand and available for expenditure appropriated funds in an amount at least as great as the first year's payment under such agreement. We made no special provision for lease-purchase arrangements in our estimates of appropriation for the fiscal year 1953 which, as you know, commences on next July 1. Moreover, our estimates for rent money, even prior to action by the House, were extremely tight.

Should H. R. 4323 be enacted, we would necessarily be very limited in our use of lease-purchase arrangements during the next fiscal year. In fact, due to our actual space requirements, we could use this device only by canceling existing leases and substituting lease-purchase arrangements on terms, financially at least, as favorable to the Government. Obviously the broad-scale implementation of the program would be impossible at this time. The few scattered agreements which we could make would really be in the nature of pilot operations. From these we would expect to gain the experience necessary for the development of fairly rigid standards.

In subsequent years this Administration would include in its annual appropriation estimates and justifications therefor, submitted both the Bureau of the Budget and the Committees on Appropriations, a planned program of operations under the contemplated legislation, if enacted. This program would be supported by such detailed information as the Bureau of the Budget and the Committee on Appropriations may desire with respect to contemplated lease-purchase projects and budgetary estimates for such purposes.

Although there is some precedent, this program is relatively novel. I think I should emphasize, in this connection, that I intend to proceed in the program with the utmost caution and conservatism.

I am sending to Representatives DAWSON and RIEHLMAN letters identical to this.

Sincerely yours,

JESS LARSON,
Administrator.

Mr. Speaker, during the debate on H. R. 4323 on April 28, the subject of Government cancellations of lease-purchase contracts on property was raised.

I requested from Mr. Larson, the General Services Administrator, a letter explaining the policy of his department on cancellations and whether or not a provision should be written into the bill providing for damages for such cancellations.

I append herewith his answer and ask that it be printed at the proper point, permission having heretofore been granted by the House:

GENERAL SERVICES ADMINISTRATION,
Washington, D. C., May 7, 1952.

Hon. CHET HOLIFIELD,
House of Representatives,
Washington, D. C.

DEAR MR. HOLIFIELD: Reference is made to H. R. 4323 as reported by the Committee on Expenditures in the Executive Departments on February 29, 1952, to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to enter into lease-purchase agreements, and to the debate thereon in the Committee of the Whole House on the State of the Union on April 28, 1952.

During the debate the point was raised that H. R. 4323 does not expressly require each lease-purchase contract to contain certain provisions for cancellation by the Government prior to the expiration of the term and for liquidated damages. Any possibility of cancellation is minimized by the point that each lease-purchase agreement must be entered into only after a determination by the Administrator of General Services that the space to be covered by the agreement is needed for the permanent activities of the Government. One of the underlying advantages in the lease-purchase arrangement is that it would attract long-term investors, who would be willing to take a moderate return on their investment in view of the safety thereof. Thus the Government would be able to eliminate high recurring rents necessary under present short-term lease contracts by offering private investment firms, insurance companies, and local banking institutions opportunity to provide necessary construction funds under the security of the contract with the Federal Government and with the assurance of a fair but moderate return on the investment over an extended period of years. Any provision for cancellations prior to expiration of the term would destroy that security and thus have the effect of repelling conservative investors.

It might be argued that provision for liquidated damages would tend to restore the security. That argument is unrealistic. It is impossible to predict in advance the true measure of damages that would result from the failure of the Government to continue with the agreement. That would necessarily depend upon the condition of the real estate market at the time of cancellation. The only equitable arrangement for liquidated damages on cancellation would be for the Government to pay the owner the unamortized balance of the lease-purchase price and take title to the property—a result completely inconsistent with the cancellation of the agreement because the Government no longer needed the property.

It is difficult to foresee how property subject to a lease-purchase contract would, during the term thereof, become surplus, since, as pointed out above, entry into every lease-purchase agreement must by H. R. 4323 be predicated upon a determination that space is needed for the permanent activities of the Government. Furthermore, it is anticipated that the lease-purchase arrangement would be utilized for space in centers of dense population where premises which may in time be no longer necessary for one governmental purpose may be applied to another. In the unlikely contingency that, if at any time during the term of a lease-purchase contract, the Government should find that, by reason of the circumstances, it no longer required the property for the needs of any Federal agency, the property, or the Government's interest therein, could be declared surplus and disposed of under existing authority provided by the Federal Property and Administrative Services Act of 1949, as amended. In other words, the Government's interest having been found to be surplus, the Government could dispose of it either outright or could maintain the interest and sublet the properties. It is, of course, impossible to foresee whether such action would result in a profit or a loss to the Government. As stated above, that question necessarily would depend upon the real-estate market at the time prevailing with reference to the particular property.

Letters identical to this letter are being sent by us to Representatives DAWSON and RIEHLMAN.

Sincerely yours,

JESS LARSON,
Administrator.

PROGRAM FOR THE BALANCE OF THE DAY

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

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, in connection with House Joint Resolution 430, several Members have asked for an opportunity to further study the bill and the report. That is the Puerto Rican Constitution resolution. I am going to put this off today and will put it on the program for tomorrow.

Mr. HALLECK. I appreciate the action of the majority leader. I have just rather hastily examined the matter. Apparently Congress is called upon to vote approval of that document. If that meant I were to put my stamp of approval on it, I would have some concern

about it. I think it is well that we look into the matter a little further.

Mr. McCORMACK. There are other resolutions which I think we might dispose of as far as we can. So we will continue with House Resolution 278, House Resolution 596, and House Resolution 558.

INVESTIGATION AND STUDY OF RADIO AND TELEVISION PROGRAMS

Mr. COLMER. Mr. Speaker, I call up House Resolution 278 and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Committee on Interstate and Foreign Commerce, acting as a whole or by subcommittee, is authorized and directed (1) to conduct a full and complete investigation and study to determine the extent to which the radio and television programs currently available to the people of the United States contain immoral or otherwise offensive matter, or place improper emphasis upon crime, violence, and corruption, and (2) on the basis of such investigation and study, to make such recommendations (including recommendations for legislative action to eliminate offensive and undesirable radio and television programs and to promote higher radio and television standards) as it deems advisable.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with its recommendations.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Mr. COLMER. Mr. Speaker, I yield half of my time, 30 minutes, to the gentleman from Ohio [Mr. BROWN], and yield myself 5 minutes.

The SPEAKER. The gentleman from Mississippi is recognized.

Mr. COLMER. Mr. Speaker, there are two of these resolutions. A companion resolution dealing with another phase of the matter will doubtless be taken up following this one.

I shall not take the time of the House in a discussion of the subject matter other than to say that the resolution speaks for itself. The committee would be authorized to conduct full and complete investigations and studies to determine the extent to which the radio and television programs currently available to the people of the United States contain immoral or otherwise offensive matter or to place improper emphasis upon crime, violence, and corruption.

Mr. Speaker, I think we are all familiar with the fact that there is need for a study on this subject.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. MILLER of Nebraska. Is this to be a special committee or one of the regular committees of the House?

Mr. COLMER. The study is to be conducted by a subcommittee of the Committee on Interstate and Foreign Commerce; and while I am answering the query of the gentleman from Nebraska, may I digress to say that the gentleman from Arkansas [Mr. GATHINGS] is entitled to a vote of thanks from the House as a whole for the very magnanimous, courteous, and conciliatory manner in which he has handled this matter. His first resolution called for a select committee to make this investigation. He afterward decided that the existing facilities of the House Interstate and Foreign Commerce Committee would be sufficient to make the study; and, therefore, the Congress and the taxpayers would not be burdened with an additional select committee. I think the gentleman from Arkansas has shown his usual splendid spirit of cooperation and statesmanship in this matter.

As I said a moment ago, there is room for an investigation of this matter. This is not an attempt on the part of the Congress or the sponsors of this measure to invoke any rigid censorship or anything of that sort; but, with the youth of the land as interested in radio and television programs as we know they are, considerable discretion should be used by those who put these programs on the air in order that the wrong results may not flow therefrom and that the impressionable youth of the country may not get the wrong concept or philosophy of life.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

TO OUR COLLEAGUE: ROY O. WOODRUFF

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to speak out of order.

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

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, it is with regret that we note the statement of our colleague, ROY O. WOODRUFF, who is dean of the Michigan delegation, that he will not be a candidate at the coming election.

It is evident that the people of his district, who have insisted that he serve here for 34 years, fully realize and appreciate the service which he has consistently rendered to them, to the State and the Nation.

Some of us, knowing his keenness of mind, needing his help, would be more than grateful if he would consent to serve longer. However, we realize that he has earned his reward, that he has given more than a fair share of his ability, his time and his efforts to public service. We know that for the past few years his service with us has cost him, in physical suffering, far more than the people of his district and the State will ever realize.

We, his colleagues, know that his self-sacrificing spirit rebels because of the necessity of conserving his strength. Our colleague has earned his reward.

I know that every Member of the House joins with me in wishing him an improvement in his physical health and many years of rest and the contentment which he so richly deserves.

From the day I came here, and I know this is true of my colleagues from Michigan who came in at the same time, he has been a friend to each and all of us and that each of us has benefited by his kindly counsel.

His experience, his knowledge of the rules and procedure of the House and of the manner in which it does business, his acquaintance with Members on both sides of the aisle, have, permit me to repeat, been invaluable to all of us.

When his service ends we will lose a kindly adviser, an extremely helpful colleague, and each and every one of us will miss his aid, his friendship, and encouragement.

Permit me to make a brief statement showing his record here, Mr. Speaker. Permit me, also, to include in my remarks a statement made by a factual observant reporter of the Kalamazoo Gazette, Mr. William F. Pyper.

ROY ORCHARD WOODRUFF, of Bay City, was born at Eaton Rapids, Mich., on March 14, 1876, of Scotch-Irish-English parentage. He received his education in the public schools of Eaton Rapids and the Detroit College of Medicine, graduating from the dental department in 1902, and engaging in practice in Bay City.

He enlisted in the Spanish-American War as a private in Company G, Thirty-third Michigan Volunteer Infantry, and served through the Santiago campaign. Mr. WOODRUFF was delegated by ex-President Theodore Roosevelt to raise a battalion of infantry for his division for service overseas in World War I, which he tendered the administration. When the division was denied service, Mr. WOODRUFF entered the Second Officers Training Corps at Fort Sheridan, Ill., and was graduated a first lieutenant of infantry. He was assigned to the Three Hundred and Eleventh Ammunition Train. He was promoted to captain just prior to sailing for France with the Eighty-sixth Division, and was made major of infantry while on duty in France where he served 11 months with the AEF. He was honorably discharged at Camp Dix, N. J., in August 1919, after which he returned to Europe and spent 6 months investigating conditions in England, Belgium, France, Switzerland, Germany, Austria, Czechoslovakia, and Poland. He returned to the United States in March 1920.

Mr. WOODRUFF is married and has two children, Mrs. Ronald Houck and Devere. The latter served 4 years and 4 months in World War II, attaining the rank of lieutenant colonel.

In 1911, Mr. WOODRUFF was elected mayor of Bay City, serving one term, and was elected to the Sixty-third Congress

on the Progressive ticket. He then entered the military service of his country. Following military service, he was elected to the Sixty-seventh, Sixty-eighth, Sixty-ninth, Seventieth, Seventy-first, Seventy-second, Seventy-third, Seventy-fourth, Seventy-fifth, Seventy-sixth, Seventy-seventh, Seventy-eighth, Seventy-ninth, Eightieth, Eighty-first, and Eighty-second Congresses on the Republican ticket. His congressional service has been of longer duration than that of any other resident of Michigan.

Mr. WOODRUFF is a member of the Ways and Means Committee and the Joint Committee on Internal Revenue Taxation.

ROY O. WOODRUFF QUITS CONGRESS AFTER 34 YEARS

(By William F. Pyper)

WASHINGTON, April 23.—Representative ROY O. WOODRUFF, dean of the Michigan delegation in Congress, announced today he would retire at the end of his present term.

He issued only a brief statement to conclude his 34 years in the House of Representatives—said to be a longer service than that of any other Congressman from the State. The statement follows:

"I shall not seek renomination and reelection. My decision has been reached reluctantly after long and serious deliberation. It is dictated principally by considerations of health.

"I am deeply grateful for the unvarying loyalty and confidence of my constituents throughout the 34 years I have served in the Congress. My appreciation will never diminish."

Retirement of the 76-year-old Bay City Republican will leave several holes in the organization of Congress, where seniority counts for so much. He was seventh in point of service among the 435 Members of the House. Only one Republican, Representative DANIEL A. REED, of New York, outranked him. WOODRUFF likewise was outranked only by REED as a Republican member of Committee on Ways and Means, the powerful tax-writing unit of Congress.

As dean of the delegation, the WOODRUFF retirement will leave Representative JESSE P. WOLCOTT, Port Huron Republican, in the saddle, assuming he returns for another term. Mr. WOLCOTT last year took over some of the duties, especially representing the State in the matter of committee assignments for new members.

Mr. WOODRUFF also had already retired from his chairmanship of the House Republican conference, a posiiton of honor he had held for many years. He is also the senior member of the National Forest Reservation Commission, an advisory body to the United States Forest Service.

His retirement will leave the tenth Michigan district without an incumbent running for reelection for the first time since 1920. Two Republicans have already announced their candidacies, and residents of the district believe that Bay City Mayor Elford A. Cederberg, who ran in the 1950 primary, will announce soon.

Veteran of two wars, one-time railroad fireman, printer and telephone lineman, WOODRUFF put himself through the Detroit College of Medicine and hung out his shingle in Bay City in 1902 as a practicing dentist. He had practiced for 10 years when he was appointed to the city council. The Bay City voters liked him as an alderman well enough to elect him their mayor in 1911, and it was there that he made his reputation as a fighting public official. He vetoed all the local liquor licenses until the saloonkeepers met his demands to clean up the town.

In 1912 he joined the late Gov. Chase S. Osborn in support of Theodore Roosevelt against William Howard Taft for President. The violent State convention was held in Bay City, and Mayor WOODRUFF called out his police to restore order. Notwithstanding, the Taftites took the State's delegation to the Republican national convention in Chicago.

WOODRUFF and Osborn immediately joined Roosevelt's new Progressive Republican Party, better known as the Bull Moosers. While Roosevelt and Osborn were carrying Michigan, WOODRUFF was elected to his first term in Congress. During his one term, he made a name for himself as a liberal, and was offered the Republican nomination in 1914, but he chose to "take my beating" with the Bull Moosers. He knew what he was doing, and he took the only political defeat of his career.

WOODRUFF entered the Army early in World War I, saw action in France and stayed on duty in Europe until 1919. In 1920 he ran for Congress again, this time on the Republican ticket. He was elected easily, and the Tenth Michigan District has been considered safe by the Republicans ever since. He was a pioneer in good roads and social-security legislation, the latter part of his tenure as a powerful member of the committee which wrote the social-security laws. As late as the last Congress, he was active in sponsoring provisions of the new social-security program.

WOODRUFF had a chance at the senatorial appointment in 1928, upon the death of the late Woodbridge N. Ferris. He turned it down, and urged Gov. Fred Green to appoint Arthur H. Vandenberg. Twelve years later, WOODRUFF had the honor of placing Senator Vandenberg's name in the nomination for President.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Speaker, I simply want to go on record in support of House Resolution 278 and wish to compliment the Committee on Rules for bringing this resolution to the House. I happen to be one of those who believes this investigation should be made.

Television, in my opinion, is exerting a tremendous influence on the young people of this country. Many of the programs which are now being presented are highly destructive to the mental faculties of the young people of this country.

I hope that the committee will make a thorough investigation and see if we cannot get something more constructive in many of these television programs.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, as the gentleman from Mississippi has explained, House Resolution 278 would give to the Committee on Interstate and Foreign Commerce, either through the full committee or any subcommittee thereof, the authority and direction to investigate and study the extent to which radio and television programs contain immoral or otherwise offensive material and to make recommendations as to the regulation of such programs. The Interstate and Foreign Commerce Committee of the House has jurisdiction over all legislation affecting the radio and television industry. The Committee on Interstate and Foreign Commerce has a subcommittee on communications which considers all matters affecting not only radio and television, so far as legislation is concerned, but also telephone, telegraph, and other forms and means of communication. So this is the proper committee, of course, from the jurisdiction angle, to conduct any investigation such as may be provided for in this resolution.

The only thing that the resolution really does is to give direction to the House Committee on Interstate and Foreign Commerce in this matter and to also give it authority to issue subpenas and compel the presence of witnesses, the production of books, records, and similar material.

Mr. COLMER. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina [Mr. BRYSON].

Mr. BRYSON. Mr. Speaker, I highly appreciate the fact that the distinguished gentleman from Arkansas has been able to get the ear of the House in this important matter. It will be recalled that years ago the late, lamented, and highly revered and respected Senator Capper and I introduced joint bills in the two Houses providing for the outlawing of advertising of intoxicating beverages in interstate commerce. Although literally thousands and hundred of thousands, possibly millions of fine Christian mothers have petitioned the Congress in one way or another pleading for action on this type of legislation, thus far the committee having jurisdiction of that subject, to wit, the House Committee on Interstate and Foreign Commerce, has not even granted a hearing. Consequently this, of course, is not dealing directly with the same subject but no one can deny that the subject in the resolution introduced and now pending before us is of a related nature. Anyone who listens to the radio and witnesses the exhibitions on television cannot but be impressed with the fact that the untrained, unsuspecting youth of the land is being corrupted, wilfully and maliciously by those who would break into the nursery rhymes and childhood stories which we ourselves in other days learned at the knees of our honored mothers, by the introduction not only of words of mouth, but by exhibitions of delicate fingers, beautiful ladies elegantly dressed, telling not only how interesting it is to drink intoxicating liquors, but teaching the youth how to pour that hellish fluid which has caused so much sickness and suffering and death. I commend the gentleman from bringing this matter to the attention of the House. Heretofore in a small way I have cooperated with him and I propose to continue to cooperate with him in delving into this important subject.

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

Mr. BRYSON. I yield to the gentleman from Michigan.

Mr. CRAWFORD. The gentleman remembers very well the evidence we submitted in those hearings showing the fraud and the deceit and the untruthfulness of the ads spread all through the magazines in general. The only encouraging thing I have seen about the proposition is the work that is being

done by the subcommittee of the Committee on Ways and Means which I think made a direct thrust against one of the chief promoters of that operation. I think the gentleman knows to whom I refer.

Mr. BRYSON. Yes. I know of the great interest the gentleman from Michigan has in this important subject.

Mr. CRAWFORD. These things are continuing and they are continuing with the knowledge of the press and of the Congress. I hope that this will result in focusing attention on some of the things which the gentleman has referred to. The industry is getting entirely too bold for its own good or for the good of the people, and I think any decent man ought to revolt against what is now going on.

Mr. BRYSON. I thank the gentleman.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Speaker, I am wholeheartedly in agreement with the purposes of this resolution. I do know some television programs have been unfit for teen-agers to see. Some programs approach the obscene. The committee will find it almost impossible to say what should not be seen, heard, or read. It is a delicate matter.

I guess every generation has said of the next generation, "My, they are just going to the dogs." I see things on television today that shock me. If I had a boy or girl, I would feel a little bit embarrassed about some of the actions, the suggestions, dress, and so forth, permitted on television. It may be that I am a bit old-fashioned. Perhaps "nothing is so good or bad but thinking makes it so." The industry—movie and television—ought to set up and enforce a high standard. Congress ought not to have that task.

A few years ago I was a member of a district committee looking into district textbooks. In one particular book that dealt with the history of this country there was only one man's picture, a picture of a man called Joe Stalin, and under it were the words, "a great world leader." There was no other picture, of either an American or anyone else, in that textbook. The book was being used in the district schools to teach the children history.

After that investigation, I began to examine my own heart and conscience and wonder just how far the Congress and other authoritative bodies should or should not go in saying to the people, "You teach this," or "You teach that." I came to the realization and conclusion that all through the educative system, and that includes radio and television, because the tentacles reach out into those fields, there is an underlying movement by ultra liberals to squelch anything that is of a conservative God-fearing American approach. There seems to be an increasing group that makes light of our legislative processes. Radio and television has a real part in our educational system.

If you do not think that is true, you just try to get a book printed that has anything in it that is going to vigorously defend our constitutional form of government. You attack any part of the educational system, and see how far you can go, or any publisher will go in taking your material and having it printed. There is a subtle but powerful force that blue pencils some of those publications. I do say it is impossible to legislate morals, and it is difficult to say what we should or should not teach. The committee can render a service to the public by a wise and cautious approach. I am sure the industry will assist in every way possible to develop a high moral standard for television and the radio. I hope no censorship or iron hand of authority will be forced on the growing industry of television. Cooperation is the need.

The responsibility of entertaining the public through television belongs to the industry. They should police the shows and assure the public that, lewd, obscene, indecent, and vulgar shows or words will not be used on the programs. A penalty should be established for violation. If they do this Congress will have little to do. I support the resolution. Let us hope for good results.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Speaker, I rise in support of the resolution. As a matter of fact, I appeared before the Committee on Rules in support of this legislation when it was considered before that committee. As I am advised, it has the unanimous approval of the Committee on Rules. The gentleman from Nebraska who just preceded me, Dr. MILLER, has made a good statement. He calls attention to the fact that, after all, these pictures that you see on television as well as on the screen are not made by the children or the young folks themselves. They are made by the adults. The adults make the pictures, and then expect the young folks to have a high respect for the morals of our country, even though their elders produce such pictures. I am highly in favor of this legislation. I also agree with the gentleman from Nebraska when he says that, of course, we do not want to be in a position of seeming to censor everything that comes along. On the other hand, I think it is a pretty good idea that the Congress, or a committee of this Congress sort of keep a hand in on this thing and give it a little policing once in a while. Quite a deal of good can be accomplished thereby.

Of course we want free television, free radio service, and free press in this country, but we do not want the morals of the people of our country injured under the name of a free press by a comparative few who would abuse their rights by showing pictures and advertising matter that corrupt the morals and decency of the people of this country.

The resolution provides only for the investigation and study of the problem to determine whether the programs on radio and television contain matters that place emphasis on crime, violence, and corruption. The resolution comes about because of so many complaints brought to the attention of Members of Congress, especially including the emphasis on the excessive use of alcoholic liquors and pictures and stories depicting crimes of various kinds.

I believe the fact that such committee is giving the problem consideration will have a salutary effect, and will in no wise injure anyone who supports wholesomeness and decency in our television and radio programs.

Mr. COLMER. Mr. Speaker, I yield 7 minutes to the gentleman from Arkansas [Mr. GATHINGS], the author of the resolution.

Mr. GATHINGS. Mr. Speaker, I am grateful to the gentleman from Mississippi [Mr. COLMER] and the gentleman from Ohio [Mr. BROWN] for the untiring efforts they have put forth in behalf of these two resolutions. I want to thank the gentleman from Mississippi [Mr. COLMER] for his presentation here. I was very proud that he was selected to bring these two resolutions to the floor, as the representative of the Committee on Rules. His assistance is largely responsible for the approval of the resolutions by the Rules Committee. On June 25, 1951, I introduced House Resolution 278, which called upon the Committee on Interstate and Foreign Commerce, acting as a whole or by subcommittee, to conduct a full and complete investigation to determine the extent to which radio and television programs, currently available to the public, contained offensive matter or placed improper emphasis on crime, violence, or corruption. That was in the first session of the Eighty-second Congress, when House Resolution 278 was presented. In the second session of the Eighty-second Congress, the gentleman from Alabama [Mr. ELLIOTT] joined me and introduced companion resolutions combining the two studies of radio and television and the study of booklets. These resolutions called for a special committee to investigate both subjects. These resolutions were introduced in the second session sometime in February 1952. The Committee on Rules approved of this joint study and investigation.

In the meantime, the Committee on Interstate and Foreign Commerce considered the resolution which had been voted out of the Rules Committee setting up the special committee, and they were of the opinion that the passage of the two studies in one resolution would transgress upon the authority of the Interstate and Foreign Commerce Committee. Additional resolutions were introduced on April 3, 1952, by the gentleman from Kansas [Mr. REES] and me which had to do with the booklets, and which I understand will be called up after this resolution. The Rules Committee again heard the matter of the two separate resolutions and House Resolution 278, of the first session of the Eighty-second Congress was approved, calling upon the Interstate and Foreign Commerce Committee itself to carry on the investigation and to make this study. That is what is before you at this time.

I would like to call your attention to some data which was furnished me by the FBI, Department of Justice, United States Government crime reports. I would like to give you some comparisons.

Burglary offenses have increased in the short period of 1 year, from 1949 to 1950, from 409,400 to 411,980.

Auto thefts have increased as follows: In 1949 there were 163,140 auto thefts. The figures for 1950 were 170,780. There has been an increase in many crimes according to these reports.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Do I understand that the objective of your committee would be to investigate as to whether or not the radio and television had any influence causing an individual to go out and steal an automobile or commit a burglary?

Mr. GATHINGS. In general. I just gave some reports from the FBI showing that there has been an increase in crime.

Mr. ROGERS of Colorado. The objective of this committee is——

Mr. GATHINGS. Is to attempt to correct it.

Mr. ROGERS of Colorado. The objective of this committee is to ascertain whether this is from radio and television?

Mr. GATHINGS. Yes; to determine whether or not radio and television programs have anything to do with that increase. That is one of the objectives.

Mr. ROGERS of Colorado. May I ask if another part of the objective would be to help write a code of ethics among radio broadcasters and televisioncasters? Is that one of the objectives in ascertaining what is immoral or otherwise offensive?

Mr. GATHINGS. Well, it will require quite a study to go into all phases of it. I hope that the committee will go into all phases of the problem. The National Association of Broadcasters adopted a code in 1948, and there has been some improvement under that code.

Mr. ROGERS of Colorado. It would be the objective of this committee to explore that code and the possibilities of recommending at least improvements on it, so that the morals of the country would not degenerate from what we hear on the radio or from what we see on television?

Mr. GATHINGS. I think it should be studied and corrections recommended.

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

Mr. GATHINGS. I yield to the gentleman from Mississippi.

Mr. COLMER. The main objective of the resolution is to make a study. Then, if it develops that legislation is desirable, the committee would make such recommendation and the Congress would then pass upon that question?

Mr. GATHINGS. Yes. That is correct. They would make a report during the Eighty-second Congress, prior to the 3d day of January 1953.

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

Mr. GATHINGS. I yield to the gentleman from Iowa.

Mr. GROSS. Do I understand we are going to write a code or make recommendations with respect to radio news broadcasts, perhaps political campaigning over the radio?

Mr. GATHINGS. I would not think the Committee on Interstate and Foreign Commerce would go into that. The gentleman had better talk to some members of that committee; I am not a member.

Mr. GROSS. I am speaking of the investigation to be carried out under the terms of this resolution.

Mr. GATHINGS. I have not seen in this resolution anything that has to do with political campaigns.

In a recent survey that was made in California by the Southern California Association for Better Radio and Television, covering six television channels on programs televised for a period of 1 week between the hours of 6 p. m. and 9 p. m., the week's total showed 91 murders, 7 stage hold-ups, 3 kidnapings, 10 thefts, 4 burglaries, 2 cases of arson, 2 jail breaks, 1 murder by explosion, 1 suicide, 1 case of blackmail, and many cases of assault and battery. Drunkenness and brawls were numerous.

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

Mr. GATHINGS. I yield.

Mr. SADLAK. Has there been any endeavor, inasmuch as the gentleman has made an extensive research into this, has any endeavor been made by the radio and television people to establish a code of ethics among themselves?

Mr. GATHINGS. A voluntary code was established in 1948, as developed a few moments ago in the colloquy.

Mr. SADLAK. Similar to what they have in the motion-picture industry?

Mr. GATHINGS. They have a voluntary code that was adopted, I believe in 1948. There has been some improvement, but I believe there could be more. The air waves belong to the people. Wholesome entertainment should be presented to the homes of the American people.

I would like to include an editorial from Variety Daily of March 26, 1952, entitled "Baby Needs a Bath":

BABY NEEDS A BATH

The television broadcasting industry needs searching self-appraisal and drastic reforms. It had best do this job for itself—quickly and firmly—before outside censors and pressure groups, which did a job on the picture business, apply their own brand of emasculation and controls.

Stripped of the modernism of its electronic mantle, television, from the looks of several shows, is a throw-back to the dark ages of entertainment. A close watch of network programs over the past 6 weeks clearly indicates that TV is acquiring the aspects of vaudeville at its worst and burlesque at its dirtiest. At times it flaunts sex so boldly that it lacks only a price tag. There are frequent applications of smut and vulgarity in quantity and for no more reason than the murder and mayhem, that infest the local stations' telecasts of old films.

Only a few years old, the child prodigy of show business is 100 years behind the times in matters of good taste. Who gave the kid this lightning backward education? Several factors, but chiefly the comedians. Not all, but enough to make it look like a general disease.

Participating in TV's shoddy and shocking effect are the program directors who book female panelists strictly by their b. q. (bust quotient) and lack of inhibitions to make the most of same. Also adding a considerable share to the dirt on TV's face are the supercynical male panelists who vie with one another in double-entendres as they leer into nearby cleavage.

The growing degeneration of TV entertainment finds female impersonation a common occurrence on big-time shows—with big-time comics donning the wigs and bustles. When they're not dressing like girls, some comedians are just as often mincing around the screen like girls. They are bringing sex deviates into millions of homes as unbidden guests and making "drag" a household word.

Another frequent routine on network shows has the comedian and his straight-man spitting in each other's face. One comic makes a specialty of ugly grimaces, moronic mugging, hairlip lisping, and other physical mannerisms that are distasteful to most adults and extremely impressionable on the minds and habits of children.

Material that was unequivocally censored years ago by managers of most vaudeville theaters now finds its ready way in the Nation's living rooms. As an example, last week one network show had its guest star poke the comedian in the seat of the pants with a tommy gun and threaten: "One false move and I'll blow your brains out." A few moments later the same guest grabbed his host—again by the seat of the pants—who shrieked, "Let go of my lapels."

This type of material might be acceptable in a skid-row bump-and-grind joint, but not as family entertainment.

Not all comedians on TV are dirty—some are scrupulously clean—but those who dip into the slop trough are doing it often enough to tar all television with the same brush. Unless the broadcasters give their child prodigy a bath very soon, an awfully grubby and unhealthy tenant will move into the television palaces the networks are now building.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

SELECT COMMITTEE TO INVESTIGATE CERTAIN PHASES OF CURRENT LITERATURE

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 596, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there is hereby created a select committee to be composed of nine Members of the House of Representatives, to be appointed by the Speaker, three from the Committee on the Judiciary, three from the Committee on Post Office and Civil Service, and three from the membership of the House without reference to any committee. Not more than five members of the select committee shall be of the same political party. The Speaker shall designate as chairman of the select committee one of the members so appointed. Any vacancy occurring in the membership of the select committee shall be filled in the same manner in which the original appointment was made.

The select committee is authorized and directed to conduct a full and complete investigation and study (1) to determine the extent to which current literature—books, magazines, and comic books—containing immoral, obscene, or otherwise offensive matter, or placing improper emphasis on crime, violence, and corruption, are being made available to the people of the United States

through the United States mails and otherwise; and (2) to determine the adequacy of existing law to prevent the publication and distribution of books containing immoral, offensive, and other undesirable matter.

The select committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations, including recommendations for legislation, as it deems advisable.

For the purpose of carrying out this resolution, the select committee, or any subcommittee thereof authorized by the select committee to hold hearings, is authorized to sit and act during the present Congress at such times within the District of Columbia, to hold such hearings, to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, and to utilize such employees and facilities of the Committee on the Judiciary and the Committee on Post Office and Civil Service, as it deems necessary. Subpenas may be issued under the signature of the chairman of the select committee or any member of the select committee designated by him, and may be served by any person designated by such chairman or member.

Mr. COLMER. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN] and pending that I yield myself 2 minutes.

The SPEAKER pro tempore (Mr. TRIMBLE). The gentleman from Mississippi is recognized.

Mr. COLMER. Mr. Speaker, this is a companion resolution to the one just adopted by the House. The only difference is that this resolution authorizes the same kind of study to be made in another field.

I am supporting this resolution as I supported the companion one. These studies should be made and if legislative action becomes desirable in the light of the finding, such action should be taken. The other resolution dealt with radio and television. This deals with publications and I think the same arguments that were made on behalf of the other resolution are applicable in the case of this one.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, as the gentleman from Mississippi has explained, House Resolution 596 is a companion resolution to the one just adopted and would permit and direct the naming of a special committee, made up of nine members, not more than five of whom shall be from the same political party—three from the Committee on the Judiciary, three from the Committee on Post Office and Civil Service, and three from the general membership of the House.

This committee would have the authority to investigate magazines, books, and comic books now being published which contain immoral, obscene, or otherwise offensive matter or that places improper emphasis on crime, violence, or corruption. The intent and purpose of this resolution is not only to investigate but to help bring about a cleansing of the publications which are now offered to the general public and which are not in the best interest of morality, personal and public.

I hope that the resolution will be agreed to.

Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. REES] who offered a similar resolution.

Mr. REES of Kansas. Mr. Speaker, I trust there will be no objection to this resolution. It provides for an investigation and study to determine the extent to which current literature, books, magazines, and comic books, containing immoral, obscene, or otherwise offensive matter, placing improper emphasis on crime, violence, and corruption are being made available to the people of the United States through the mails and otherwise.

At the proper time, if agreeable to the membership, I propose to offer an amendment to this resolution, page 2, line 10, after the word "books" to include the words "and other publications." The entire paragraph now in the bill reads as follows:

The select committee is authorized and directed to conduct a full and complete investigation and study (1) to determine the extent to which current literature—books, magazines, and comic books—containing immoral, obscene, or otherwise offensive matter, or placing improper emphasis on crime, violence, and corruption, are being made available to the people of the United States through the United States mails and otherwise; and (2) to determine the adequacy of existing law to prevent the publication and distribution of books containing immoral, offensive, and other undesirable matter.

You will observe according to the first part of the paragraph:

The select committee is authorized and directed to conduct a full and complete investigation and study (1) to determine the extent to which current literature, books, magazines, and comic books—containing obscene, or otherwise offensive matter are being made available through the mails and otherwise.

The proposed amendment is to the second part of the paragraph only and refers only to the study of the adequacy of present laws for prevention of distribution of immoral and obscene matter. The amendment only inserts the words "and other publications." It does not change the remainder of the resolution.

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

Mr. REES of Kansas. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. May I suggest that my friend consider seriously the words of limitation such as "and other publications" because that might infringe the great principle of freedom of the press. I do not think the gentleman wants to get into that, yet his amendment would embrace that very thing. The gentleman from Ohio, who is a publisher, I imagine would be interested. The gentleman from Kansas does not intend to have newspapers investigated, I am sure and I do not think any of us intend that. I therefore suggest to the gentleman that if he has some other publications than newspapers in mind he specify just what he does have in mind.

Mr. REES of Kansas. First, I want to say that I do not have in mind the investigation of newspapers; not at all. I certainly would not infringe upon the great principle of freedom of the press.

The only thing I have in mind, is to determine the adequacy of existing law, to prevent the publication and distribution of books and other publications containing immoral, obscene, offensive, and other undesirable matter. It is only to determine where the present law is adequate in that respect. I do not think the proposal goes as far as my distinguished leader suggests. I do not believe he would object to that at all.

Mr. McCORMACK. I am in a most complacent frame of mind on this resolution.

Mr. REES of Kansas. My distinguished leader is usually in a complacent state of mind. I compliment him for it.

Mr. McCORMACK. Notice, I used the word "most."

Mr. REES of Kansas. And I think he is in this instance, and I am sure that he is not only agreeable to this resolution, but I am inclined to believe that he agrees with the intent of this amendment.

Mr. McCORMACK. It would be difficult for me to disagree with my friend on any amendment he offered, except on the question of prohibition. I personally do not drink, but I oppose prohibition. But the language my friend has in mind, I am afraid, might embarrass the newspapers. None of us, I think, want to go into that field.

Mr. REES of Kansas. Of course, I do not want to embarrass newspapers or anyone else. That is farthest from my mind. The intent of my amendment is simply to study the question to which I have directed attention and not in anywise interfere with the public press. If anyone believes such would be the case, I will not even ask that the amendment be considered. I do not have any newspapers in mind, not at all. But there are a few magazines that are sold on the stands and go through the mails to which my attention has been called many times, wherein it is claimed they contain obscene and immoral matter. These complainants say the Department does not seem able to cope with the matter.

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

Mr. REES of Kansas. I yield to the distinguished member of our Committee on Post Office and Civil Service.

Mr. GROSS. If the amendment suggested by the gentleman from Kansas is an infringement of the freedom of speech, then the entire resolution is an infringement of freedom of the press, because you cannot say that one publication is not entitled to freedom of the press and the other is.

Mr. McCORMACK. Mr. Speaker, if the gentleman will yield, I did not raise the question of infringement. I simply raised the question whether my friend wanted to go as far as to include language which could bring within the purview of the investigation the newspapers of the country.

Mr. REES of Kansas. Such is not the intention of this proposal.

Mr. McCORMACK. No, I know that. Notice, I carefully skirted that.

Mr. REES of Kansas. I am very sure that the question he directs attention to is protected.

Mr. GROSS. There are newspapers and there are other newspapers, is that not true?

Mr. REES of Kansas. Certainly, all kinds of newspapers, and all kinds of books and magazines as far as that goes. I do think, however, the number of newspapers dealing in such matters is quite small. There are, however, some magazines that advertise the sale of books described by the author of this resolution.

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

Mr. REES of Kansas. I yield to the gentleman from California.

Mr. HOLIFIELD. Is there any reason why newspapers that publish obscene pictures or articles should not be investigated along with these other publications?

Mr. REES of Kansas. Not at all.

Mr. HOLIFIELD. I did not think so.

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield six additional minutes to the gentleman from Kansas [Mr. REES].

Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Would the gentleman advise me again; I did not catch just where he offered this amendment.

Mr. REES of Kansas. On line 10, page 2, so part (2) of that section will read, "to determine the adequacy of existing law to prevent the publication and distribution of books and other publications containing immoral, offensive, or other undesirable matter."

Mr. BROWN of Ohio. And the gentleman would add newspapers to that category?

Mr. REES of Kansas. Yes. It would include other publications to determine whether the law is adequate, that is all.

Mr. BROWN of Ohio. I appreciate very much the statement by my distinguished colleague, the gentleman from Massachusetts, relative to the inclusion of newspapers of the country in this particular portion of the resolution, realizing, of course, that the gentleman cannot offer his amendment unless the gentleman from Mississippi, who is in control of the resolution, yields for that purpose.

Mr. REES of Kansas. That is correct. And if it is objectionable we will just leave it out. Really, I thought it would receive the approval of the press of this country if understood.

Mr. BROWN of Ohio. I may say that the laws of the Nation today do place certain restrictions on newspapers as well as other publications that may print or publish immoral, obscene, or undesirable matter, and, of course, those provisos or regulatory laws are subject to interpretation by the courts. The courts have always taken a rather broad view of the freedom-of-the-press clause of the Constitution, and unless there is a distinct violation of good taste, and there is direct obscenity or immoral passages contained in the publication, they are generally not barred from the mails or not otherwise prevented from publication, and having full distribution. Certainly, we do not want to get ourselves into the position where we can say to the press of the country "You cannot discuss crime," or "You cannot discuss corruption. You can only devote a certain portion to that," because sometimes those are very important stories to the general public. As I understand the gentleman's amendment, it would apply only to determining the adequacy of existing law to prevent the publication and distribution of books—and the gentleman says "newspapers" there?

Mr. REES of KANSAS. No, I said "other publications."

Mr. BROWN of Ohio. And other publications containing immoral, offensive, and other undesirable matter. I presume that would go into the postal laws and other regulations.

Mr. REES of Kansas. It is only a question of studying the problem. It is only for the purpose of reexamining the present law on that subject matter. That is all there is to it. Then a report is made back to the Congress. This committee would not even offer legislation. It would only offer recommendations.

Mr. BROWN of Ohio. I believe the gentleman would agree with me that if legislation were recommended and enacted by the Congress which would place any undue restrictions or limitations on the press it would be declared unconstitutional.

Mr. REES of Kansas. Of course it would. It certainly would, and should. Not only that, but I would say to the gentleman that I would go as far as he or any other Member of the House does with respect to freedom of the press. There is no doubt about that. I would even say in some cases we have too much restriction now.

Mr. BROWN of Ohio. May I say to the gentleman I believe the gentleman from Massachusetts, the gentleman from Kansas, and the gentleman from Ohio all have the same viewpoint as to freedom of the press.

Mr. REES of Kansas. Certainly, there is no doubt about that at all. This certainly is not intended to work any injury against anyone.

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

Mr. REES of Kansas. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. May I suggest to my friend that the gentleman's words, "and other publications," are all-embracive. That phrase includes newspapers and everything else. May I also suggest to my friend that this resolution was very carefully drafted and very carefully considered by the Committee on Rules. Am I correct on that, may I ask the gentleman from Ohio?

Mr. BROWN of Ohio. That is right.

Mr. McCORMACK. In its present form it represents a field into which the Congress in its judgment might feel justified in having a special committee inquire. I hope my friend will not undertake to offer his amendment, although my friend from Mississippi must yield to him if he is to offer it. I hope he will not put the gentleman in the position of declining to yield. I am afraid this amendment is so far-reaching, going far beyond what my friend has in mind, that probably the best course is not to offer it.

Mr. REES of Kansas. May I say to the leader of the House that if he thinks this amendment should not be proposed, then I am not going to rise here in opposition to the leadership of the House and submit this amendment.

Mr. McCORMACK. I am talking not in the position of leadership but as an individual Member. I want that distinctly understood.

Mr. REES of Kansas. My distinguished leader, I should say.

Mr. McCORMACK. I thank the gentleman for the word "distinguished." I doubt whether I merit it, but I try to.

I think the resolution is so carefully drafted to meet the purposes desired that the very offering of the amendment might be misconstrued. Certainly it would bring within the purview of the investigation the press of the country, and I do not think my friend has that in mind. Certainly I would hope he would not have that in mind. Of course, any amendment to that effect I could not support.

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

Mr. REES of Kansas. I yield to the distinguished gentleman from Mississippi.

Mr. COLMER. This colloquy has disclosed, I think, that the amendment the gentleman has suggested would go much further than the objective of the resolution.

Mr. REES of Kansas. This resolution goes just to the publication and distribution of books containing immoral, offensive, and other undesirable material. It would not include magazines.

Mr. COLMER. I am talking about the amendment which the gentleman proposes to offer.

Mr. REES of Kansas. The gentleman from Mississippi is correct.

Mr. COLMER. I was just wondering since everybody seems to be in agreement on that, if I were to join in that accord and agreement, we could settle it because I do not think it would be appropriate under the circumstances, in view of the scope of the resolution, to yield for such an amendment .

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

Mr. REES of Kansas. I yield.

Mr. GATHINGS. I just want to say that the gentleman from Kansas has the highest motives. We have discussed this matter a number of times.

Mr. REES of Kansas. That is correct.

Mr. GATHINGS. It is not my purpose in introducing my resolution to include the newspapers at all. I am happy that the gentleman from Massachusetts, the distinguished majority leader, has raised this question.

Mr. REES of Kansas. May I say I do not have any intention of going out and investigating newspapers—not at all. The only question here is to determine

whether present laws are adequate. That is all. There is no question of investigating newspapers at all. It is just a question of whether or not the present law is adequate with respect to any other publications. No investigation of any kind is intended at all.

Mr. GATHINGS. The words "any other publications" are all-embracing.

Mr. REES of Kansas. All right, but there is not any investigation intended whatsoever.

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

Mr. REES of Kansas. I yield.

Mr. SADLAK. Of course, the present powers that the Post Office Department has, and naturally those reposed in the Postmaster General would have a great deal to do with this matter. Has any question been asked of the Postmaster General, whether he feels after his long supervision of these things that legislation is needed by the House to give him more authority to take out of the mail present obscene and immoral matter?

Mr. REES of Kansas. So many times when we have referred these questions of obscene matter to the Postmaster General, he has answered by saying, "We think you are correct, but the present law is inadequate to deal with that particular thing." So the only thing I was going to suggest is that while we are looking into the question as to whether the law with respect to books is adequate, we might find out whether the present law with respect to other publications is adequate. I had no intention of making investigation of newspapers and magazines as such.

Mr. SADLAK. I thank the gentleman very much.

Mr. REES of Kansas. Mr. Speaker, I support the resolution of the gentleman from Arkansas [Mr. GATHINGS]. I shall not submit the proposed amendment for the reason that it appears I would be misunderstood. I had only in mind the question of determining whether existing law to prevent the publication and distribution of books and magazines containing immoral, offensive, and other undesirable matter is adequate. I realize there are only a comparatively few publishers of books and magazines that take advantage of the use of the mails by publishing immoral and obscene material. I think the people of this country, as well as the thousands of publishers of decent magazines and newspapers, are entitled to protection against those who would use the mails and newsstands for making profit by distributing books and publications containing offensive, immoral, and obscene matter. I realize the latter group is comparatively small, but even so, they are growing in number. The problem is of sufficient importance to be studied by a committee of this House. Surely such study, if properly made, will not be injurious to anyone.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, I dislike very much to even appear to oppose anything offered by my colleague from Arkansas [Mr. GATHINGS]. I am not sure that I do. But I do find difficulty in getting the meaning of some of this language. It says, "containing immoral or obscene." Now, we can get along with that all right; but it says "or otherwise offensive matter." Now, some of this propaganda they are putting out in this presidential campaign is very offensive to me. It keeps me awake at night. No doubt other statements are offensive to others. I think some of these fellows like Paul Hoffman and Ernest Weir are very ungrateful to the gentleman from Ohio who is now and who has served the people, industry, and employees so well for so long.

A recent letter may be a warning as to the trouble we may get into. Just how far are we to usurp the province, the duties of fathers and mothers. A constituent of mine has been a help in campaigns, both primary and elections—general elections—to me personally. I want in return to do something for him. He writes me he has children—four or five. He wrote they were going over to the neighbors to look at television. So he and his wife scraped up their savings and bought a television. Of course, I know this is a little bit late, and I should have talked about this when we were considering the preceding resolution. But here it is, for it applies to the purchase of printed matter. So he bought a television and turned it on. There was a program on that he thought was very, very fine. It ran along to the end of the show and there was an advertisement, which was to this father objectionable. I am sorry my colleague from New York [Mr. EDWIN ARTHUR HALL] is not here, because I know he would join me in my criticism of that show for—there was a beer ad. Think of it. Right in his own home. It was very objectionable to him. So he wrote me, his Congressman.

He wrote:

> Yesterday I had a television installed because my children were going other places so much to see television and we felt we had better have that supervision at home.
>
> Saw some very good programs and some poor ones. The Ken Murray Show, sponsored by one of the beer outfits had a very good show for the most part. Toward the last part he showed how we helped come out of the depression in the thirties by repealing prohibition. Giving so many work and such. Must my kids have cigarettes and alcohol advertising thrown at them in such a guise? I am not going to be stupid enough to tell them that they cannot see such programs. How can we, as parents, get around such advertising? There is no fair play about it.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. HOFFMAN of Michigan. Do you not see what my constituent is asking me to do? He wants the Congress to act as censor and take out the objectionable parts of these television programs. Well, I do not know the people who are paying for sending that over television. I might say to my colleague from Kansas [Mr. REES] I do not know the people who are publishing these comic strips. I do not read them. So I could not write them and in that way stop the practice—nor do I think the Congress can do an effective job. Why does not Dad just turn off the objectionable program and tell the kids, "Now, you have seen enough for tonight," instead of writing to his Congressman? Congress should not be required to enter the home and, assuming the duties of parents, tell the children what they can and cannot see or hear.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Of course the gentleman is really speaking to the subject matter of the resolution which was just passed a while ago.

But I would like to point out to the gentleman that there are other forms of censorship already available on radio and television. For instance, I hold here a copy of today's Washington News, which contains the following story——

Mr. HOFFMAN of Michigan. Before I yield further, I want to inquire of the gentleman: Is there anything obscene, immoral, or offensive in it?

Mr. BROWN of Ohio. No. But it is very informative. It is under the heading "Horatio at the bridge." The following news item:

> HORATIO AT THE BRIDGE
>
> NEW YORK, May 12.—A customs censor stood by today to listen to a tape-recorded interview with Bertrand Russell to make sure it doesn't contain any embarrassing references to sex.
>
> The interview, to be heard over the National Broadcasting system network today at 7:30 p. m., was impounded by a customs inspector at Idlewild Airport last night because Mr. Russell once wrote a book about sex. Mr. Russell will celebrate his eightieth birthday next Sunday.

Mr. HOFFMAN of Michigan. Well, I do not believe seriously we should assume the duties and responsibilities that are the duties and responsibilities of parents. Should we attempt to censor all of these things, we could get into a terrible fix. We do not have to buy them for the children. We do not have to permit them to look at the television when we think it is wrong. Should we not be more interested in limiting the expenditures in government and reducing taxes and getting at this foreign situation which is sending so many of our young folks over? I think we should.

The SPEAKER pro tempore. The time of the gentleman from Michigan has again expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. HAND].

Mr. HAND. Mr. Speaker, 1 minute will be sufficient to announce my somewhat regretful opposition to the pending legislation. I quite agree with the motives of the gentleman from Arkansas [Mr. GATHINGS] and the gentleman from Kansas [Mr. REES], and others who are supporting this legislation. I agree perhaps to some extent to the need for it because I cannot approve but a minor percentage of the programs that come over television, and only a few of the comic strips that are printed. But I fear even more the beginning of a procedure which may spread to an improper censorship of the press. It seems to me that our present laws dealing with these subjects are adequate. I think as a

matter of fact that the committees now have as much authority as they need to make such investigations as they think they ought to make, and therefore this special resolution is unnecessary.

For those reasons, although I realize it is not very practical at this time, and perhaps not very popular, I must oppose the pending resolution, as I did the last one.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

Mr. COLMER. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, I am a little alarmed, like the gentleman from New Jersey [Mr. HAND], in regard to this resolution. It calls to my mind a similar problem which was considered in 1943 and 1944—and I hope the gentleman from Kansas [Mr. REES] is listening—when I was a member of the Committee on Post Office and Post Roads. At that time there was quite a bit of material going through the mail attacking different religious groups. Some of this literature attacked Protestants and some of it attacked Catholics. There was considerable literature going through the mail from organizations that were fighting certain races in this country. This material was brought to the attention of the members of the Post Office Committee. It was literature which I think other Members of this House would say should not go through the mails. We held quite extensive hearings at that time on this type of literature, and some of the most prominent lawyers of America testified.

The final action of the committee was that obnoxious as this material was, undesirable as it was, disgusting as some of it was we could not write any legislation that would not be in conflict with the constitutional right of freedom of the press and free use of the mails. The material did not fall into the class of the obscene, but it fell into a very controversial area dealing with both religious and racial hatred and discrimination. We finally came to that conclusion, and no legislation was reported from the committee after a very extensive study.

I would say that if this resolution is passed today there will devolve upon the members of this special committee a great obligation to keep in mind the constitutional safeguards on individuals; and, while being in opposition of some of the material that they will have to permit to be printed under the existing laws on free speech, I am predicting that they will have a hard time writing legislation which will protect the people from literature which they may think undesirable but which, if attempts are made to legislate against it, they may find that it will have an overlapping effect upon the privileges of free speech and free press.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. REES of Kansas. I appreciate the gentleman's statement in respect to the question of freedom of the press. I am just as much in favor of a free press as he is. As I explained to the distinguished majority leader, the thing I have in mind is this immoral, obscene matter that goes through the mails. The gentleman knows that a lot of it comes from his own State. We have under indictment in our State now about half a dozen individuals who have been sending out this obscene matter from the great State of California.

Mr. HOLIFIELD. Are they answerable under present laws?

Mr. REES of Kansas. That is the question: Whether or not they are answerable. Some of the lawyers defending them say that present law does not apply. I certainly want to keep a free press, just as much as the gentleman from California, and I certainly would not want this resolution to interfere with the right of free press.

Mr. COLMER. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. MCCARTHY].

Mr. MCCARTHY. Mr. Speaker, I take this time to attempt to clear up a question I have in my own mind. I do not think it is the intention of the House to redefine what we mean by freedom of the press, but as I listened to the exchanges here it appeared that in the minds of some at least freedom of the press is restricted only to newspapers and that this resolution is restricted to other publications on the ground that we do not want to interfere with freedom of the press.

The principle of freedom of the press was developed before the newspapers. If there is need for this investigation, then I am inclined to believe that the amendment discussed by the gentleman from Kansas [Mr. REES], probably does have a place in the resolution. In any case I do not think we could base exceptions upon the principle of freedom of the press, because that freedom extends to all publications whether they are printed in the form of newspapers, or in other forms.

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

Mr. MCCARTHY. I yield.

Mr. HOLIFIELD. I agree with what the gentleman says, that if this resolution is necessary, the qualification of the amendment suggested by the gentleman from Kansas [Mr. REES], is entirely consistent with the purpose of controlling it.

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

Mr. HOLIFIELD. I yield.

Mr. COLMER. The scope of the resolution is such that it would be entirely changed by such an amendment. I think we have to bear in mind the fact, if we are realistic here, that we are dealing with a subject matter that is treated in a certain type of publication named in the resolution. We do not find that type of offensive matter in the press, as such, the newspapers. We are dealing with an entirely different proposition. Then, also, I would like to call the attention of the membership to the fact this is a study and whatever recommendations are made will have to be placed in the form of legislation to come before this body for its consideration and approval.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MCCARTHY. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Do these two resolutions come out with the approval of the rules committee?

Mr. COLMER. That is correct.

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order a quorum is not present. [After a pause.] Mr. Speaker, I withdraw that.

Mr. COLMER. Mr. Speaker, I yield the gentleman from Minnesota two additional minutes.

Mr. MCCARTHY. I am inclined to agree that the limitation which has been written into the resolution is not one which can be very well defended. I agree with the gentleman from California [Mr. HOLIFIELD] that we are on dangerous ground in this whole procedure. We recognize, of course, that the Government and State does have a responsibility with regard to the moral welfare of its citizens but we should realize at the same time that that responsibility is one which must be exercised with the greatest of care, with the greatest circumspection. Government has a responsibility to establish regulation which will aid and assist its citizens in their efforts to lead decent moral lives.

When Government goes to extremes the effect is to violate fundamentally the right of the individual and person to think for himself and to choose for himself.

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

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

Mr. KEATING. I would like to take just a moment to ask the author of the resolution why it is we have two resolutions before us. As I understand it, the one we just adopted was to investigate the extent to which immoral and offensive matter is being used on radio and television programs that cross State lines, of course, and the other has to do more with the mails and other methods of distribution. I am wondering whether the investigation of both of them would not necessarily entail considerable duplication?

Mr. GATHINGS. It was thought that they should be separated. Members of the Committee on Interstate and Foreign Commerce did not want to go into the question of these little books, these objectionable books like the one I hold in my hand here. For that reason there was an additional resolution put in.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Is the only reason the fact that the Committee on Interstate and Foreign Commerce did not wish to go into the question of investigating these books? Is that the only reason for separating the two?

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

Mr. KEATING. I yield to the gentleman from Arkansas.

Mr. GATHINGS. As I explained to the House just a few minutes ago, this resolution that was voted on and adopted by this House a while ago was introduced in 1951 to call upon the Committee on Interstate and Foreign Commerce to make this study. Now when we came to the second session of the Eighty-first Congress we introduced a resolution which included radio, television, and booklets, which was voted out of the Committee on Rules. The objection was raised on the part of the Committee on Interstate and Foreign Commerce that it would trespass on the jurisdiction of that committee, and it was based simply on that question.

Mr. KEATING. The gentleman, the author of the resolution, does think it is necessary then to have two separate resolutions to accomplish the purpose.

Mr. GATHINGS. That is correct. The studies are related but the views of members of the Interstate Committee with whom I talked seemed to be that the matter of the books and comics should not be referred to their committee.

There is a statute on the books now relating to the transportation and distribution through the United States mails of objectionable booklets and the like. I feel that this special committee should go into the problem fully to determine what is being done to enforce the act, or whether additional legislation is required.

Mr. COLMER. Mr. Speaker, I ask unanimous consent to correct a typographical error. Page 2, line 5, the word "offense" should read "offensive."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. COLMER) there were—ayes 27, noes 4.

Mr. HOFFMAN of Michigan. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

Mr. McCORMACK. Mr. Speaker, will the gentleman withhold that for a moment?

Mr. HOFFMAN of Michigan. Yes.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the further consideration of the resolution be postponed until next Thursday.

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

There was no objection.

COMMITTEE TO INVESTIGATE CAMPAIGN EXPENDITURES

Mr. COLMER. Mr. Speaker, I call up House Resolution 558 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That a special committee of five Members be appointed by the Speaker of the House of Representatives to investigate and report to the House not later than January 3, 1953, with respect to the following matters:

1. The extent and nature of expenditures made by all candidates for the House of Representatives in connection with their campaign for nomination and election to such office.

2. The amounts subscribed, contributed, or expended, and the value of services rendered, and facilities made available (including personal services, use of advertising space, radio and television time, office space, moving-picture films, and automobile and other transportation facilities) by any individual, individuals, or group of individuals, committee, partnership, corporation, or labor union, to or on behalf of each such candidate in connection with any such campaign or for the purpose of influencing the votes cast or to be cast at any convention or election held in 1952 to which a candidate for the House of Representatives is to be nominated or elected.

3. The use of any other means or influence (including the promise or use of patronage) for the purpose of aiding or influencing the nomination or election of any such candidates.

4. The amounts, if any, raised, contributed, and expended by any individual, individuals, or group of individuals, committee, partnership, corporation, or labor union, including any political committee thereof, in connection with any such election, and the amounts received by any political committee from any corporation, labor union, individual, individuals, or group of individuals, committee, or partnership.

5. The violations, if any, of the following statutes of the United States:

(a) The Federal Corrupt Practices Act.

(b) The act of August 2, 1939, as amended, relating to pernicious political activities, commonly referred to as the Hatch Act.

(c) The provisions of section 304, Public Law 101, Eightieth Congress, chapter 120, first session, referred to as the Labor-Management Relations Act, 1947.

(d) Any statute or legislative act of the United States, or of the State within which a candidate is seeking nomination or reelection to the House of Representatives, the violation of which Federal or State statute, or statutes, would affect the qualification of a Member of the House of Representatives within the meaning of article I, section 5, of the Constitution of the United States.

6. Such other matters relating to the election of Members of the House of Representatives in 1952, and the campaigns of candidates in connection therewith, as the committee deems to be of public interest, and which in its opinion will aid the House of Representatives in enacting remedial legislation, or in deciding any contests that may be instituted involving the right to a seat in the House of Representatives.

7. The committee is authorized to act upon its own motion and upon such information as in its judgment may be reasonable or reliable. Upon complaint being made to the committee under oath, by any person, candidate, or political committee, setting forth allegations as to facts which, under this resolution, it would be the duty of said committee to investigate, the committee shall investigate such charges as fully as though it were acting upon its own motion, unless, after a hearing upon such complaint, the committee shall find that the allegations in such complaint are immaterial or untrue. All hearings before the committee, and before any duly authorized subcommittee thereof shall be public, and all orders and decisions of the committee, and of any such subcommittee shall be public.

For the purpose of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such public hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Eighty-second Congress, to employ such attorneys, experts, clerical, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, and to take such testimony, as it deems advisable. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by such chairman, and may be served by any person designated by any such chairman or member.

8. The committee is authorized and directed to report promptly any and all violations of any Federal or State statutes in connection with the matters and things mentioned herein to the Attorney General of the United States in order that he may take such official action as may be proper.

9. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default, or who having appeared, refuses to answer any question pertinent to the investigation heretofore authorized, shall be held to the penalties prescribed by law.

That said committee is authorized and directed to file interim reports whenever in the judgment of the majority of the committee, or of a subcommittee conducting portions of said investigation, the public interest will be best served by the filing of said interim reports, and in no event shall the final report of said committee be filed later than January 3, 1953, as hereinabove provided.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, this is the usual campaign-year resolution.

Mr. Speaker, I now yield such time as he may desire to the distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK], the author of the resolution.

Mr. McCORMACK. Mr. Speaker, the gentleman from Mississippi in his few remarks covered the entire field when he said this was the usual resolution that is introduced every 2 years in connection with campaign expenditures.

While I introduced the resolution, of course, I will not be on the committee. That is in order that the Speaker may have freedom of action in the selection of the chairman of the committee. It is the same resolution the House adopts every 2 years, in an election year.

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

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

Mr. HALLECK. There are just two things in respect to which I should like to raise a question. As the gentleman rightly says, I think this probably follows the pattern of the years before. However, if my recollection serves me rightly in the last election year, an over-all questionnaire was addressed to all Members, and that questionnaire I suppose under the language of the resolution ought to elicit detailed information without any regard

to any allegation of wrong doing, but generally sought to elicit from everybody information as to receipts and expenditures in connection with primary or nominating campaigns or conventions. I am sure, as the gentleman from Massachusetts knows, under the Federal Corrupt Practices Act that is not a matter for Federal report or intervention. In other words, a candidate for nomination is not required to file any report here in Washington with the Federal Government as to receipts or expenditures. So, while it might well be that the committee might want to inquire into the circumstances surrounding a given case, it would be my view that such a questionnaire submitted generally would not be in line with what I understand the Federal statutes to be. Does the gentleman from Massachusetts have any comment to make in respect to that?

Mr. McCORMACK. Of course, I will not be a member of the special committee, if the resolution is adopted, and I would not want any of my remarks to be considered as binding upon the members of the subcommittee. But, in expressing my own personal views in response to my friend's observation, and inquiry, I do not like questionnaires as a general proposition. I think that sending out questionnaires to cover an entire group of persons, no matter who they are, upon the theory that one or two of them might be guilty, thus throwing the cloud of suspicion of guilt upon the many who are innocent is not a course of action which appeals to me, or which would be attractive to me under any conditions. It is one thing to detect the guilty, but certainly in doing that those who are innocent should not have a course of action taken which would bring about misunderstanding and misconstruction, and bring about harm and suffering to them and their loved ones.

Mr. HALLECK. If I might say just this further, it seems to me that if the complete and detailed information in respect to nominating efforts or primary campaigns or conventions was information to be made available in Washington, then the way to get at it would be to amend the Corrupt Practices Act to require such reports to be filed by each person seeking the information, rather than to have it developed as part of a general questionnaire sent out by a committee of the House. Beyond that point, I might just suggest further than the information generally referred to in the terms of this resolution in respect to elections includes almost verbatim the information directly or particularly that is required to be supplied by all candidates in the election in the reports filed with the Clerk of the House 10 days before the election, and within 30 days after the election. There again, it would seem to me that the committee only burdens the candidates by requiring that all that information be supplied in response to a questionnaire sent out by the committee, when all the committee needs to do, if it wants that information, is to go to the Clerk of the House and ask him for the reports that have been filed by the various candidates.

Mr. McCORMACK. I agree with the gentleman. While the question of possible changes in the Corrupt Practices Act would not come before this committee, it would seem to me that sometime the appropriate committee of the House might look into that, because certainly conditions have materially changed since it was first enacted into law in relation to the size of constituencies and congressional districts, and the expenses of conducting campaigns. One of our distinguished colleagues and I were just discussing that particular point a few moments ago. There are other questions involved, where the Corrupt Practices Act would require amendment and changes to bring it to a workable law in the light of existing conditions, rather than conditions which existed when the present organic law was enacted.

One thing further: If I were chairman of the committee I would feel as though the investigation should be made when complaints have been made, supported by credible evidence, or where a situation arises where the committee upon its own initiative has obtained evidence which justifies inquiry. Certainly, I would not feel it was the province of the committee to go around and conduct investigation of every candidate for Congress. I would not feel that was the intent of the House in creating the committee.

Mr. HALLECK. I trust the gentleman will yield for one further observation, and possibly a suggestion to this committee that will be created. While I am not sure that the language is broad enough to include it I would like to make this suggestion for the RECORD: A Member of this body was convicted for alleged violation of the Corrupt Practices Act, by an interpretation that no one ever dreamed was in the law.

Mr. McCORMACK. And I was a character witness for him.

Mr. HALLECK. Yes; and I recall our conversation at the time respecting the whole matter.

Now, the question has arisen among certain people on this side, and I am sure it has on that side, who will be candidates in the forthcoming elections, as to the effect under the Corrupt Practices Act or its interpretation that might flow from our secretaries being in our districts with us at the time and using their automobiles to take us to political meetings somewhere, or possibly typing letters which might be at least partially involved in the campaign, or otherwise assisting in the campaign. I know, as a matter of general observation, that all of us—and I say all without any reservations—avail ourselves in some measure at least of the support of those who are on our staffs, so far as our political campaigns are concerned. Certainly, if one day that is to be held a violation of a criminal law, I should like to know about it, and I think the membership is entitled to know about it. So it might be well when this committee is created to make some investigation and study of that matter to the end that one day someone is not going to find himself confronted with a criminal charge arising out of an interpretation placed on the language of the statute that would never occur to any one of us as forbidding anything like that to which I have just referred.

Mr. McCORMACK. I thoroughly agree with the gentleman. I think he will agree that this is not the committee to look into that. I hope the members of the committee will confine themselves to it, as I am confident they will. But everything the gentleman says is correct. I think the Corrupt Practices Act and the Pendleton Act should be carefully looked into, with a view to such amendments and changes as should be made in the light of present conditions, rather than at the time they were passed. The Pendleton Act is very far reaching—amazingly so.

Mr. HALLECK. The gentleman from Montana has just pointed out to me that section 2 of this resolution provides that the committee is expected to inquire into amounts subscribed and contributed or the value of services rendered and facilities made available, including personal services. So, obviously, there is language there that might be broad enough to cover this whole matter. As I say, I think all of us would prefer, if possible, that there be such clarification of the requirements of the act as that we may fairly comply with those requirements and keep within the law in everything that we do.

Section 2 is connected up with the language appearing in lines 4 to 8:

> To or on behalf of each such candidate in connection with any such campaign or for the purpose of influencing the votes cast or to be cast at any convention or election held in 1952 at which a candidate for the House of Representatives is to be nominated or elected.

Those are words of limitation and confinement.

And apparently personal service is considered a matter of value in connection with a campaign. I would hate to see a blanket indictment against every Member of the House of Representatives because someone on his staff wrote some letters to try to get him elected, or drove his automobile, or maybe bought a little gasoline to help get him elected.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. HOFFMAN of Michigan. Another thought: As the gentleman from Indiana has said, under the law as it is written today, if a Member of a Congressman's staff happens to be present at a meeting and the Congressman does not have any transportation home, or where the member of his staff takes him to the meeting, the Congressman himself would be guilty of a violation of the law. There is not any question about it under the bill.

Mr. McCORMACK. The gentleman means under the organic law, not under the pending resolution.

Mr. HOFFMAN of Michigan. Under the organic law, yes; it is a corrupt act. Everyone wants to go along and prevent corruption and all that, but when you go so far as to hold, for example, that after working hours a member of your staff goes along and in the interest of

his job—because he would not have any perhaps if you were not reelected—and contributes of his time, I say it is very unfair to hold that a candidate should be considered guilty of violating the Corrupt Practices Act, but that is the way it stands at present.

Mr. McCORMACK. That is why I say there should be consideration of the whole organic law to determine what revisions are necessary in the light of practical conditions that exist today and confront anyone running for office.

Mr. HALLECK. I certainly agree with the majority leader in that regard, and I trust some consideration will be given to it because I know that the membership of the House—and I will not make any exception—wants to abide by the law in the conduct of our campaigns.

Mr. O'HARA. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman gladly.

Mr. O'HARA. I share the concern of the gentleman from Indiana for these problems that confront all of us as Members of the House in our campaign for reelection. I would like to call the attention of the gentleman to the limitations in the organic law as to expenditures which may be made by a candidate for Congress. We have a situation where campaign costs are increasing.

Mr. McCORMACK. As a matter of fact, the gentleman spoke to me about that. A little earlier in my remarks I made reference to the fact that a Member had spoken to me about it.

Mr. O'HARA. Many of us are from districts where in the old days we used to have only one radio station but where today we have many. We are forced to campaign over the radio because our opponents do, and many of the Members are confronted with the expense of television. It is obvious that every Member of the House wants to be honest and comply with complete integrity in making these reports, but I do want to say to the gentleman in all seriousness that I think the limitation should be changed to be responsive to the conditions with which Members of the House are faced in their campaigns at this time.

Mr. McCORMACK. I agree with the gentleman. Campaign expenses have increased the same as everything else. Our districts are larger. I think one criterion of the amount allowed Members is the number of votes cast in the last election. Our districts have increased tremendously and the expense of campaigning has increased. On that particular point alone the existing organic law is worthy of immediate consideration. If what the gentleman from Indiana said the organic law makes that a crime, it is just impossible for me to visualize that the Congress would pass such a law or had such an intent unless it was considered and passed under emotional conditions that occasionally develop.

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

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. VURSELL. I was interested in the remarks of the gentleman from Minnesota and approve of the remarks of the gentleman from Massachusetts and what has been said by the gentleman from Indiana on the minority side. I would like to point out that political advertising alone is probably 50 percent higher than it was when this law was passed.

Mr. McCORMACK. I would say more than that.

Mr. VURSELL. Yes, more than that.

Mr. McCORMACK. I would say probably more than double. This law was passed many years ago, long before I came to Congress.

Mr. VURSELL. I did not know it had been passed that long ago.

Mr. McCORMACK. I am talking about the Corrupt Practices Act, which was passed three decades ago. I have been here 24 years.

Mr. VURSELL. I am being brought up to date. There is billboard advertising, there is radio advertising, and we have to go out and campaign under a law that tends to encourage the candidate to violate the law, which I think is a very sad commentary on the whole situation.

Mr. McCORMACK. I think the gentleman's remarks are very appropriate. Certainly it is very difficult, if a man has any kind of a campaign, to make what we might call a poverty campaign and keep within the law so far as expenditures are concerned as permitted by the organic law that exists now.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, it seems to me we will have to adopt this resolution or something similar to it. However, the value of the resolution will depend a great deal on the discretion of the committee which may be appointed under it. This resolution does convey great power which should be used very judiciously. It contains one provision that I think has not been discussed here today but which, in my opinion, is very important to every Member of the House. At least, I found that to be so from my own experience in 1944 when I was a member of a similar committee to investigate the conduct of various elections.

At that time, there were a number of organizations on both sides of the political fence which went into certain congressional districts and spent a great deal of money in an attempt to defeat certain Members of Congress because those individual Members refused to follow the orders, dictates, and instructions, or to otherwise meet the demands, of those so-called pressure groups.

If the committee provided under this resolution should conduct its investigation in a way that would cause great difficulty and inconvenience to Members of Congress, such as the gentleman from Indiana mentioned a moment ago, in requiring them to file unnecessary questionnaires, it could be very harmful. At the same time it can be very helpful in protecting Members of Congress from unfair and unjust attacks, and from the expenditure of huge sums of money against them by the so-called pressure groups.

So, I wish to reiterate what I said before, that the value of this committee, and of the work it will do, will depend entirely on the make-up and the character of the committee, and the way in which it meets its responsibility. I am, of course, very hopeful, in fact, I feel very certain, that the Chair will name to the membership of this special committee only those who do have a judicial temperament and have had the experience and the other qualifications which fit them for this very important task.

Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, the necessity for the appointment of a committee such as suggested here, is recognized by all of us, but the danger, as pointed out by our colleague, the gentleman from Indiana [Mr. HALLECK], is also evident. The gentleman from Ohio [Mr. BROWN] just referred to the action of a previous committee of the House. I recall that committee and some of its findings very, very vividly. As the gentleman from Ohio said, at that time there were organizations which went into many of the districts and opposed, at the expenditure of rather large sums, the nomination and the election of some of the Members of this House who had failed to do their bidding on all occasions.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Just as a matter of interest I might add we found in one district, in the case of a Democratic Member of Congress who was a candidate for reelection, one organization spent more than $40,000 in an attempt to defeat him because he refused to follow their instructions.

Mr. HOFFMAN of Michigan. I recall the case.

By the way, let me put this in here. If the records are still in existence, I can take you over to the Clerk's office and show you on the record where a labor organization admitted under oath that it contributed $500 toward an election. But no mention of that contribution was ever made by the recipient of that contribution.

The committee to which the gentleman from Ohio referred had before it the individual who was responsible for the activities of the Constitutional Educational League. That organization was not engaged in political activities. Nevertheless, the gentleman who was responsible for the distribution of its printed matter was cited by the House for contempt for refusal to submit the records of the organization for committee inspection. He was tried, convicted, and he served 4 months in jail. Now, I say, that was rank injustice. Had that case come up today or at a time when a similar case came up here recently, the case of Mr. Rumely, who was later cited by the House—the gentleman from Indiana will recall, because he made a very instructive speech on that occasion—who was cited for contempt, and was convicted down here in the District Court, and only recently the District Circuit Court of Appeals in Rumely against United States on April 29 last reversed

that conviction, the representative of the Constitutional Educational League would not have been convicted or, if convicted, his conviction would have been reversed and the indictment dismissed. Now that organization did not have anything to do and neither did the previous organization have anything to do with election campaigns. What both were doing was sending out books and pamphlets in support of constitutional government. One of the books was Norton on the Constitution. What the House committee did do was to ask the witness—or what the committee tried to do was to force the witness to tell who purchased its publications.

I have always contended from the well of the House that neither this Congress nor any committee of the Congress had any right or any authority, and it was none of their business, what publications or pamphlets went out through the mail or were sold, unless there was something in those publications that was in violation either of a postal regulation or a law of the State or Nation.

That is a sound doctrine. Nevertheless, Mr. Rumely and Joe Kamp were both convicted. Under the early conviction Joe Kamp served his 4 months, part of it, at least, in the southeast jail in this city. Kamp served time for an act that was not a violation of any law. He was a martyr to the cause of constitutional government—but many times on the floor of the House both he and Rumely have falsely been branded as criminals. Because he had the courage and spoke out in favor of the Constitution he was sent to jail. That kind of action by House committees I do not like; that kind of a procedure is unsound. We should see that it never again occurs. We should protect rather than curtail free speech and a free press.

I go along with the gentleman from Massachusetts and the other gentlemen who have spoken here. A great deal of the effect of what is done here depends entirely upon the Members who are appointed to that committee because, as the gentleman from Indiana pointed out, under the Corrupt Practices Act as it stands today there is always opportunity for a Member to be indicted, even though he has not violated any law of either the State or the Nation. It is a danger that we should make provision to guard against at this time.

Mr. BROWN of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Speaker, while we are discussing this resolution, I thought it would be of interest to speak to the House briefly about the situation which exists with regard to radio broadcasting. Soon the Committee on Interstate and Foreign Commerce, which has been granted a rule upon a bill which amends the Federal Communications Act, will bring that bill to the floor. I call the attention of the House to the fact that under the law which now exists a radio broadcaster has no power of censorship as to any statement a political candidate himself may make upon the radio during a political compaign. In other words, it offers the facilities, and there is no censorship on the part of the broadcaster over the kind of statements, no matter how defamatory or how libelous they may be, that the candidate may make. They have no power or control over his statements.

Our colleague from Washington [Mr. HORAN] has introduced a bill which absolves the broadcaster from liability in such a situation. Personally, I think I have a better approach to it, and I have introduced a bill, which I hope to offer as an amendment when the bill amending the Federal Communications Act comes before us, which does not give the broadcaster any censorship over partisan or political matters but does give him the right to control the defamatory statements, to eliminate them, or to deny the candidate, unless he does eliminate that language, the use of his broadcasting facilities.

The present situation to which I refer is analogous to your handing a loaded shotgun to some reckless individual and then saying you have no responsibility because you have given him the shotgun and loaded it and said, "Go ahead and pull the trigger." That is the situation the candidates for public office are in under the present conditions. They are more or less helpless. The broadcasters are themselves in a bad situation, because they are subject to suit in the event a libelous or defamatory statement is made by a candidate against another candidate.

I do think we should clear up the hiatus that exists and put the responsibility on the broadcaster at the same time giving him the power of censorship, the power to eliminate defamatory matter from the candidate's statement over the radio, but we should place some responsibility upon the broadcaster to see that those defamatory statements are not made in political campaigns over radio or television facilities.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOLGER KUBISCHKE

The SPEAKER pro tempore. The Chair lays before the House a Senate concurrent resolution (S. Con. Res. 75) relative to the reenrollment of S. 2307 for the relief of Holger Kubischke, which the Clerk will report.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 2307) for the relief of Holger Kubischke be rescinded, and that the Secretary of the Senate be, and he is hereby, authorized and directed to reenroll the bill with the following change, namely: In line 3 of the Senate engrossed bill strike out the words "provision of the ninth category" and in lieu thereof insert "provisions of the first and ninth categories."

The resolution was agreed to.

A motion to reconsider was laid on the table.

SELECT COMMITTEE TO INVESTIGATE CERTAIN PHASES OF CURRENT LITERATURE

Mr. McCORMACK. Mr. Speaker, in connection with the Gathings resolution, House Resolution 596, the further consideration of which I had asked unanimous consent to postpone until Thursday next, I now ask unanimous consent to vacate that request.

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

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL TAX FREEDOM HOLIDAY

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

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

There was no objection.

Mr. LANTAFF. Mr. Speaker, on May 19 we will celebrate an event that has come to be known as our National Tax Freedom Holiday. The originator of this observance is Dallas Hostetler, executive director of the Florida State Retailers Association. That organization, composed of some of Florida's outstanding businessmen, is waging a grassroots campaign for better government at less cost, and an end to waste and extravagance in governmental affairs. Statistics compiled by that organization indicate that our over-all tax load has increased to the point where it now takes 38 cents out of every dollar we earn. Out of each hour we work, the pay for 23 minutes is taken by government, in direct and hidden imposts. The first day this year on which a man can call a dollar his own—falls on May 19. All the average American has earned from January 1 to May 19 he must pay out in taxes, local, State, and Federal.

Never before have Americans had to work for more than 4½ months to pay their taxes. In 1920, they began working for themselves on February 26. By 1940, the date had advanced to March 27. In 1951, National Tax Freedom Holiday was observed on April 28, with formal recognition by Congress, in a concurrent resolution of Senate and House.

Citizens of the United States now pay more money for taxes than for all the food they eat. Mussolini took 40 percent of his people's income. Hitler took 50 percent. Stalin is taking 70 percent. All of the income of all of the people in all States west of the Mississippi River will not be enough to pay the bills of the Federal Government alone, as budgeted for the year ahead.

Direct and hidden taxes on a 1952 automobile make up nearly one-third of its purchase price. The breakdown on a $2,000 car is: Manufacturers' taxes, $155; suppliers' taxes, $154; dealers' taxes, $102; sales tax, average, $57; Federal excise tax, $146. Total taxes, $614.

Direct and hidden taxes on typical everyday items add up like this: Bread, value 9 cents, taxes, 5 cents, total 14 cents; milk, value 14 cents, tax, 9 cents, total 23 cents; gasoline, value 13 cents, taxes, 14 cents, total 27 cents; telephone service, $6.60, taxes, $2.95, total $9.55. On a $3,500 income, an American family pays out $798 in hidden taxes alone, while Federal income taxes amount to around $300.

The Federal Government today has 2,400,000 civilians on its payroll and is adding an average of 1,500 new employees every day. Federal bureaucracy has grown seven times faster than the Nation's population in the last 34 years. In July 1917, civilian employees in Government numbered 552,862. The Federal civilian payroll today represents a 436-percent increase over the 1917 figure.

On top of all the taxes currently being paid, today's Federal debt is a mortgage of $1,733 on the shoulders of every man, woman, and child in the United States. For a family of four, it becomes a crushing tax debt of $6,932. The per capita debt has increased eightfold since 1934. It has more than tripled in the past 10 years.

It takes the Federal Government exactly 1 second to spend all the Federal taxes paid by a man, with a wife and two children, earning $12,000 a year. Federal taxes averaged $3.88 per person in 1900. They were up to $50 by World War I and hit $313 in World War II. Now they average $472 a year per person—120 times the figure for 1900.

With these facts in mind we of the Congress should certainly adhere to the principles of Thomas Jefferson who said:

> I place economy among the first and most important virtues, and public debt as the greatest of dangers. To preserve our independence, we must not let our rulers load us with perpetual debt. We must make our choice between economy and liberty, or profusion and servitude. If we can prevent the Government from wasting the labors of the people under the pretense of caring for them, they will be happy.

SPECIAL ORDER GRANTED

Mr. SCHENCK asked and was given permission to address the House for 20 minutes tomorrow, following the conclusion of any special orders heretofore entered.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Montana [Mr. D'EWART] is recognized for 15 minutes.

OUR FOREIGN POLICY AND OUR FARM POLICY

Mr. D'EWART. Mr. Speaker, over the years Congress has made considerable progress in building an agricultural policy designed to stabilize the agriculture of this Nation so that American consumers will be assured an adequate supply of food and fiber, and American farmers will receive a fair price for their products.

Unfortunately, the foreign policy of the administration in recent years has worked at cross purposes with this agricultural policy, to the detriment of American farmers and at great cost to American taxpayers. It has done so by permitting and even encouraging imports of foreign commodities at prices so low that American commodities in competition are forced to seek price support and to require the benefits of price support for longer periods than should be necessary.

I have introduced today a measure designed to correct this flaw in our agricultural and import policies. The measure is in the nature of an amendment to section 401 of the Agricultural Act of 1949, and would add a new subsection to read as follows:

> (e) Whenever the Secretary shall make price support available to any commodity, the Secretary of the Treasury shall be notified and shall be advised of the parity price of such commodity for the marketing season. Upon receipt of this notice, the Secretary of the Treasury shall impose and collect such duty or additional duty on all imports of such commodity as is necessary so that the duty-paid price in United States dollars is not less than the parity price.

Mr. Speaker, this is a simple, straightforward answer to the problem of foreign commodities driving American prices below parity levels. It means that so long as the funds of American taxpayers are being used to support the price of domestic commodities, foreign producers will not be permitted to flood our markets with competitive products, selling at less than American parity, and thus further depressing our prices, increasing and prolonging the need for price supports.

I can cite many instances of commodities that have been forced to seek price supports because of the price depression resulting from foreign competition. There are many others where the need for price supports has been extended indefinitely because nothing has been done to make the prices of imports conform to our parity standards. This is unfair to both the American producer and the American consumer. Both pay taxes and must bear the burden imposed upon the Government by the price-support program because of these uncontrolled imports.

I will cite four commodities that show this picture clearly.

Almonds are a good example. They are supported by a marketing agreement and order regulating the handling of almonds grown in California.

Last year the average price to almond growers was 20½ cents per pound in shell, which was about 60 percent of parity. Parity is 34 cents. The existing duty on almonds is figured on a shelled basis, and on imports up to 4,500,000 pounds the duty is 16½ cents per pound. An additional 10 cents per pound is collected on imports above 4,500,000 pounds.

On March 26 the Department of Agriculture announced a diversion of up to 7,300,000 pounds, shelled basis, of domestic almonds from all normal channels to byproduct uses. So-called section 32 funds, which come from tariff collections, are to be used for paying for this diversion. The diversion is necessary because estimated supplies, including imports, are in excess of prospective demand.

With the average price to growers about 60 percent of parity in 1951, the import figures for the last fiscal year show imports of shelled almonds totaled 12,440,000 pounds. That is why there is surplus supply necessitating the diversion of 7,300,000 pounds of the domestic product. This surplus, brought upon them by foreign producers, makes it impossible for domestic growers to meet the cost of production, much less sell in their own markets at prices approaching parity.

Application of a parity tariff such as I am suggesting would correct this situation, save our section 32 money, and, most important, keep almond producers out of the subsidized class.

Apples furnish another example. There is a tariff of 12½ cents per bushel on imported apples. Last year 1,992,000 bushels of apples were imported, and $2,345,326 of our section 32 funds were spent in supporting the price of the domestic crop by the purchase of 1,335,703 bushels of domestic apples. Here again our domestic price-support program was turned into an actual subsidy for foreign producers.

Honey is a third commodity in this category. There is 1-cent-per-pound duty on imported honey. Imports last year were 9,796,000 pounds. These imports, with the penny duty paid sold at far less than a parity price and thus captured the domestic market from our own producers. We spent $1,227,646 of section 32 funds for 8,421,750 pounds of domestic honey in the price-support operation. My amendment, if it had been in effect, would have given domestic producers an even break in the market and would have made much or all of this support expenditure unnecessary.

Lastly, I would like to discuss what has happened to wool. Wool is now supported by a nonrecourse loan program at 90 percent of parity. The support price is figured on a basis of grade and delivery at Boston. To use one grade for comparison, half-blood graded wool is supported at $1.51 per clean pound. The parity price is $1.65 per clean pound.

There is a tariff at present of 25½ cents per clean pound on wool, yet the February 8 price on comparable wool imported from Argentina, duty-paid and delivered at Boston, was $1.41 per clean pound.

Thus the Government is supporting a comparable grade of domestic wool at 10 cents per pound higher than the Argentine wool is landed in Boston with duty paid. It seems logical to assume that this foreign wool selling 24 cents per pound below parity is breaking the domestic price market and creating a situation which both causes and prolongs the drain on the taxpayers' pocketbook. In fiscal year 1950–51, imports of apparel wool into the United States were 434,668,000 pounds, actual weight.

If my amendment had been in effect under the circumstances I have described, the Secretary of the Treasury would have been required to increase the regular duty of 25½ cents by 24 cents per clean pound, which is the difference

between the selling price of the import, $1.41, and parity, $1.65. It is obvious that this would have given the domestic producer an opportunity to compete in the market at a price at least equal to parity, and thus make the domestic support program unnecessary.

The savings to the taxpayer are an immediate and easily understood advantage. The effect that this would have on the long-range development of our domestic wool industry is of even greater importance. Wool is a vital strategic material. It is essential in peace and war. It is a material in which we should strive to maintain the highest possible degree of self-sufficiency. We can do so only by giving the domestic wool grower a reasonable degree of assurance that foreign wools will not be dumped into the domestic market at less than parity prices.

Some may say that my amendment is not necessary, because Congress already has taken care of this problem in other acts. I have in mind, for example, the antidumping law of 1921, which was intended to prevent unfair foreign competition. I agree that Congress in this act has definitely expressed as national policy its intention that the dumping of foreign products at an unfair price shall be prohibited. Excerpts from the law prove this point. It states in part that—

> Whenever the Secretary of the Treasury * * * finds that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation into the United States of a class or kind of foreign merchandise, and that merchandise of such class or kind is being sold or is likely to be sold in the United States or elsewhere at less than its fair value, then he shall make such finding public. * * *
>
> In the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary of the Treasury has made public a finding * * * if the purchase price or the exporter's sales price is less than the foreign market value * * * there shall be levied, collected, and paid, in addition to the duties imposed thereon by law, a special dumping duty in an amount equal to such difference.

This law, if enforced, would correct many of the problems I am endeavoring to correct with my proposal. Unfortunately, the law leaves too much to the discretion of the Secretary of the Treasury. It leaves to his discretion whether he shall or shall not make the finding provided in the first section, and it leaves to his discretion the determination of what is a fair price. The result is that we have no proper enforcement of the law. It is seldom used.

With regard to agricultural commodities, the Congress has long since established a parity formula to determine what is a fair price for farm products. The Secretary of Agriculture computes and publishes such figures at the beginning of the marketing season for each commodity. The Secretary of the Treasury cannot fail to realize that this statement of fair prices is available at the Department of Agriculture. Further, it must be plain to everyone, including the Secretary of the Treasury, that the institution of a price-support program for a commodity means that the industry already has been injured, and that foreign dumping of competitive products is probably responsible in large measure. In short, the antidumping law does not work because it is not properly administered.

It is for this reason that I have introduced my amendment today. I have endeavored to phrase it so that there will be no discretionary power in either the Secretary of Agriculture or the Secretary of the Treasury, but it will be mandatory on both of them to do their part to put an end to this competition at below parity prices.

There are other laws directed toward this problem that make the intent of Congress equally clear.

Section 303 of the Tariff Act of 1930 provides for a mandatory countervailing duty whenever a foreign nation confers a grant or bounty upon any product being imported in the United States. Those of us who have been concerned by the low estate of the domestic wool industry have been much interested in this act. For some time past the Government of Argentina has been granting a bounty of 2½ pesos to exporters of wool tops, and these wool tops have been selling, within the past few months, at prices up to 40 cents less than our domestic product.

Section 303 is so worded that there can be no doubt of the intent of Congress in a case of this kind. It states that "whenever any country shall pay or bestow, directly or indirectly, any bounty or grant" the Secretary of the Treasury must levy a countervailing duty "equal to the net amount of such bounty or grant, however the same may be paid or bestowed." In providing for this countervailing duty, Congress obviously intended to cover every possibility for bestowing such advantages.

Despite the fact that Argentina is paying a bounty to exporters of wool tops, and despite the obvious intent of Congress, we have been unable to secure any action from the Secretary of the Treasury. He has refused to levy any countervailing duty.

Still another opportunity for correction of this situation has been written by the Congress in section 22 of the Agriculture Act of 1949. This section provides that the Secretary of Agriculture shall conduct an investigation when he believes that imports of any commodity are or are likely to materially interfere with or render ineffective any support price program. When such an investigation is made, the Secretary must report to the President. The President may then decide whether the report requires further investigation by the Tariff Commission. If he decides that it does, the Tariff Commission is ordered to make a study and report. And when that report is received, the President may or may not determine upon action to control the imports concerned.

This provision of the law does not work any more than the others I have described, for the simple but obvious reason that the administration is not interested. The administration is engaged upon a program of encouraging foreign imports regardless of the effect on the domestic economy. It therefore refuses to comply with the intent of Congress as expressed in the acts I have cited.

It is obvious that any law to be effective must be mandatory, allowing for no administrative discretion.

To an extent that should alarm every American, the State Department has become the most powerful and important agency of our Government. Its policies supersede all others, and its influence makes all other agencies subordinate. There is no doubt but that the influence and policy of the State Department would make it impossible for the Secretary of the Treasury and the Secretary of Agriculture to act effectively under present laws, even if they were inclined to do so.

Under the leadership of the State Department, our foreign economic policy is twofold. On one hand we have spent the taxes of the American people and the resources of our Nation, to the amount of more than $100,000,000,000, to bolster the economies of foreign nations and equip them for competition in world markets. On the other hand, we have given foreign nations every possible advantage in competing with our own producers both in world markets and in our own markets. The State Department is not only draining American agriculture and industry of its earnings, but is actively contributing to a reduction of those earnings. The American farmer, the American businesman, and the American worker are expendable, so far as the State Department is concerned.

While we can do nothing here today to help the watchmakers, the manufacturers of toys and shoes. bicycles, motorcycles, safetypins and other products that are suffering from this policy, we can with my proposal give some measure of protection to the American farmer so that he may have at least a fair break with foreign producers.

The result will be a considerable saving to the taxpayer, an end to the indirect subsidy of foreign farmers, and a stronger American agriculture. We will eliminate one of the greatest difficulties in our effort to give American farmers a chance to make a fair price, a parity price, in our own markets. I hope that early action may be taken on this bill.

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

Mr. D'EWART. I yield.

Mr. FISHER. I should like to commend the gentleman for offering this bill, which provides for a very badly needed correction in the existing law for reasons which the gentleman and I are quite familiar because of our relationship to the wool industry and other allied industries. I earnestly hope that the committee to which it is referred will give it the attention it deserves, and that the House may have an opportunity to act upon it before the recess.

Mr. D'EWART. I thank the gentleman from Texas.

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

Mr. D'EWART. I yield.

Mr. PHILLIPS. I also want to commend the gentleman from Montana. I rise to say I think the expression "parity tariff," which he has used today, and

which I think he has coined for this resolution—certainly it is the first time I have heard it used on the floor—will be as well known eventually as the word "parity" is in agriculture.

It is a very peculiar situation, Mr. Speaker, when we have one agency of the Federal Government buying commodities, raised by American farmers, with the taxpayers' money, in order to support the price of those commodities in the market, while another agency of the same Government is bringing in the same commodity, grown abroad, at a less price than the first agency is buying the commodity for. I think we ought to go beyond that and say that it is a peculiar condition in which the Office of Foreign Agricultural Relations, supposedly an agency in the Department of Agriculture devoted to the interests and protection of the farmer, is in many instances working on behalf of the farmers of other countries against the interests of the farmers of this country, and working directly under the control of the State Department rather than the Department of Agriculture. I commend the gentleman strongly. I would like to support his resolution in every way possible. I hope it will receive the favorable consideration of the committee to which it is referred.

Mr. D'EWART. I thank the gentleman from California.

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

Mr. D'EWART. I yield.

Mr. HAND. I, too, would like to commend the gentleman from Montana not only for his speech but also for introducing this resolution. It points up this inconsistency in our policy which was referred to by the gentleman from California.

Mr. D'EWART. I thank the gentleman from New Jersey.

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Texas [Mr. FISHER] is recognized for 30 minutes.

FIGHT AGAINST GRAFTERS AND RECKLESS SPENDING MUST BE CONTINUED

Mr. FISHER. Mr. Speaker, during the 30 minutes allotted me today, I wish to discuss some issues of great public interest. I refer to our fight against graft and corruption, the all-important advancement of our preparedness program, and the battle that has been waged by many of us against waste and nonessential spending.

FIGHT BY SOUTHERN GROUP

This House has just completed action on all the major appropriation measures except the one dealing with foreign aid. Thus far we have succeeded in reducing the budget requests by $6,500,000,000, and the $8,000,000,000 foreign-aid proposal can undoubtedly be cut substantially.

Viewing the outcroppings of graft and dishonesty and the modern spending trend with grave concern, a group of southern Democrats—with the assistance of others—have for some time engaged in concerted action in a determined effort to bring the budget as nearly as possible into balance and to leave no stones unturned in exposing and bringing to justice those who have betrayed the public trust.

EXPOSURE OF GRAFTERS

This Nation has been shocked to its foundation by disclosures of influence-peddlers, 5-percenters, tax favoritism, misappropriation of stored commodities, corruption, falsifications and bribery, and the circumventing of laws for selfish purposes. Instances of such offenses have been found among officials in the Government service.

The independent voting Members of this Congress have joined with others in ferreting out and exposing these violators of the public trust. It will be recalled that a very few years ago a hard fight occurred on the issue of continuing the life of the House Un-American Activities Committee. Vigorous opposition was asserted, but it turned out that, by a rather narrow margin of 208 to 183, the majority of us voted to continue that investigative arm of the House of Representatives. A shift of only 15 votes would have changed that result.

HOW ALGER HISS WAS EXPOSED

Except for the subsequent investigation and exposure by the Un-American Activities Committee, the public would probably never have heard of Alger Hiss. Except for that action by the House of Representatives, the traitorous activities of Hiss, recorded at his subsequent trial, would probably have gone unknown and unnoticed. Except for our action in maintaining that committee, the public would probably never have heard of Judith Coplon, of Remington, and of scores of other subversives and grafters who used public office to betray their country or to feather their financial nests.

OTHER EXPOSURES

Those of us who put the Nation's welfare ahead of politics have joined in the creation and financing of other congressional committees which have exposed a considerable number of crooks in high places in the service of the Bureau of Internal Revenue, in the RFC, the Department of Agriculture, the State Department, and in other branches of the Executive Department.

These debauchers of the public trust, though limited in numbers compared with the thousands of loyal workers, are greedy men of depraved minds who have shown themselves willing to sell their honor for so many dollars. These rascals should be pursued relentlessly in our determination to leave nothing undone in this congressional fight against crime and corruption, wherever it may be found.

PUBLIC SUPPORTS EXPOSURES

Our action in exposing graft and corruption in all its infamous forms is widely supported by the American people. There are some who say Congress should keep its hands off and leave this job to the Department of Justice, the grand juries, and the courts. But results are what count, and the record speaks for itself. The subpena and investigative power of Congress have proved invaluable in the hearings and exposures that have resulted.

The American people are genuinely shocked and aroused—just as those of us who have been responsible for the exposures have been—by the disclosures that have been made. The press has uniformly supported our efforts. It is encouraging to note that everywhere even the politicians and job seekers are acclaiming our actions in this fight for decency and higher moral standards in government, and many of them are giving public testimony that they themselves will not engage in such activities.

As a result of our efforts, hundreds have been removed from the Federal payrolls and many have been indicted by grand juries. The transcripts of these investigations are made available to grand juries which must, under our Constitution, indict before prosecutions are permitted.

DEFENSE BUDGET NOT SACROSANCT

Mr. Speaker, because we are devoted to preparedness does not mean that money for such purposes cannot be misused and wasted. There is nothing sacrosanct about defense budgets. Indeed in that field we often find the greatest waste. We all know there is, for example, evidence of waste and inefficiency in armed services procurement practices and in lack of standardization of common items used by the three services.

SINGLE SUPPLY CATALOG

The House Armed Services Procurement Committee, known as the watch dog committee, of which I am vice chairman, spent many weeks this year in a study of this one subject. We sponsored a bill which this House passed last week, designed to implement this standardization and single cataloging system—the achievement of which is imperative if waste and inefficiency are to be discarded and sensible procurement and standardization practices are perfected. We have legislated on that subject before but more stringent legislation became necessary due to the failure of the services to get together on a really effective system.

All services admitted that savings by this program alone would be considerable. The Hoover Committee estimated that over $2,500,000,000 could be saved annually when the standardization and single supply program are realized.

TAX RELIEF DEPENDENT UPON BALANCED BUDGET

The tax burden today is at the point of diminishing returns. We know that little relief can be expected in that regard unless and until we achieve a balanced budget. We are faced with a $260,000,000,000 public debt. It costs $6,000,000,000 a year just to pay the interest on it. Our job is made more difficult, of course, by the inflated preparedness costs which directly or indirectly account for about 75 cents out of each tax dollar that is spent. And we will recognize the importance of speeding up, instead of slowing down, deliveries of military equipment. Our present preparedness program has not—and must not—suffer one bit because of lack of necessary appropriated funds. But that

does not mean that we should not attack reckless spending with all our vigor.

These facts serve to emphasize the need for making every possible cut where nonessential spending is involved. Only by doing that can we hope for much-needed tax relief. It has been estimated that it will be 1955 before a reduction can be expected in annual outlays for preparedness. There comes a time—and it is true now to a certain extent—when the people hesitate to invest in a business, take the chances and hazards involved, and have such little assurance of profits that justify the taking of such chances.

In that connection, we are reminded that back in 1948 the budget was balanced, the public debt was reduced, and we were then able to pass a $4,000,000,000 tax-reduction measure despite "phony" claims that the loss in revenue could not be spared. I was one of those who voted to override the President's veto of that bill. But what happened as a result of that tax cut? Tax experts estimated that as a result more plants were expanded, more venture capital was put to work, more jobs created, the gross national income was increased, and the Treasury actually took in more money as a result.

PROGRESS AGAINST NONESSENTIALS

While we have not been able to achieve all of our objectives, the southern economy bloc has been instrumental in cuts from budget requests that have aggregated hundreds of millions of dollars. Through the so-called Jensen rider—which we supported—the appropriation bills this year call for an orderly reduction in civilian personnel force now at work for the Government in agencies where such reductions are in order. It has been estimated that as a result of House action this year around 100,000 fewer people than was proposed will be on the Department of Defense payroll during the coming year.

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

Mr. FISHER. I yield.

Mr. COLMER. Mr. Speaker, the gentleman in the very splendid speech he is making is discussing a matter in which I am very much interested, namely, the balancing of the budget this year in order that we may subsequently give some relief to the overburdened taxpayers. While the gentleman has been very modest in reference to his own contribution to the objective, I should like to record the fact that the gentleman from Texas has been in the forefront of that movement and has been a very valued member of the strategy group that has contributed so much toward that objective.

Mr. FISHER. I thank the gentleman from Mississippi for his generous remarks. This fight belongs to everyone who puts the welfare of this country ahead of other considerations.

EXAMPLES OF CUTS

Let me refer to a few amendments adopted by the House this year to illustrate our attempts to prevent increases on the Federal rolls. I offered an amendment to strike funds for 400 new employees at one time, and another amendment on another occasion to strike pay for a like number proposed for the next fiscal year. Then, on March 25 I offered an amendment reducing funds requested for adding several hundred new employees to the large force now working for the National Labor Relations Board. Just these cuts, relatively small, aggregate around $6,000,000—which represents the equivalent of a lot of tax money. All of these were adopted by overwhelming votes of the House.

Savings such as these may not appear very large compared with totals, but those items multiplied by scores of others add up, and unless stricken initially they will be back every year calling for similar amounts to keep those new additions on the rolls—and probably asking for more to be put on.

PUBLIC-HOUSING COSTS EXORBITANT

While I am dwelling on this subject of the responsibility of the Congress to balance the budget and in doing so to watch for outlays that are not actually justified, let me refer briefly to the very expensive public-housing program with which we dealt again this year.

Local communities which sponsor these housing projects are not at fault. The fault lies in the administration and the Congress for adopting a broad policy of putting the Government into this sort of business which can and should be handled by local communities and by private enterprise.

By a five-vote margin the House passed a public-housing bill 3 years ago, authorizing the Government to sponsor the building of 810,000 housing units to be rented by the Government to so-called low-income tenants at rates about one-third or one-half of what they would rent for if owned privately. I voted against that measure because I do not think the Government has any business engaging in any business which can and should be handled by competitive enterprise.

It is axiomatic that it always costs the Government more to do anything than it does for private investors to do the same thing. That fact is confirmed by this public-housing program. According to statements made by the Public Housing Authority, these units cost our taxpayers $18,920 each. That figure includes the original cost of construction, the interest on bonds sold to finance them—such bonds being free of any income tax—and the net loss in local taxes after in-lieu-of contributions are made resulting from each project being free of any local taxes. Uncle Sam pays this off in the form of subsidies through the local projects to the bondholders.

FISHER AMENDMENT WOULD SAVE $348,400,000

Each year the Congress decides how many of the 810,000 units may be begun during the coming fiscal year. This year the House committee recommended 25,000. I offered an amendment on March 20 to reduce the number to 5,000—a number considered adequate to take care of any outstanding commitments. After a hard fight against my amendment by the administration, it was adopted by a substantial majority. This saving in subsidies, if sustained, will amount to $348,400,000.

AGRICULTURAL FUNDS REDUCED

Mr. Speaker, a rather bright spot on the fiscal picture is shown in the spending in the Department of Agriculture where since 1940 there has been a reduction in funds by 32 percent. During that period the personnel load in that Department has been reduced by over 41 percent. Our job is to reduce these expenditures to essentials.

I represent an agricultural district where the people are opposed to handouts. They fight for fair prices in the market places, and they are opposed to national policies which will interfere with that objective.

PROFITS ON PRICE SUPPORTS

Let me refer to the price-support program for a moment. It has been both good and bad, involved both profits and losses to the Government. In the case of potatoes, for example, the losses were scandalously and inexcusably heavy. I was one of those who questioned the judgment of the Secretary of Agriculture in designating potatoes a so-called Steagall commodity, thereby decreeing that increased production was necessary because of the war emergency. But the Congress stepped in and stopped the potato program and, in effect, prohibited its resumption.

It might be pointed out that since the price-support program began on October 17, 1933, there has been no net loss in supporting the basic farm commodities. On the other hand, by purchasing at depressed prices and holding for rising markets, the support program on some commodities such as cotton, wheat, and others, shows a net profit to the Government as of February 29, 1952, of $36,733,881—and that does not include the $60,000,000 the Government made on wool purchased from Australia during the war and later sold on our domestic markets.

FARM-TO-MARKET ROADS

Mr. Speaker, I am referring to a few of these activities simply to illustrate the fact that some spending actually turns out to be long-time good investments. Take farm-to-market roads, for example. I recall that I was a member of the House Roads Committee which first wrote that program into the Federal highway laws.

More than 20 years ago the Federal Government saw fit to get into the gasoline-tax field, and collects more than a billion and a half dollars annually in gasoline and car-user taxes. By contributing a share in the cost of rural feeder roads, a road-building program has been stimulated which has resulted in more hard-surfaced roads being built in rural sections than was ever done in history. These roads increase land values, better farm marketing opportunities, provide better roads for school busses and rural mail delivery, and add a measure of contentment and prosperity to our rural people who have been benefited—and who are actually paying for these benefits in the form of car-user taxes.

REA COSTS TAXPAYERS NOTHING

Another example is rural electrification. By borrowing money at low rates,

then loaning it to local REA co-ops at slightly higher rates of interest, the Government has actually made a slight profit. It costs the American taxpayers nothing. Less than two-tenths of 1 percent of REA loans are in arrears—a remarkable record. It is a good example of helping people to help themselves.

A program along the same line is now available with respect to rural telephones, where available service is inadequate and where local private concerns are unable to provide such service. The Central Texas Telephone Cooperative, with its office at Goldthwaite, Tex., is now engaged in a rural telephone project which promises to be one of the best in the Southwest.

SOIL CONSERVATION PAYS

Wise and sound soil conservation is another example. Only 175 years ago we had in this Nation 500,000,000 acres of fertile land. It is said we have wasted some 200,000,000 of that and another 100,000,000 acres are badly depleted and only partially productive.

But through technical assistance and scientific planning, multiplied millions of acres have been reclaimed, and a Nation-wide drive is going on with the help of State and Federal agencies to stop the misuse and abuse of our priceless topsoil—the most valuable resource over which we have control. Faced with an anticipated population of 175,000,000 by 1975, unless we make advances in science it will take 115,000,000 more acres to maintain the present standard of living for the people 25 years from now. It follows that the entire Nation has an interest in soil and water conservation.

COLEMAN COUNTY, TEX., IS MODEL OF CONSERVATION

Mr. Speaker, one of the finest examples of what can be accomplished in the way of water and soil conservation by cooperative, community effort is found in Coleman County, Tex. There, in a flash-flood area that like most areas has been plagued by destructive erosion, a group of inspired citizens have waged a relentless battle against the ravages of the elements and have made a record that can serve as a model for the entire Nation.

By first organizing themselves into soil conservation districts; the Central Colorado River Authority—a State agency; the Middle Colorado River Watershed—a Federal agency; and cooperating with the Production and Marketing Administration and other allied groups, those people have worked tenaciously in their determination to control and conserve the water and soil, reduce erosion, and minimize flood destruction.

Under this sponsorship, 1,400 tanks and and lakes have been built, including larger lakes at Gouldbusk, Talpa, Santa Anna, Novice, Rockwood, and the Hords Creek Reservoir—the latter a major project constructed by the Army engineers.

It happens that I am familiar with the history of that dramatic battle—having been a member of the Texas legislature when the CCRA was organized in 1935 and a member of the House Flood Control Committee when the middle Colorado watershed project became one of the first five over the Nation authorized by the Congress.

Pioneers in the work at Coleman have included Sam Cooper, one of the Nation's leading conservationists, and R. G. Hollingsworth, another outstanding leader. Serving energetically on the first and present boards of sponsorship have also been W. J. Stevens, C. W. Woodruff, Dr. T. Richard Sealey, H. S. Willey, Joe B. Pouns, George Pauley, H. E. Evans, Leroy V. Stockard, A. Young, O. L. Cheaney, Frank Hudson, W. T. Stewardson, Cal Averett and Clyde Thate. V. B. Johnson, CCRA field representative, has through the years been a mainstay in the conservation works that have been undertaken. Scores of other local citizens have shared in this outstanding achievement.

Only recently the efforts of these and other citizens there received State-wide recognition and acclaim by being awarded a plaque for group leadership in water conservation—a deserved recognition of leadership and accomplishment over the entire State of Texas. This shows what can be done on a community level when people see a problem and then proceed to do something about it.

Many outstanding records have been made by conservationists in the various PMA and soil conservation districts which I represent. But I have referred in particular to the Coleman County achievement because it has been so widely recognized and is unique in many respects.

AGRICULTURAL RESEARCH IS ESSENTIAL

We spend money each year in agricultural research, striving to find answers to many problems that result from disease and pestilence of all kinds. Without this, our forests would be practically depleted today. We have spent a lot in the fight against the greatest threat to our livestock industry—foot-and-mouth disease, and we have authorized much more to be spent in the search for a successful preventative and cure. The same fight is being waged against the pink bollworm, sheep scabies, bitter weed, more economic ways of eradicating mesquite cedar, and various noxious growths which reduce production and depress land values. These are but a few examples. There are hundreds of others.

Through scientific research, experiments and the test tubes in laboratories, a vital and impressive effort is being made to improve our food and fiber production. Annual losses on cotton alone due to insects and diseases exceed $1,000,000,000. Yet we spend each year on agricultural research only a little more than the cost of one destroyer or the cost of 12 B–36 bombers.

FARM BULLETINS, AGRICULTURAL YEARBOOKS

Allied with the research efforts in the Department of Agriculture, is the program which has been in effect for half a century of making many of the research results available to the people through farm bulletins, leaflets, and agricultural yearbooks. Many of the scientific discoveries, many treatments of animal and vegetable diseases, many results of tests and experiments, are made available through these publications.

The biggest users of the yearbooks and bulletins are the vocational classes in our schools, our 4–H Clubs, the Future Farmers, the Extension Service, home economics classes, home demonstration clubs, along with producers and housewives. Some of these are very useful to one person while of little interest to another. These bulletins cost but a few pennies each for printing, and the Department in its distribution program makes use of congressional offices and the existing facilities of the Post Office Department.

EFFECTIVE MEASURES NEEDED IN KOREA

Mr. Speaker, although labeled a United Nations operation, the war in Korea is being manned and financed almost entirely by the United States. Aside from incalculable sacrifices we are spending about $4,000,000,000 a year over there. The truce talks, according to press reports, appear to be bogged down into a stalemate. It is more and more evident that we must take effective steps toward bringing that conflict to a successful conclusion.

Why should a tight naval blockade of the China shores not be imposed with respect to either military or nonmilitary commerce of any kind? Why was it not done long ago? That has been a real war and our casualties have been heavy. We have command of the seas. Why should we not make the maximum use of our advantages? We should take every step, make use of every weapon at our command which can be used to our advantage.

WE CAN SPEND OURSELVES INTO EXHAUSTION

In our attack upon nonessentials, we must keep in mind that the fiscal foundation of the Republic is involved with the unprecedented peacetime expenditures for which there is constant pressure. What some of our liberal spenders seem not to understand is that there is a limit to what our economy can stand. The Kremlin has made no secret of the fact that it expects the United States to spend itself into exhaustion, thereby making it easier for the fifth column, the pinks, and the fellow-travelers to find a more fertile field for their activities here in America. If we are prodded into bankruptcy, or if our financial structure is substantially weakened by excessive spending, the agents of the Kremlin will have their field day in America.

But we need not and we must not let that happen. The people look to the independent voting Members of the Congress—those of us who put the country's welfare above everything else—to hold the line.

MORAL AND SPIRITUAL RESOURCES MUST BE UPHELD

Mr. Speaker, the fight for a balanced budget is tied in with a balanced sense of moral responsibility of the people, particularly of those in positions of public trust. While we are striving for a sound fiscal policy in this country, it is imperative that those responsible for the making of policies be held strictly accountable for official conduct. In other words, we cannot think in terms of making America strong militarily and economically and neglect for a single mo-

ment the importance of keeping America strong morally and spiritually.

Inherent in the present challenge is the fact that we are living in a crucial period in the world's history when we must be kept strong in the fight for world freedom. That fight, led by this country, is being waged on the economic, the moral, the spiritual, as well as the military front. And it can be lost on the former as well as on the latter.

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

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Mississippi [Mr. ABERNETHY] is recognized for 10 minutes.

THE AGRICULTURAL CONSERVATION PROGRAM SHOULD BE MADE PERMANENT

Mr. ABERNETHY. Mr. Speaker, I have today introduced a bill to amend the Soil Conservation and Domestic Allotment Act of 1936 by providing permanent legislative authority for national operation and supervision of the agricultural conservation program.

The original legislative authority for this program was adopted at a time of great uncertainty over legislation of this kind. The Supreme Court had just declared unconstitutional the Agricultural Adjustment Act of 1933. Congress at the time was not sure as to the kind of treatment the Soil Conservation and Domestic Allotment Act might receive in the courts.

Because of the great importance of this legislation, and because of the great need for stimulating conservation work, the Congress included in the original law a provision which might be used to keep the program going, in the event the courts might act adversely upon this legislation. This was the provision to turn operation of the program over to the respective State governments on a grant-in-aid basis.

Legislation continuing the original authority for national operation of the program has been extended by the Congress for short periods.

The need for such a protective provision for this program no longer exists. The agricultural conservation program is now operating in its seventeenth year. It is a sound program of proven value. It is well established as one of the important bench marks in the development of our agricultural economy.

Mr. Speaker, it is time, in my opinion, for Congress to establish permanent legislative authority for national operation of the agricultural conservation program, with certain improving amendments which I have included in my bill. There are many sound reasons for this.

There is a very definite correlation between soil conservation and food and fiber production. Total farm production has increased some 40 percent in the last 12 to 15 years. This great rise in production corresponds to the same period in which we have seen a tremendous increase in conservation activity stimulated by the national programs provided by Congress. This relationship between conservation and production is borne out not only by the record of the last 15 years, but by the evidence supplied by our scientific institutions and by the experiences of thousands of farmers themselves.

Mr. Speaker, we do not dare to risk any decline in the volume or extent of performance of soil-conservation practices at this time. We have in this last year produced the largest volume of agricultural products in the history of our country. We have established production goals for 1952 still higher to meet the requirements of the present international emergency.

But with our population increasing by more than 2,500,000 persons every year, the future demands upon our soil will be even greater than the very high demand of today. It is essential that an adequate and effective conservation program providing a uniform approach to a common problem be continued.

The basic conservation needs of the country remain pretty much the same from year to year. These are to check the ravages of soil erosion, and to build back productivity in the soil.

But experience shows that conservation work must not remain static. There are times when the national interest demands shifts in emphasis from one type of program to another. Our national conservation program must be kept flexible and fluid so it can better serve the national interest when the need arises.

As conservation work has become better established, better coordinated, and better adapted to the important geographic areas of production, we have found, for example, that our conservation needs extend more and more beyond State lines for such essential developments as watershed control and river basin development.

The elected county committees which administer the agricultural-conservation program have become the key coordinating point for nearly all national action programs dealing directly with the production of food and fiber. The county committees operate locally not only this conservation program, but the price-support and storage programs, crop insurance, acreage allotments, marketing quotas, and provide many aids locally to farmers in obtaining necessary production materials.

One of the great merits of the present system of operation is that it provides for a high degree of local participation in the development and administration of conservation programs.

In each State the services of a technical committee are called upon in the development of conservation work. Members of these technical committees include representatives of the State colleges, experiment stations, and extension services, representatives of the State soil-conservation districts, the Soil Conservation Service, and State commissioners of agriculture.

The agricultural conservation program within the State is developed with the advice and counsel of these people, and the same type of system is followed in the counties.

In this way, a maximum of local participation is obtained in attacking the problem, while national coordination of conservation work is maintained at the same time.

It is essential that our total food production program have national direction and coordination. It is equally essential that this direction and coordination be in no way diminished by divided responsibility for programs at the point where the program reaches the farmer.

My bill provides for several improvements in the operation of the conservation program. It also provides for most of the things anticipated in the original grant-in-aid provision.

It gives the Secretary of Agriculture permanent authority to operate a national program for conservation and improvement of soil and water resources which is the most effective way to serve the national need.

It establishes the same local administrative unit as we have now. It permits the use of county committees for administration of other national programs without change.

It provides for elected local and county committeemen to administer the conservation program.

As the law stands now, only farmers who participate in the conservation program are eligible to participate in the election of their local, or community committeemen. My bill repeals this. It makes all farmers in the community eligible to vote in the election of their local committeemen, whether they participate in the program or not.

The purpose of this amendment is to provide a more democratic system of electing committeemen than we have now. It invites all farmers to participate.

The effect of this bill is to provide for more and not less local responsibility in the development of conservation programs fitted into the national framework.

Mr. Speaker, the agricultural conservation program has been one of the best investments this Nation has ever made. It has done more to educate American farmers in better farming methods and sound soil conservation than any other program we have ever undertaken.

Particularly in my part of the country the improved farming practices, such as the growing of legumes and the protection of the soil with winter cover crops, as well as diversification to grass and livestock, which is doing so much for sound agriculture at this time, are the direct result of the education and the assistance resulting from the agricultural conservation program.

Since 1940 the volume of agricultural production in the United States has increased 28 percent. Only by increasing the yield per acre and the general productivity of our farms have we been able to produce the tremendous quantities of food and fiber which have been necessary during the past decade, and which are going to become increasingly necessary in the future.

Mr. Speaker, I think the time has come to place upon the statute books authority for the permanent operation of this program. I, therefore, submitted my bill with this objective in view and trust it will have the early consideration of the Congress.

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from California [Mr. HUNTER] is recognized for 20 minutes.

THE CALIFORNIA FIG INDUSTRY

Mr. HUNTER. Mr. Speaker, there has come to my attention two rather interesting letters. One is a letter written by Mr. John Breckinridge, an attorney at law, addressed to the Honorable HARRY P. CAIN, United States Senator, dated April 5, 1952. This letter was inserted by Senator CAIN on page 3659 of the CONGRESSIONAL RECORD of April 7, 1952. The other letter, which is dated April 16, 1952, is written by the Honorable Charles F. Brannan, Secretary of Agriculture, to Senator CAIN, in which Secretary Brannan comments upon Mr. Breckinridge's letter previously written to Senator CAIN.

The subject of this correspondence is the action taken by the Secretary of Agriculture and others on an application filed on March 7, 1952, by the California Fig Institute with the United States Tariff Commission and the United States Department of Agriculture under the provisions of section 8 (a) and section 7—commonly referred to as the escape clause—of the Trade Agreements Extension Act of 1951, Public Law 50, Eighty-second Congress.

The relief requested by the California Fig Institute was the imposition of an absolute import quota on imports of dried figs which is necessary to lessen the present injury and to prevent further injury to the American growers and packers of dried figs caused by excessive imports of dried figs as a result of trade-agreement concessions—tariff reduction—contained in the General Agreement on Tariffs and Trade.

This application requested the Secretary of Agriculture to determine and report to the President and the Tariff Commission under the provisions of section 8 (a) of the Trade Agreements Extension Act of 1951 that, because of their perishability, dried figs require emergency treatment in the investigation and determination of the need for relief in the form of an import quota under section 7 of said act. Said section 8 (a) provides that whenever the Secretary of Agriculture makes a determination that an agricultural commodity is perishable and requires emergency treatment under said section 7, final action by the Tariff Commission and the President must then be taken within 25 days.

Upon consideration of the case, the Secretary of Agriculture determined that the outlook for imports of dried figs in the balance of the 1951–52 season was not such as to require emergency treatment in the form of an investigation and action within 25 days. No determination was made as to whether dried figs should be classified as perishable. If figs are not perishable, I would like to know what agricultural commodities the Secretary thinks are perishable.

Now, to get back to the letters. The letter of the Secretary of Agriculture is devoted principally to taking exception to the statements made in the letter of Mr. Breckinridge. I am personally involved, because both parties quote me indirectly as to what transpired at a conference between Senator RICHARD NIXON and myself and Assistant Secretary of Agriculture Knox T. Hutchinson and Mr. Francis A. Flood, Acting Chief of the Office of Foreign Agricultural Relations of the Department of Agriculture. This conference was called for the purpose of discussing the application of the California Fig Institute filed with the Tariff Commission and the Department of Agriculture.

Upon reading the accounts of what went on at that conference, as contained in the letters of Mr. Brannan and Mr. Breckinridge, neither of which gentlemen were in attendance, I am of the opinion that neither has related with full accuracy or completeness what actually transpired. I do not criticize them for this, nor do I mean to impugn their veracity in the least, because, as I say, neither of them was present, and what they may know about that conference they necessarily had to learn from me or other parties present. And, as happens in the case of witnesses to an automobile accident, very seldom is the testimony identical.

I am not going into the details of what actually took place at this conference. Suffice it to say that I did not consider it a particularly satisfactory meeting. Mr. Hutchinson was present, having been handed a "hot potato" by Mr. Brannan. That in itself is not unusual, because one of Mr. Hutchinson's duties as Assistant Secretary is to catch hot potatoes. Mr. Hutchinson, however, only caught this particular hot potato a very short time before the meeting. Consequently, he knew practically nothing about it. Mr. Flood, on the other hand, although he knew more than Mr. Hutchinson about the subject at hand, did not impress me as being at all fully informed with respect to conditions in the fig industry and the reasons for its current request for relief. I had hoped that Senator NIXON and I would have the opportunity to discuss the matter with someone more fully cognizant of the facts than Mr. Flood or Mr. Hutchinson. I would have preferred that the Secretary had, himself, consulted with me and Senator NIXON, together with representatives of the fig industry—this particularly in view of the fact that the Secretary had previously consulted with importers. Such a conference was requested but turned down by the Secretary on the ground that his commitments were such that he did not have the time.

Regardless of what anyone may claim as to who said what to whom, the fact remains that following the conference in question, the Secretary reached a conclusion which was adverse to the American fig growers and favorable to the foreign fig growers and importers, a conclusion which I, as a Representative of a district in which substantial quantities of figs are produced, deeply regret.

In the Secretary's letter to Mr. Breckinridge, he advised the latter that Mr. Flood homesteaded in Wyoming and taught in various agricultural colleges, thus inviting the inference that Mr. Flood is a bosom friend of American farmers. Be that as it may, it does not alter the fact that Mr. Flood is employed by and paid by the Foreign Service of the State Department.

The Secretary states that the Department of Agriculture did not consult the State Department in this case. In my opinion, this disclaimer is entirely irrelevant since it would be unnecessary to consult with the State Department under the circumstances. Mr. Flood, as Chief of the Office of Foreign Agricultural Relations, is the principal adviser to the Secretary and to the officials of the Department of Agriculture on foreign-trade policy. He is, however, as I previously stated, an employee of the State Department and not the Department of Agriculture. Obviously, then, the State Department's influence could not help but be felt.

A considerable number of the Members of this body are becoming increasingly alarmed with the actions and attitude of the Office of Foreign Agricultural Relations. My distinguished colleague and fellow Californian, Mr. JOHN PHILLIPS, who has observed its operations for the last 15 years, is deeply concerned. Also uneasy about the situation are such gentlemen as Mr. HORAN, of Washington, and Mr. WHITTEN, of Mississippi. This Office was established for the purpose of serving the interests of United States farmers by observing and reporting conditions in foreign countries which are of importance from the standpoint of competition and export demand. I understand this to mean that the Office should help American farmers not only in finding export outlets for their products but also help protect American farmers in every way it can against unfair foreign competition. It is astounding to me, however, to observe that more and more this Office seems intent upon finding markets for the agricultural products of other nations in this country to the detriment of domestic producers. Not only that, its representatives have been known to encourage other countries to buy their own agricultural needs, not from American farmers but from producers in nondollar areas, thereby saving those countries' dollar exchange for the purchase of other United States products.

It is indeed unfortunate that the principal adviser to the Secretary of Agriculture and to the officials of the Department of Agriculture on foreign-trade policy is employed by and paid by the Foreign Service of the State Department. The primary interest of the Department of Agriculture should be in the problems and welfare of American farmers. To have as its principal foreign-trade adviser a person employed by and paid by the State Department is inconsistent with that interest. No matter what such adviser's background may be or no matter how great his ability and integrity, he cannot help but listen to and be influenced by the policies of the State Department, which at no time in recent years have been consistent with the best interests of a very large segment of American agriculture.

It is to be remembered that Secretary of State Acheson was opposed to the escape clause in the Trade Agreements Act, in the first place, and ever since its

enactment last year, he has been engaged in a continual rearguard fight against it.

Willard L. Thorp, Assistant Secretary of State in charge of economic matters, said in a New York speech the other day that he was greatly concerned with the significant increase in demands of American producers for protection.

Secretary Acheson says that the escape clause should be applied only to cases of genuinely serious injury to domestic industry. Apparently, serious injury to him means that a farmer must lose his market, his land and his barn and ask to be put on relief rolls before he has suffered genuinely serious injury.

Those sick-hearted souls who are losing sleep because farmers are asking for protection against foreign imports would do well to come out to California and sit under a fig tree long enough to see what is going on. They will discover that fig growers there have an investment of some $35,000,000 in land and equipment. They also have an investment of years of toil and dedication to the culture of a fruit which the Federal Government itself years ago encouraged and actually promoted as a proper agricultural activity for the area. They have homes and families. They are an established, integral and valuable part of America. They are willing to compete with anyone in the sale of their product as long as conditions of competition are anywhere near fair.

There is a limit to the extent to which these farmers can reduce their costs of production by efficiency and hard work, and they have pretty well reached that limit. They are caught in an over-all price structure over which they have no control. They either pay $1 per hour for unskilled farm labor, or they go without, and the figs are not harvested. The processing plants either pay $3 per hour for skilled piece-rate workers, or those workers will go somewhere else—the aircraft industry, for example. Like labor, the cost of equipment and materials is also high and beyond their control.

These farmers cannot compete with figs from the Mediterranean, where the standard of living of the producer is far lower—where there is no such thing as a minimum wage. Costs of production despite a relative lack of efficiency and mechanization, beat anything the American producer can possibly match. On top of that, there being a great demand for dollar exchange, foreign governments have developed a practice of manipulating their currency values in a manner which further accentuates the cost differential and produces a price that reflects even less than the real cost of the exported product.

And, to add a note of irony to the situation, the foreign fig producer is now threatening the livelihood of the American fig producer because of increased production and improved quality made possible by United States financial and technical assistance for which the American producer was required to contribute in the form of taxes. The California fig growers have been made to pay for their own possible extinction. And, you wonder why they are protesting.

In recent years, an unhealthy transformation has taken place in the makeup of the Office of Foreign Agricultural Relations. The International Commodities Branch, which has within it a number of very able men, well acquainted with the commodities with which they are concerned and having first-hand knowledge of the problems of American producers of those commodities, has been gradually pushed in the background while more and more attention and money has been given to the Regional Investigation Branch, which is composed of persons, a considerable number foreign born, who know practically nothing about American agriculture and are not particularly well-informed as to agricultural matters in the countries from which they come or with which their duties are concerned.

It is the Regional Investigation Branch which has represented American agriculture at the international trade agreement conferences. This branch has given indication time and again that it is more interested in finding markets in the United States for foreign producers of agricultural products rather than finding foreign markets for American producers of such products. California specialty crops, which do not benefit under the mandatory price support programs and which are trying their best to stand on their own feet, have been and are being sacrificed in the interest of their foreign competitors.

Even the House Committee on Appropriations is disturbed by the apparent subordination of the Office of Foreign Agricultural Relations to foreign-aid programs and the Department of State. It so stated in its report accompanying the Department of Agriculture appropriation bill for fiscal year 1953. It is particularly disturbed by the fact that section 32 funds have been used in the purchase of mandatory support items for foreign aid. What has been done is to help bail out the Commodity Credit Corporation, which has been burdened with a surplus of these items. This practice is inconsistent with the main purpose for which section 32 funds are allocated, namely, to aid in the marketing of nonmandatory support crops, of which California specialty crops constitute an important part.

It is interesting to note that the House committee reduced the budget request of this office by $135,000. There is good reason to feel that the appropriations should be further reduced or entirely transferred to the State Department until clear evidence is shown by that office of complete independence of influence by the State Department and that the primary function it is performing is to serve the interests of American agriculture. In my opinion, unless it primarily serves the interest of American agriculture, it has no place in the Department of Agriculture.

Getting back to the subject of figs, the Secretary in his letter to Mr. CAIN states that only 300 tons of foreign figs suitable for shipment to the United States during the remainder of the 1951–52 season were available in foreign countries as of January 1, 1952. The actual fact appears to be—from import figures furnished to me by the fig industry—on the other hand, that from January 1, 1952, through April 25, 1952, 1,476 tons of foreign figs have actually entered the United States destined for consumption in the United States; 637 tons in the form of whole dried figs and 839 tons in the form of fig paste. Thirty-eight tons arrived during the week ended April 25 and there is no indication that many more tons will not arrive between now and July 1. Both whole dried figs and the fig paste have the identical competitive effect in the United States market. Approximately 80 percent or more of the whole dried figs imported into the United States are converted to paste and used by bakers in fig bars. Competitive-wise it makes absolutely no difference whether the bakers bring dried figs into the United States in the form of whole dried figs for the purpose of making paste or in the form of paste made in a foreign country. We do not know where the Secretary obtained his figure of 300 tons, but the fact is—if my figures are correct—that this figure represents approximately a 400-percent error. The above import figures were furnished by a private reporting concern in New York, which has been utilized by the California Fig Institute for several years and which has always been highly reliable. The figures are always very close to the official Department of Commerce figures when they finally become available 2 or 3 months later.

The Secretary then states that only about 3,000 tons of figs have entered the United States for consumption between July 1, 1951, through January 31, 1952, and implies that that quantity was only about one-half what the fig industry indicated were to come in. I think this is an entirely unfair implication of a misstatement of facts by the fig industry and is wholly unsubstantiated by the facts available to me. The facts show that the fig industry indicated that imports for the entire crop year would probably reach 6,000 tons and, actually to date, imports of figs—in the form of whole dried figs and in the form of dried fig paste—have totaled 7,992 tons, of which 2,154 tons have been rejected by the Food and Drug Administration as unfit for human consumption.

The Secretary further states that American shipments of figs to date in the current crop year have exceeded those of the last crop year. He fails to state, however, that the relatively small shipments of last crop year were from a crop that was one-fifth below normal and that even with such a short crop that American figs backed up in the hands of packers and that American packers had a substantially excessive inventory on hand at the end of the crop year, July 1, 1951, which was caused primarily by excessive imports.

The Secretary also fails to state the very significant fact that the shipments this crop year have been made at a very substantial financial loss to the fig packers and that figs have been selling for some time at less than the packers paid the growers therefor. I am informed that the Tariff Commission has information to prove that the American fig packers have lost

almost $800,000 this crop year on a crop of figs worth approximately $5,500,000. That is a loss in excess of 10 percent of the entire value of the crop to the farmers. Certainly, it is unfair to imply that because the fig packers have shipped a small quantity of figs this year, at a loss, in excess of their shipments last year from a short crop indicates that no relief is justified. The Secretary, in his letter, then reaches the conclusion that during the remainder of the 1951–52 season, that domestic demand would have to be satisfied almost wholly from domestic sources until the new shipping season starts. This is wholly inconsistent with the fact that during the month of March and to April 25, 723 tons of foreign figs have entered the United States to satisfy domestic demand, while an equal amount of excessive carryover in the hands of American packers remains in warehouses in California.

In the Secretary's letter, he apparently assumes that the request for emergency treatment was made only in order to restrict imports during the balance of the current crop year. This assumption is incorrect, but even so, the necessity for emergency treatment would still be present. If relief is justified and is to be granted in the form of a quota for the coming 1952-53 crop year which begins July 1, 1952, every day of delay reduces the effectiveness of such relief in the desired effect of raising grower prices to or near parity. In my opinion, the Secretary fails to recognize the psychological effect that would result from an early announcement of relief. If a limitation of imports for the coming crop year were announced immediately or had been announced 30 days from the time the application was filed with the Secretary, an immediate firming of American prices would have had a much greater beneficial effect on grower prices than would an announcement of an import limitation on July 1, August 1, or September 1. A late announcement of an import limitation would help the packers much more than it would help the growers whose prices may have already been determined and who are currently finding great difficulty or inability to obtain bank credit for working capital.

In my opinion, the Secretary has not properly interpreted section 8 (a). That section was intended by Congress as an instrument which would enable him to anticipate difficulties and take corrective action well before those difficulties materialized. In my opinion, the following colloquy between Senator HOLLAND, the author of section 8 (a), and Senator GEORGE, the manager of the trade-agreements bill on the floor of the Senate, clearly indicates the unmistakable intention that section 8 (a) be used as a preventive measure, well in advance of any adverse occurrence, rather than a corrective measure after the injury has occurred—CONGRESSIONAL RECORD, May 23, 1951, page 5806:

Mr. HOLLAND. In connection with this question, I also submit my fourth question, as follows: In using in the report the following language, "The planting, offering for sale, or shipment of large quantities of perishable products within or without the country may create conditions which may require emergency action," is it the intent that, when the Secretary of Agriculture reports in advance of planting and/or harvesting that such conditions exist, or threaten to exist, the President shall be authorized to take emergency action which will prevent the existence of these conditions rather than being compelled to wait until they actually occur?

Mr. GEORGE. Section 8 (a) is designed to offer relief, on the speediest basis possible, in accordance with the provisions of section 22 of the Agricultural Adjustment Act and the provisions of the escape clause in section 7 of the bill. Under both these provisions it is not necessary to delay remedial action until the injury has actually occurred.

Mr. HOLLAND. I particularly appreciate that answer because it makes clear for the record that neither the Secretary of Agriculture nor the President of the United States must needs wait until the actual excess amount of production is in hand, but that they are required to and may exercise reasonable foresight and caution to determine, ahead of the actual existence of the excess product, the fact that there will be such an excess or that such an excess is seriously threatened.

I hope that under the circumstances the Secretary of Agriculture will reconsider his decision and determine that emergency relief under section 8 (a) is necessary for the relief of the dried-fig industry.

It is unfortunate, indeed, that the critical problem currently facing the American fig industry should get mixed up in a debate between the Secretary and Mr. Breckinridge. I most certainly hope it is not the Secretary's intention to divert attention from that problem by attacking the integrity and veracity of an individual spokesman for the industry. I have become involved because I am interested in helping the California fig industry as well as all California specialty crops. Any interest which I may have in Mr. Breckinridge is incidental to that primary interest and springs from the fact that he has represented the fig growers and also the producers of numerous California specialty crops in their efforts to obtain protection against unfair competition from foreign countries. In my opinion, as in the opinion of other Members of the California delegation, Mr. Breckinridge is to be commended for his vigorous approach and his courage of conviction in striving to correct a situation existing in the Office of Foreign Agricultural Relations as well as elsewhere in the Government which is detrimental to the interests of a great many of the farmers of America.

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

Mr. HUNTER. I yield to my distinguished colleague from California.

Mr. PHILLIPS. I want to say to the gentleman from California [Mr. HUNTER] that I am very glad he is bringing this matter up. He points out that he would have liked to have a conference with the Secretary of Agriculture. I would like to say that in my opinion our trouble has come because of the influence of the State Department in the Department of Agriculture. It seems to me, in similar cases affecting my own district, as well as other parts of California, that the State Department, has acquired an influence away out of proportion in the Department of Agriculture. The State Department does not realize that while a farmer with grain crops may be able to change his crop periodically, a farmer with tree crops—in the gentleman's case figs—in other areas, dates, walnuts, almonds, cannot shift from one crop to another year by year. It may take from 6 to 10 or more years before he gets any money out of the crop, and then suddenly he finds himself in competition not only with the other growers but in competition with the State Department and with people who are raising competitive products in other countries who are being supported and preferred by his own State Department. I think the gentleman is doing a great favor to agriculture and to the country in bringing these matters out in the open.

Mr. HUNTER. I thank the gentleman from California for his contribution.

Mr. PHILLIPS. If the gentleman will yield further, I would like to point out how this works.

The American farmers join together and through marketing agreements and other methods voluntarily reduce the quantity of production in America and work to increase the quality of the products we raise. Then they find themselves, through this State Department situation, in competition with the producers of competitive commodities in other nations who have not at any time made any voluntary effort to reduce the quantity or to improve the quality.

Mr. HUNTER. The gentleman is absolutely correct. The efforts made by American farmers over a period of years to obtain a stable market are thwarted by this procedure which has been followed by allowing imports to come in produced by parties who have not participated at all in this program, brought in without that in mind.

Mr. D'EWART. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Montana.

Mr. D'EWART. I want to congratulate the gentleman on bringing this matter to the attention of Congress. It is a point that I think has not been understood clearly by a good many. It is not only the question of these imports that is involved, but the load it imposes on the taxpayers when the Department of Agriculture attempts to support domestic commodities when competitive commodities are being imported at prices that hurt the production of domestic products. I think this is a matter that needs dealing with very definitely. We do not have the cooperation of the State Department, and it goes beyond what it should be doing when it comes to the production of foods. I think the gentleman is doing a service to the farmers of this country and to the Congress in bringing this matter to our attention.

Mr. HUNTER. I thank the gentleman for his contribution.

Mr. ANDERSON of California. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from California.

Mr. ANDERSON of California. As chairman of the California delegation

Subcommittee on Agriculture and Farm Problems, I want to commend the gentleman for the determined fight he has made ever since he has been in Congress to bring to the attention of the departments back here proper recognition for our so-called specialty crops in California. As the gentleman knows, although they are designated as specialty crops by the Department of Agriculture, they are certainly basic to California's agricultural economy. The gentleman also knows there is no parity payment relief for our specialty crops.

Mr. HUNTER. The gentleman is correct.

Mr. ANDERSON of California. Agricultural conservation payments mean very little. The only relief we can hope to obtain from the Department of Agriculture is under section 32 funds. Does not the gentleman agree with me?

Mr. HUNTER. That is correct.

Mr. ANDERSON of California. Section 32 funds used for school lunch purposes or to implement an export subsidy are the only help that our valuable specialty crops in California may expect from the Federal Government. I hope the gentleman keeps up his determined fight, and I hope his fight will be crowned with success.

Mr. HUNTER. I thank the gentleman.

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. FEIGHAN in two separate instances.

Mr. KELLEY of Pennsylvania and to include a statement by Mr. Charles Ferguson, acting safety director of the United Mine Workers of America.

Mr. PRICE in four instances, in each to include extraneous matter.

Mr. BROOKS in three separate instances.

Mr. HOWELL and to include an editorial.

Mr. BUSBEY and to include a radio address by Mr. Paul Harvey on May 4, 1952.

Mr. KERSTEN of Wisconsin in five instances.

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

Mr. SMITH of Kansas in two instances and to include extraneous matter.

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

Mr. BOGGS of Delaware and to include an address by Hon. JOHN PHILLIPS.

Mrs. ROGERS of Massachusetts and to include an article from the Trade Unionist.

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

Mr. HALE and to include an editorial.

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

Mr. JACKSON of Washington.

Mr. BONNER and to include an editorial.

Mr. BLATNIK in two instances and to include an article in each.

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

Mr. MCCORMACK in two instances, in one to include an article written by Ernest K. Lindley, and in the other to include a radio speech.

Mr. AANDAHL.

Mr. WILLIAMS of Mississippi and to include extraneous matter.

Mr. Bow (at the request of Mr. BROWN of Ohio).

Mr. VAN ZANDT (at the request of Mr. BROWN of Ohio).

Mr. Ross (at the request of Mr. BROWN of Ohio).

Mr. FISHER and to include an address.

ENROLLED BILLS SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 4387. An act to increase the annual income limitations governing the payment of pension to certain veterans and their dependents; and

H. R. 4394. An act to provide certain increases in the monthly rates of compensation and pension payable to veterans and their dependents, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1365. An act to assist Federal prisoners in their rehabilitation; and

S. 1772. An act for the relief of Ruth Obre Dubonnet.

BILLS PRESENTED TO THE PRESIDENT

Mr. STANLEY, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 2962. An act for the relief of Maude S. Burman;

H. R. 4387. An act to increase the annual income limitations governing the payment of pension to certain veterans and their dependents; and

H. R. 4394. An act to provide certain increases in the monthly rates of compensation and pension payable to veterans and their dependents, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JONES of Missouri (at the request of Mr. KARSTEN of Missouri), for the remainder of the week, on account of official business.

Mr. LOVRE, for an indefinite period, on account of official business.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 4 o'clock and 17 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 13, 1952, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

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

1415. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1953 in the amount of $725,000 and for the fiscal year 1952 and prior years in the amount of $604,807.81 for the District of Columbia (H. Doc. No. 460); to the Committee on Appropriations and ordered to be printed.

1416. A communication from the President of the United States, transmitting a proposed revision in the limitation on administrative expenses for the fiscal year 1953, involving a reduction in the amount of $1,650,000, for the Reconstruction Finance Corporation (H. Doc. No. 461); to the Committee on Appropriations and ordered to be printed.

1417. A letter from the acting president, Board of Commissioners of the Government of the District of Columbia, transmitting a draft of a bill entitled "A bill to remove restrictions on the use of a portion of square 355 in the District of Columbia, acquired by the District of Columbia as part of a site for a wholesale farmers' produce market"; to the Committee on the District of Columbia.

1418. A letter from the acting president, Board of Commissioners of the Government of the District of Columbia, transmitting a draft of a bill entitled "A bill to provide for granting to officers and members of the Metropolitan Police force, the United States Park Police force, the White House Police force, and the Fire Department of the District of Columbia days off in lieu of regular days off suspended during emergencies"; to the Committee on the District of Columbia.

1419. A letter from the Chairman, Federal Communications Commission, transmitting a letter with an attached memorandum of the Federal Communications Commission on the bill, S. 658, to amend the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

1420. A letter from the Secretary, American Society of International Law, transmitting the annual audit report of the financial transactions of the American Society of International Law and of the corporate books and records pertinent thereto for the year ended December 31, 1951, pursuant to section 9 of the act of September 20, 1950 (64 Stat. 869); to the Committee on the Judiciary.

1421. A letter from the Chairman, United States Tariff Commission, transmitting the fourth annual report of the United States Tariff Commission on the operation of the trade-agreements program; to the Committee on Ways and Means.

1422. A letter from the Acting Archivist of the United States, transmitting a report on records proposed for disposal and lists or schedules covering records proposed for disposal by certain Government agencies; to the Committee on House Administration.

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. VINSON: Committee of conference. H. R. 5715. A bill to amend sections 201 (a), 301 (e), 302 (f), 302 (g), 503, 527, and 528 of Public Law 351, Eighty-first Congress, as amended (Rept. No. 1867). Ordered to be printed.

Mr. REAMS: Committee on Post Office and Civil Service. H. R. 7030. A bill to amend certain acts and parts of acts which require the submission of documents to the Post Office Department under oath, and for other purposes; without amendment (Rept. No. 1868). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 7689. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended; without amendment (Rept. No. 1869). Referred to the Committee of the Whole House on the State of the Union.

Mr. JARMAN: Committee on Post Office and Civil Service. H. R. 2390. A bill to rescind certain details required by law to be included in the annual report of the Board of Trustees of the Postal Savings System; without amendment (Rept. No. 1870). Referred to the Committee of the Whole House on the State of the Union.

Mr. JARMAN: Committee on Post Office and Civil Service. H. R. 6754. A bill to provide that salaries of rural carriers serving heavily patronized routes shall not be reduced by reason of increases in the length of such routes; without amendment (Rept. No. 1871). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. S. 2786. An act to amend section 106 (c) of the Housing Act of 1949; without amendment (Rept. No. 1872). Referred to the Committee of the Whole House on the State of the Union.

Mr. RHODES: Committee on Post Office and Civil Service. S. 216. An act to amend section 631b of title 5, United States Code, by adding a new subsection, to be cited as subsection (c); without amendment (Rept. No. 1873). Referred to the Committee of the Whole House on the State of the Union.

Mr. KARSTEN of Missouri: Committee on Post Office and Civil Service. H. R. 5850. A bill to authorize the Postmaster General to impound mail in certain cases; without amendment (Rept. No. 1874). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Expenditures in the Executive Departments. H. R. 6129. A bill to provide for the transfer of certain lands and interests in lands at Mill Rock Island in the East River, N. Y.; with amendment (Rept. 1919). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Expenditures in the Executive Departments. H. R. 7573. A bill to provide for the conveyance to the State of Indiana of certain surplus real property situated in Marion County, Ind.; without amendment (Rept. No. 1920). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELANEY: Select Committee to Investigate the Use of Chemicals in Foods and Cosmetics. Report pursuant to House Resolution 74 and House Resolution 447, Eighty-second Congress, first session; without amendment (Rept. No. 1921). Referred to the Committee of the Whole House on the State of the Union.

Mr. RICHARDS: Committee on Foreign Affairs. H. R. 7005. A bill to amend the Mutual Security Act of 1951, and for other purposes; with amendment (Rept. No. 1922). Referred to the Committee of the Whole House on the State of the Union.

Mr. BRYSON: Committee on the Judiciary. H. R. 7794. A bill to revise and codify the laws relating to patents and the Patent Office, and to enact into law title 35 of the United States Code entitled "Patents"; without amendment (Rept. No. 1923). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Joint Committee on the Disposition of Executive Papers, House Report No. 1924. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

REPORTS OF COMMITTEES 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. LANE: Committee on the Judiciary. H. R. 1097. A bill for the relief of Ethel White, Frankie Ezell, and Ralph James; with amendment (Rept. No. 1854). Referred to the Committee of the Whole House.

Mr. FRAZIER: Committee on the Judiciary. H. R. 1098. A bill for the relief of the estate of C. G. Allen; without amendment (Rept. No. 1855). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 1847. A bill for the relief of Margaret Frankell; with amendment (Rept. No. 1856). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 2810. A bill for the relief of James Nels Ekberg; with amendment (Rept. No. 1857). Referred to the Committee of the Whole House.

Mr. FRAZIER: Committee on the Judiciary. H. R. 3334. A bill for the relief of Paul Busbey; with amendment (Rept. No. 1858). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 3858. A bill for the relief of Mr. and Mrs. Peter Copeyon; without amendment (Rept. No. 1859). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 4180. A bill for the relief of Joseph Denekar and Mrs. Mary A. Denekar; with amendment (Rept. No. 1860). Referred to the Committee of the Whole House.

Mr. FRAZIER: Committee on the Judiciary. H. R. 4543. A bill for the relief of Mrs. Priscilla Crowley; without amendment (Rept. No. 1861). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 5325. A bill for the relief of S. Irby Adams; without amendment (Rept. No. 1862). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6010. A bill for the relief of Mrs. Lennie G. Clarkson and William E. Clarkson; with amendment (Rept. No. 1863). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6016. A bill for the relief of Louis A. Schafer; with amendment (Rept. No. 1864). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6850. A bill for the relief of Martha Bridges; without amendment (Rept. No. 1865). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2672. An act for the relief of Elisabeth Mueller (also known as Elizabeth Philbrick); without amendment (Rept. No. 1866). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 148. An act for the relief of Gerdina Josephina Van Delft; without amendment (Rept. No. 1875). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 420. An act for the relief of Gloria Wilson; without amendment (Rept. No. 1876). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 603. An act for the relief of Wanda Charwat, and her daughter, Wanda Aino Charwat; without amendment (Rept. No. 1877). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 762. An act for the relief of Alexander Urszu; with amendment (Rept. No. 1878). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 794. An act for the relief of Mrs. Shu-Ting Liu Hsia and her daughter, Lucia; without amendment (Rept. No. 1879). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 869. An act for the relief of Marie Cafcalaki; without amendment (Rept. No. 1880). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 897. An act for the relief of Mr. and Mrs. Thanos Mellos, Michel Mellos, and Hermine Fahnl; without amendment (Rept. No. 1881). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 992. An act for the relief of Daniel Wolkonsky, and his wife, Xenia Wolkonsky; without amendment (Rept. No. 1882). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 997. An act for the relief of Paula Slucka (Slucki) and Ariel Slucki; with amendment (Rept. No. 1883). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1189. An act for the relief of Anthony Lombardo; without amendment (Rept. No. 1884). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1192. An act for the relief of Demetrius Alexander Jordan; without amendment (Rept. No. 1885). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1372. An act for the relief of Mrs. Madelaine Viale Moore; with amendment (Rept. No. 1886). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1420. An act for the relief of Pinfang Hsia; without amendment (Rept. No. 1887). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1494. An act for the relief of George Georgacopoulos; without amendment (Rept. No. 1888). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1565. An act for the relief of Andy Duzsik; without amendment (Rept. No. 1889). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1679. An act for the relief of Stephen Gorove; with amendment (Rept. No. 1890). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1765. An act for the relief of Harumi Kamiaka; without amendment (Rept. No. 1891). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1766. An act for the relief of Frederic James Mercado; without amendment (Rept. No. 1892). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1879. An act for the relief of Ernest Nanpei Ihrig; without amendment (Rept. No. 1893). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2033. An act for the relief of Giuseppa S. Boyd; without amendment (Rept. No. 1894). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2034. An act for the relief of Charlotte Elizabeth Cason; without amendment (Rept. No. 1895). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2051. A act for the relief of Naomi Saito; without amendment (Rept. No. 1896). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2145. An act for the relief of certain dis-

placed persons; without amendment (Rept. No. 1897). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2220. An act for the relief of Theresa Hatcher; without amendment (Rept. No. 1898). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2568. An act for the relief of Dulcie Ann Steinhardt Sherlock; without amendment (Rept. No. 1899). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2770. An act for the relief of Matheos Alafouzos; without amendment (Rept. No. 1900). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. Senate Concurrent Resolution 66. Concurrent resolution favoring the suspension of deportation of certain aliens; with amendment (Rept. No. 1901). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. Senate Concurrent Resolution 67. Concurrent resolution favoring the suspension of deportation of certain aliens; without amendment (Rept. No. 1902). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. Senate Concurrent Resolution 68. Concurrent resolution favoring the suspension of deportation of certain aliens; without amendment (Rept. No. 1903). Referred to the Committee of the Whole House.

Mr. WILSON of Texas: Committee on the Judiciary. H. R. 880. A bill for the relief of Guiseppe Biolzi; with amendment (Rept. No. 1904). Referred to the Committee of the Whole House.

Mr. WILSON of Texas: Committee on the Judiciary. H. R. 2840. A bill for the relief of Mrs. Hee Shee Wong Achuck; with amendment (Rept. No. 1905). Referred to the Committee of the Whole House.

Mr. GRAHAM: Committee on the Judiciary. H. R. 3275. A bill for the relief of Miyoko Nakagawa; without amendment (Rept. No. 1906). Referred to the Committee of the Whole House.

Mr. GRAHAM: Committee on the Judiciary. H. R. 3564. A bill for the relief of Reuben Krakovsky; without amendment (Rept. No. 1907). Referred to the Committee of the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 4126. A bill for the relief of Ernst Sbaschnik, Sr.; Hildegard Sbaschnik; and Ernst Sbaschnick, Jr.; with amendment (Rept. No. 1908). Referred to the Committee of the Whole House.

Mr. WILSON of Texas: Committee on the Judiciary. H. R. 4504. A bill for the relief of Dr. Philip Bloemsma and Mrs. Joy Roelink Bloemsma; with amendment (Rept. No. 1909). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 4588. A bill for the relief of Mark Yen Hui; without amendment (Rept. No. 1910). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 5107. A bill for the relief of Margarite Mary Fujita; without amendment (Rept. No. 1911). Referred to the Committee of the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 5108. A bill for the relief of Nicola, Lucia, and Rocco Fierro; with amendment (Rept. No. 1912). Referred to the Committee of the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 5301. A bill for the relief of Leonard Jesse Richards (Michio Inoue); without amendment (Rept. No. 1913). Referred to the Commitee of the Whole House.

Mr. WILSON of Texas: Committee on the Judiciary. H. R. 5864. A bill for the relief of Sachiko Kanemochi; without amendment (Rept. No. 1914). Referred to the Committee of the Whole House.

Mr. GRAHAM: Committee on the Judiciary. H. R. 6109. A bill for the relief of Helga Evaline Matz; without amendment (Rept. No. 1915). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 6505. A bill for the relief of Karen Ann Crowley; without amendment (Rept. No. 1916). Referred to the Committee of the Whole House.

Miss THOMPSON of Michigan: Committee on the Judiciary. H. R. 6870. A bill for the relief of Louie Bon Kong; without amendment (Rept. No. 1917). Referred to the Committee of the Whole House.

Mr. GRAHAM: Committee on the Judiciary. H. R. 6945. A bill for the relief of Katharina Hoffmann; without amendment (Rept. No. 1918). 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. AUGUST H. ANDRESEN:

H. R. 7793. A bill to provide for standards to be prescribed by the Secretary of Agriculture governing imported agricultural food products; to the Committee on Agriculture.

By Mr. BRYSON:

H. R. 7794. A bill to revise and codify the laws relating to patents and the Patent Office, and to enact into law title 35 of the United States Code, entitled "Patents"; to the Committee on the Judiciary.

By Mr. AANDAHL:

H. R. 7795. A bill to modify the comprehensive plans for flood control in the Missouri River Basin to provide for the inclusion in such plans of adequate elementary and high-school facilities at Newtown, N. Dak., to replace the facilities located in Sanish and Van Hook, N. Dak., which are to be abandoned as a result of the construction of the Garrison Dam and Reservoir; to the Committee on Public Works.

By Mr. ABERNETHY:

H. R. 7796. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, and the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. CURTIS of Nebraska:

H. R. 7797. A bill to disallow the deduction as bad-debt losses loans to political committees or candidates; to the Committee on Ways and Means.

By Mr. D'EWART:

H. R. 7798. A bill to amend the Agricultural Act of 1949, as amended, to strengthen American agriculture and reduce the cost of price-support operations; to the Committee on Agriculture.

By Mr. KEARNS:

H. R. 7799. A bill to authorize the appropriation of funds for the establishment of the Smithsonian Gallery of Art as a part of a national war memorial in the District of Columbia; to the Committee on Public Works.

By Mr. DOUGHTON:

H. R. 7800. A bill to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. KLEIN:

H. R. 7801. A bill to provide for the establishments of a Commission on Human Rights in the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. O'HARA:

H. R. 7802. A bill to amend part I of the Interstate Commerce Act to provide for filing of equipment trust agreements and other documents evidencing or relating to the lease, mortgage, conditional sale, or bailment of railroad equipment; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL:

H. R. 7803. A bill to authorize the payment, in the case of certain officers of the Army of the United States separated with impaired hearing, of sums equal to the pay and allowances they would have received if they had been hospitalized in accordance with administrative requirements prior to separation, and for other purposes; to the Committee on Armed Services.

By Mr. PATTERSON:

H. R. 7804. A bill to authorize additional pay for combat duty performed by members of the uniformed services in Korea, and for other purposes; to the Committee on Armed Services.

By Mr. PHILLIPS:

H. R. 7805. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, so as to provide annuities for certain widows who were married at least 50 years to employees to whom such act applied; to the Committee on Post Office and Civil Service.

By Mr. REAMS:

H. R. 7806. A bill to authorize the participation by certain Federal employees, without loss of pay or deduction from annual leave, in funerals for deceased members of the Armed Forces returned to the United States from abroad for burial; to the Committee on Post Office and Civil Service.

By Mr. REES of Kansas:

H. R. 7807. A bill to amend section 402 (f) of the Defense Production Act of 1950; to the Committee on Banking and Currency.

By Mr. ROGERS of Florida:

H. R. 7808. A bill to amend part I of the Interstate Commerce Act to provide for filing of equipment trust agreements and other documents evidencing or relating to the lease, mortgage, conditional sale, or bailment of railroad equipment; to the Committee on Interstate and Foreign Commerce.

By Mr. SADLAK:

H. R. 7809. A bill authorizing the transfer of certain property of the United States Government (in Windsor Locks, Conn.) to the State of Connecticut; to the Committee on Public Works.

By Mr. SAYLOR:

H. R. 7810. A bill to provide that the compensation the United States shall pay the borough of Blairsville, Pa., for certain land and improvements thereon, shall include the replacement costs of such improvements; to the Committee on Public Works.

By Mr. THOMPSON of Texas:

H. R. 7811. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act to increase the maximum benefits provided by such act and to extend its provisions to Puerto Rico, and for other purposes; to the Committee on Education and Labor.

By Mr. VINSON:

H. R. 7812. A bill to provide for the restoration and maintenance of the U. S. S. *Constitution* and to authorize the disposition of the U. S. S. *Constellation*, U. S. S. *Hartford*, U. S. S. *Olympia*, and U. S. S. *Oregon*, and for other purposes; to the Committee on Armed Services.

H. R. 7813. A bill to authorize the Army Medical Service Graduate School to award master-of-science and doctor-of-science degrees in medicine, dentistry, veterinary medicine, and in the biological sciences involved in health services, and for other purposes; to the Committee on Armed Services.

By Mr. WATTS:

H. R. 7814. A bill to authorize the Secretary of the Interior to enter into an agreement with the State of Kentucky to acquire non-Federal cave properties within the authorized boundaries of Mammoth Cave National Park in the State of Kentucky; to the Committee on Interior and Insular Affairs.

H. R. 7815. A bill to authorize the Secretary of the Interior to cooperate with the State of Kentucky to acquire non-Federal cave properties within the authorized boundaries of Mammoth Cave National Park in the State of Kentucky, and for other purposes, to the Committee on Interior and Insular Affairs.

By Mr. BRAY:

H. R. 7816. A bill to require that all imported bonemeal be disinfected at the port of entry so as to destroy possible anthrax spores; to the Committee on Agriculture.

By Mr. DAVIS of Tennessee:

H. R. 7817. A bill to provide for emergency flood-control work made necessary by recent floods, and for other purposes; to the Committee on Public Works.

By Mr. HALE:

H. R. 7818. A bill to authorize the Attorney General to conduct preference primaries for nomination of candidates for President and Vice President; to the Committee on House Administration.

By Mr. JACKSON of Washington:

H. R. 7819. A bill to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. PRIEST:

H. J. Res. 446. Joint resolution relating to the continuance on the payrolls of certain employees in cases of death or resignation of Members of the House of Representatives, Delegates, and Resident Commissioners; to the Committee on House Administration.

By Mr. WALTER:

H. J. Res. 447. Joint resolution authorizing and directing the President of the United States to proclaim October 28 of each year as Statue of Liberty Day; to the Committee on the Judiciary.

By Mr. ARMSTRONG:

H. J. Res. 448. Joint resolution to create a good-will medical team to assist in combating and eradicating epidemic diseases in the Far East; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANFUSO:

H. R. 7820. A bill for the relief of Riccardo Budinich; to the Committee on the Judiciary.

By Mr. BOLLING:

H. R. 7821. A bill for the relief of Dr. Danuta Oktawiec; to the Committee on the Judiciary.

By Mr. HUNTER:

H. R. 7822. A bill for the relief of Ava Jean Williams (Eva Maria Scholz); to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 7823. A bill for the relief of Manolis N. Triantafillou; to the Committee on the Judiciary.

By Mr. MACHROWICZ:

H. R. 7824. A bill for the relief of Brother Casimer John Krzyzanowski; to the Committee on the Judiciary.

By Mr. MITCHELL:

H. R. 7825. A bill for the relief of certain members of the Missionary Sisters of the Sacred Heart; to the Committee on the Judiciary.

H. R. 7826. A bill for the relief of Mariko Kuniyuki; to the Committee on the Judiciary.

By Mr. MURDOCK:

H. R. 7827. A bill for the relief of Ruth D. Crunk; to the Committee on the Judiciary.

By Mr. O'NEILL:

H. R. 7828. A bill for the relief of Dr. Frantisek Lysy; to the Committee on the Judiciary.

By Mr. PRIEST:

H. R. 7829. A bill to give proper recognition to the distinguished service of Col. J. Claude Kimbrough; to the Committee on Armed Services.

By Mr. RADWAN:

H. R. 7830. A bill for the relief of Miss Miriam Sperling; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H. R. 7831. A bill for the relief of Ronald J. Palmer; to the Committee on the Judiciary.

By Mr. SITTLER:

H. R. 7832. A bill for the relief of Robert L. Kikta; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 7833. A bill for the relief of Prof. Werner Richter; 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:

722. By Mr. ANDERSON of California: Petition of Mrs. Verna M. Elliott, Watsonville, Calif., and others urging the passage of H. R. 2188; to the Committee on Interstate and Foreign Commerce.

723. Also, petition of Mrs. Lucia P. Smith of San Jose, and others, urging favorable consideration of H. R. 2188; to the Committee on Interstate and Foreign Commerce.

724. Also, petition of J. E. Hardy, and others, of California requesting favorable consideration of H. R. 2188; to the Committee on Interstate and Foreign Commerce.

725. Also, petition of J. Lawson, and others, of San Jose, Calif., requesting favorable action on H. R. 2188; to the Committee on Interstate and Foreign Commerce.

726. Also, petition of Mrs. A. M. Blumer, of Burlingame, Calif., and others, urging the passage of H. R. 2188; to the Committee on Interstate and Foreign Commerce.

727. By Mr. HALE: Petition of York Harbor Village Corp., York Harbor, Maine, protesting the location of the proposed bomber air base at Newington, N. H., and requesting justification for this location of the bomber base with the expected destruction of the balanced economy of the community and threat to the welfare and safety of the locality if efforts are not successfully made for relocation; to the Committee on Armed Services.

728. By the SPEAKER: Petition of William A. Bloom, and others, of Tampa, Fla., requesting passage of House bills 2678 and 2679 known as the Townsend plan; to the Committee on Ways and Means.

729. Also, petition of Mrs. Albina Bibeau, and others, of St. Petersburg, Fla., requesting passage of House bills 2678 and 2679 known as the Townsend plan; to the Committee on Ways and Means.

SENATE

TUESDAY, MAY 13, 1952

(Legislative day of Monday, May 12, 1952)

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

Rev. Father Peter J. Rahill, St. Louis, Mo., of the Catholic University of America, Washington, D. C., offered the following prayer:

O God, we thank Thee for the great blessing of freedom which Thou hast bestowed upon us in these United States. May we demonstrate our gratitude by employing this heavenly favor for the benefit of our country and of ourselves as patriotic Americans. Many have died to preserve this great good; may we not render their supreme sacrifices vain and useless by yielding to false or ignoble impulses.

In particular do we ask this day Thy divine guidance of the Members of this Senate. May their deliberations be tempered with justice, prudence, and mercy. The decisions which this assembly then makes will be a splendid safeguard for that precious liberty with which Thou hast so graciously endowed us. With Thy help, O God, all our trials, as well as our triumphs, will accordingly be to Thy honor and glory. Through Christ our Lord. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 12, 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 a bill (H. R. 5368) to authorize the Secretary of the Interior to construct, operate, and maintain certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif., and the joint utilization of a dam and reservoir and other waterwork facilities by the Department of the Interior and the Department of the Navy, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 75) relative to the reenrollment of S. 2307, for the relief of Holger Kubischke.

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 President pro tempore:

S. 1365. An act to assist Federal prisoners in their rehabilitation;

S. 1772. An act for the relief of Ruth Obre Dubonnet;

H. R. 1499. An act to amend the act approved August 4, 1919, as amended, providing additional aid for the American Printing House for the Blind;

H. R. 1949. An act to retrocede to the State of Illinois jurisdiction over 154.2 acres of land used in connection with the Chain of Rocks Canal, Madison County, Ill.;

H. R. 3401. An act to make certain increases in the annuities of annuitants under the Foreign Service retirement and disability system;