ADJOURNMENT

The SPEAKER. Pursuant to the provisions of House Resolution 543, and as a further mark of respect to the memory of the deceased, the Chair declares the House adjourned until 11 o'clock a. m. tomorrow.

Thereupon (at 12 o'clock and 58 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, May 15, 1952, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1424. A letter from the Executive Secretary, National Munitions Control Board, transmitting copies of the semiannual reports prepared by the National Munitions Control Board, pursuant to subsection (h), section 12, of the Neutrality Act of 1939 (Public Res. No. 54, 76th Cong.); to the Committee on Foreign Affairs.

1425. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1953 in the amount of $400,000 for the War Claims Commission (H. Doc. No. 466); to the Committee on Appropriations and ordered to be printed.

1426. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1953 in the amount of $11,400,000 for the General Services Administration (H. Doc. No. 467); to the Committee on Appropriations and ordered to be printed.

1427. A letter from the Director, Office of Defense Mobilization, Executive Office of the President, transmitting the quarterly report on Borrowing Authority for the quarter ending March 31, 1952, pursuant to section 304 (b) of the Defense Production Act, as amended; to the Committee on Banking and Currency.

1428. A letter from the Acting President, Board of Commissioners of the Government of the District of Columbia, transmitting, a draft of a proposed bill entitled, "A bill to provide for the financing of open-air concerts and free children's concerts by the National Symphony Orchestra, and for other purposes"; to the Committee on the District of Columbia.

1429. A letter from the Acting Secretary of Commerce, transmitting a draft of a proposed bill entitled, "A bill to authorize the restoration of Daniel E. Whelan, Jr., lieutenant commander, retired, to the active list of the United States Coast and Geodetic Survey"; to the Committee on Merchant Marine and Fisheries.

1430. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill entitled, "A bill to alleviate the problem caused by the creation of small fractional interests in trust and restricted lands of individual Indians, and for other purposes"; to the Committee on Interior and Insular Affairs.

1431. A letter from the Assistant Secretary of Defense, transmitting a draft of proposed legislation entitled, "A bill to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the Reserve components of the Armed Forces of the United States, and for other purposes"; to the Committee on Armed Services.

1432. A letter from the Acting Attorney General, transmitting a letter relative to the cases of An-Hwa Liu, file No. [redacted] CR 32814 and Ann Ling Liu, file No. [redacted] CR 32814, and requesting that they be withdrawn from those before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. OSMERS:

H. R. 7852. A bill to readjust size and weight limitations on fourth-class "parcel post"; to the Committee on Post Office and Civil Service.

By Mr. KING of California:

H. R. 7853. A bill for the relief of the city of Hawthorne, Calif.; to the Committee on the Judiciary.

By Mr. MILLER of California:

H. R. 7854. A bill to prohibit hunting, trapping, and fishing on public lands in violation of State or Territorial laws; to the Committee on Merchant Marine and Fisheries.

By Mr. ROONEY:

H. R. 7855. A bill for improvement of Gowanus Creek Channel, N. Y.; to the Committee on Public Works.

By Mr. BROOKS:

H. R. 7856. A bill to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the Reserve components of the Armed Forces of the United States, and for other purposes; to the Committee on Armed Services.

By Mr. HOLMES:

H. R. 7857. A bill to authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Indian Reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DENTON:

H. Res. 639. A resolution to withhold funds for the construction of the Quartermaster laboratory at Natick, Mass.; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. HUNTER (by request):

H. R. 7858. A bill for the relief of Taxiarchis Constantinos Varvitsiotis; to the Committee on the Judiciary.

By Mr. OSMERS:

H. R. 7859. A bill for the relief of Mrs. Corrina Arena; to the Committee on the Judiciary.

By Mr. CANNON:

H. J. Res. 449. Joint resolution to provide for the reappointment of Dr. Vannevar Bush as citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

SENATE

THURSDAY, MAY 15, 1952

(Legislative day of Monday, May 12, 1952)

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

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

Our Father God, to the white altar of Thy grace in the brightness of this new morning we come, bowing in our ignorance and weakness, praying for wisdom and strength to face with courage the somber specters that stalk the darkened earth. Guide us, O Thou great Jehovah, in these chaotic days, as we seem to wander between two worlds, one dead—the world of force and ruthless competition; the other a world of understanding and cooperation, powerless to be born until ancient feuds and fears are melted in the refining fires of a common concern and destiny for all mankind. Make us great enough for these great days. Join us to those under all skies who labor to bring sense and system to this disordered globe. And grant that our eyes may yet look upon a world when all men's good be each man's rule, through all the circle of the golden years. In the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 14, 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—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 2307. An act for the relief of Holger Kubischke;

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

S. 2521. An act to revive and reenact section 6 of the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved December 22, 1944; and

S. 2672. An act for the relief of Elisabeth Mueller (also known as Elizabeth Philbrick).

LEAVES OF ABSENCE

Mr. WILEY. Mr. President, the International Council for Christian Leadership will hold a conference at The Hague commencing next week. It will be attended, among others, by the Senator from Vermont [Mr. FLANDERS], the Senator from Kansas [Mr. CARLSON], Representative ARMSTRONG, and myself. I therefore ask unanimous consent that I may be excused from attendance on the sessions of the Senate for the next 2 weeks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

On his own request, and by unanimous consent, Mr. FLANDERS was excused from attendance on the sessions of the Senate until June 2, because of official business.

On request of Mr. JOHNSTON of South Carolina, and by unanimous consent, Mr. CLEMENTS was excused from attendance of the sessions of the Senate today and tomorrow.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. STENNIS, and by unanimous consent, the Privileges and

Elections Subcommittee of the Committee on Rules and Administration was authorized to meet during the session of the Senate today.

INVITATION TO MEMBERS OF THE SENATE TO ATTEND CLOSED MEETING OF THE ARMED SERVICES COMMITTEE ON MAY 21, TO HEAR GENERAL RIDGWAY

Mr. JOHNSON of Texas. Mr. President, the Committee on Armed Services has scheduled a closed meeting for Wednesday, May 21, at which time General Ridgway will appear before the committee.

On behalf of the Armed Services Committee, I am directed to extend an invitation to all Members of the Senate who may so desire to attend that meeting. The meeting will be held in room 212 of the Senate Office Building at 10:30 a. m. on Wednesday, May 21.

TRANSACTION OF ROUTINE BUSINESS

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

The PRESIDENT pro tempore. Without objection, it is so ordered.

PETITIONS

Petitions were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A letter in the nature of a petition from the DeBoer Manufacturing Co., Syracuse, N. Y., signed by J. Henry DeBoer, president, praying for the repeal of the unemployment insurance laws; to the Committee on Finance.

By Mr. LODGE (for himself and Mr. SALTONSTALL):

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on Finance:

"RESOLUTIONS URGING THE CONGRESS OF THE UNITED STATES TO ENACT H. R. 6437, MAKING POSSIBLE AID TO MASSACHUSETTS IN CASES OF SEVERE UNEMPLOYMENT

"Whereas the defense program and the accompanying inflation have created industrial dislocations, particularly affecting important Massachusetts industries, including textiles, leather, shoes and clothing; and

"Whereas this situation has brought about severe unemployment in various communities in Massachusetts, adversely affecting their economies, depressing the living standards of thousands of workers and putting a heavy burden on the State employment security fund; and

"Whereas the present benefits provided under the Massachusetts employment security law are inadequate and unfair to workers suffering such unemployment: Therefore be it

"*Resolved*, That the General Court of Massachusetts urges the Congress of the United States to furnish aid to Massachusetts, and other States similarly affected, by enacting H. R. 6437, which provides Federal supplementary payment of unemployment compensation equal to 50 percent of the weekly amount payable to a worker, exclusive of dependency payments, whenever the governor of a State certifies and the Secretary of Labor finds that within that State or within one or more labor market areas of that State there exists substantial unemployment among workers covered by the unemployment compensation law of the State with no prospect of immediate reemployment in the labor market area; and be it further

"*Resolved*, That copies of these resolutions be transmitted forthwith by the State secretary to the Presiding Officer of each branch of Congress and to the Members thereof from this Commonwealth."

POLISH CONSTITUTION DAY—RESOLUTION

Mr. IVES. Mr. President, recently a resolution regarding the independence of Poland was unanimously adopted at a mass meeting held in Buffalo, N. Y., in commemoration of Polish Constitution Day.

I ask unanimous consent that the resolution be printed in the RECORD and appropriately referred.

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

Whereas the year 1952 marks the one hundred and sixty-first year of the adoption of the Polish Constitution of May 3, 1791, which document was the most liberal and the most democratic constitution of its day, and in which were documented Polish respect for the dignity of the individual and the lofty aspirations for freedom.

Whereas the Republic of Poland has been deprived of her political independence and has suffered the loss of approximately one-half of her eastern territory and 13,000,000 of her citizens having been unjustly and arbitrarily absorbed by the brutal action of the Soviet Union.

Whereas the Soviet Union is at the present time in total and complete domination of what remains of the Republic of Poland, with her Red army and secret U. B. police.

Whereas the persecution and spoilation of the weak by the strong is at all times repugnant to our American concept of equity and justice in international as well as in personal relations, bearing in mind that Poland was the first nation to fight and resist totalitarian aggressors, to wit: first, nazism and fascism, September 1, 1939, and communism September 17, 1939.

Whereas these unfortunate events that followed the end of World War II were conceived and agreed upon at the now infamous conferences of the Big Three at Tehran and Yalta from which it appears now, that because of the temporary political expediency, democratic principles were scuttled, solemn pledges of the Atlantic Charter were broken, and whole nations bartered into slavery of communistic Russia.

Where insidious communism continues to threaten our own liberties in these great United States of America, through infiltration into our schools and into various other institutions and organizations.

Whereas the present western boundaries of Poland on the Oder and Neisse Rivers have been historically Polish territory through the ages.

Whereas in September 1939 Soviet Russia after her ruthless attack on Poland had as prisoners of war over 15,000 Polish officers who were quartered in prisoner-of-war camps at Starobielsk-Kozielsk and Ostaszkow in the Smolensk area of Russia and for whose safety, under international law, Russia was responsible; and

Whereas all evidence adduced since the year of 1940, seems to establish the fact, that Stalin personally ordered the execution and liquidation of said 15,000 Polish officers, who had steadfastly refused to become Polish quislings, and ordered them to be taken to Katyn Forest (or Goat Hill as the Russians call the area) and there with their hands tied behind their backs with the tricky Communist knot, ordered them to be shot in the back of the head with Russian bullets and their bodies dumped into a mass grave and had the graves covered over and planted with saplings, the same technique that was used on our own United States Army officers, our military chaplains, and our soldiers when their cold bodies were found lying in blood on the Communist overrun Korean soil; and

Whereas the Congress of the United States in the interest of justice, suffering humanity and history has established the Committee for the Investigation of the Katyn Massacre, having discovered that the bloody hands of communism had even gotten into our State Department and the Pentagon and stole therefrom eyewitness reports of the Katyn Forest massacre by Lt. Col. Donald Stewart and Major Van Fleet, Jr., who were prisoners of war of the Germans at the time: Now, therefore, be it

Resolved, That as Americans dedicated to the freedom of all nations, we feel duty-bound in the name of justice and equity to all, to take a firm stand in defense and restoration of the just rights of our ally—the Republic of Poland and all of the other freedom loving nations; be it further

Resolved, That we firmly believe that the decision of Tehran, and Yalta conferences concerning Poland and other nations arrived at without their consent and without their representation, be revoked and repudiated entirely in the spirit of good conscience and equity.

We hereby petition and appeal to our Government that its foreign policy should be bipartisan and revert to the principles as were duly enunciated in the Atlantic Charter and the four freedoms, and thus demonstrate to the whole world that it will not tolerate serfdom, bondage, and subjugation of free peoples by communistic Soviet Russia.

That we protest against any change in the present western boundaries of Poland, inasmuch as they have always been historically Polish.

We hereby further petition and appeal to our Government to continue to take all necessary military steps and prepare on land, on the sea, and in the air in order that we can properly defend our homes and our loved ones against the totalitarian aggression of Soviet Russia; and be it further

Resolved, That we hereby compliment and commend the Congress of the United States and the Committee for the Investigation of the Katyn Forest Massacre for its untiring efforts in summoning witnesses who are still alive and holding meetings here and abroad to the end that the world will know the truth about the massacre of 15,000 Polish officers at Katyn Forest and history will record and forever condemn that nation that perpetrated the most atrocious, inhuman, and dastardly crime against humanity since the beginning of the world; and be it further

Resolved, That we, as loyal citizens of the United States of America, hereby repeat our pledge of loyalty and allegiance to our great and beloved country, and pledge our continued support in the defense effort by investing in United States defense bonds; and be it further

Resolved, That copies of this resolution be sent to the President of the United States, Harry S. Truman; to the Secretary of State, Dean Acheson; to Senators Herbert H. Lehman and Irving M. Ives and to Congressman Edmund P. Radwan.

MICHAEL E. ZIMMER,
JOSEPH S. MATALA,
Resolution Committee.

BUFFALO, N. Y., *May 11, 1952.*

PROMOTION OF RIFLE PRACTICE—MESSAGES FROM WISCONSIN RIFLE CLUBS

Mr. WILEY. Mr. President, I have commented previously on the Senate floor regarding the matter of promotion of good marksmanship through that provision in the Defense Department bill under which funds are provided for the National Board for the Promotion of Rifle Practice.

We of Wisconsin have an outstanding tradition of interest in good marksmanship. It is due in part to our magnificent vacation land and to the sound work performed down through the years by Badger sportsmen's groups. So, we yield to no State in the Union in our interest in good marksmanship.

We recall the lesson of history that in every American war, the marksmanship training of our young men has been invaluable in not only winning battles but in saving lives.

I send to the desk various grass-roots messages which I have received from my State on this issue, supplementing those which I have previously placed in the RECORD. I also include as an indication of sentiment elsewhere in the Nation a message which I received from the Bethesda, Md., Landon School.

I ask unanimous consent that the messages be printed in the body of the RECORD at this point.

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

ARMY AND NAVY UNION GARRISON
517 RIFLE AND PISTOL CLUB,
Milwaukee, Wis., April 19, 1952.

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

DEAR SENATOR: The members of our rifle club wish you would do everything you can to get the $130,000 for the program of the National Board for the Promotion of Rifle Practice.

If the National Board, after all these years, (since 1903) should be dissolved it would be a terrible blow to the Nation's riflemen, and would cause them and the Government quite a sum of money, the Government more than they would save.

I wonder if the Senators and Congressmen realize the hours and hours the members of civilian rifle clubs spend in teaching young men rifle marksmanship and the boys in the safe use of firearms. And for all this they get very little support from the Government. Whereas the Government gets these young men trained in the use of the rifle and they get expert riflemen that are able to defend this country from invasion if need be.

A person reads so much about the waste in the Government and when they want to save something they take it away from a group that is doing so much for the security of the country.

Will you kindly do what you can to put this appropriation back into the budget? Will you contact members of the Senate Committee of Appropriations and ask them not to concur with the House on H. R. 7391?

Thanking you in advance, I am,

LEON L. OGREN,
Secretary
(One of your constituents).

BADGER RIFLEMEN, INC.,
Kenosha, Wis., April 30, 1952.

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

DEAR SENATOR WILEY: It has come to our attention that H. R. 7391 (Department of Defense appropriation bill) has passed the House and has been sent to the Senate. As it now stands, this bill sets up no appropriation for the National Board for the Promotion of Rifle Practice.

This would be the first time there has been no such appropriation since 1903, when the national Board was established.

We will not belabor you with the arguments in favor of promoting youth and civilian marksmanship. As a good Wisconsin sportsman, we know you are well informed in this matter and have undoubtedly been approached on this subject before.

We strongly urge that you, as our representative in the Senate and on the Senate Appropriations Committee, exert every effort to reinstate the recommended $130,000 or more for this purpose in H. R. 7391.

Yours very truly,

KERMIT N. CAVES,
President.

HARTFORD RIFLE AND PISTOL CLUB,
Hartford, Wis., April 21, 1952.

DEAR SIR: In regard to H. R. 7391, the Department of Defense appropriation for 1953, we of the Hartford Rifle and Pistol Club urge that you do everything in your power to appropriate the money asked for the promotion of rifle practice in the United States. We as a club have been training the young men around Hartford and without the aid of the D. C. M., we will not be able to do this. You must always keep in mind that every one of our men who goes into service that has this training has a better chance of coming home. Let's keep this United States safe for our families.

Sincerely yours,

GEORGE F. INDERMUEHLE,
Secretary.

APPLETON RIFLE AND PISTOL CLUB,
Appleton, Wis., April 21, 1952.

Hon. ALEXANDER WILEY,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: In behalf of the Appleton Rifle and Pistol Club, Inc., wish to appeal to you for your support in connection with appropriation recommended by the National Board and Department of the Army for the promotion of rifle practice for the fiscal year of 1953.

The funds appropriated in the past have done a great deal of good in the promotion of marksmanship practice, for the senior civilian rifle clubs as well as the junior rifle clubs. Our club is now in the process of completing two junior rifle school classes, and also completing the organization of a junior rifle club, as we want to continue our job and responsibility of not only instructing these juniors, but to give them a place to shoot and practice marksmanship. As an exhibit, I wish to submit a picture from our Post Crescent, showing some of the juniors and Undersheriff Lyman B. Clark presenting Ranger shields for their accomplishments. If the appropriation is rejected all junior rifle schools and junior rifle clubs will be out of existence.

It will mean the discontinuance of the issues of rifles, ammunition, targets and other accessories for marksmanship practice to 3,200 junior and senior civilian rifle clubs and 34 secondary schools now enrolled in the program.

It will necessitate the return of all ordnance equipment to clubs on loan, issued by the Government; this will close more than 600 .30 caliber rifle ranges, one of which is owned by our club. We own the old National Guard range with facilities for 600 yards.

The discontinuance of the sale of ammunition, targets, spare parts and other supplies for marksmanship practice to civilians from ordnance arsenals will cripple our club as well as many others through the country. We therefore appeal to you to help us so that we can continue to train future riflemen and marksmen for the good and benefit of our country and especially at this time, we need these juniors well trained when the time comes for mustering into the service. Thank you for the privilege of writing you and any kind help you can give us.

Sincerely yours,

M. J. KAPPELL, *Secretary.*

MUSKEGO ROD AND GUN CLUB, INC.
Muskego, Wis., April 29, 1952.

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

DEAR SENATOR: The Department of Defense appropriation bill for the fiscal year of 1953, H. R. 7391, was passed by the House of Representatives and sent to the Senate. This bill as it now stands provides no funds whatsoever for the National Board for Promotion of Rifle Practice.

This is a radical departure because since 1903 Congress has provided excellent financial support for the national board and since World War I, has provided an annual average of $305,000 for the board. H. R. 7391 contains no funds for the board because the subcommittee on appropriations for the armed services claims that the promotion of rifle practice, (1) "does not add to the effectiveness of our defense," (2) "is not required to interest our youth in the handling of small arms," (3) "if promotion of rifle practice is to be continued, larger sums would have to be provided with no benefit to the Nation as a whole.

Let us not forget that (1) during World War II, Great Britain had no group trained in small arms and had to beg small arms from us to supply urgently needed defense. (2) Any group wishing to weaken our Nation and its defense makes an immense gain if we weaken or lose our small arms training and skill. (3) Being a Nation accustomed to bear arms for our defense and recreation, not too large a sum of money is needed to keep us in that frame of mind.

The Muskego Rod and Gun Club is a bona fide property owning club incorporated in 1942, and has a membership of 147. As your constituents we request you to reconsider bill H. R. 7391, the Department of Defense appropriation bill so that when it is finally passed it will contain an appropriation for the National Board for the Promotion of Rifle Practice of at least $130,000 as was granted last year. Our Department of Defense needs that amount and more for the promotion of rifle practice.

Very truly yours,

R. H. WOLFF,
Secretary.

LA CROSSE RIFLE CLUB, INC.,
La Crosse, Wis., April 23, 1952.

ALEXANDER WILEY,
United States Senate,
Washington, D. C.

HONORABLE SIR: In connection with H. R. 7391, Department of Defense appropriation bill for the fiscal year 1953:

The undersigned members of our club and the club members in general earnestly urge you to see that the appropriation amounting to approximately $130,000 is passed for the promotion of rifle training among the various clubs as this money is used for the very worthy purpose of training

the young men for national defense. If the amount is not allowed it will cost the Government more to have all the material issued to the various clubs returned.

If not allowed the office of the Director of Civilian Marksmanship would be abolished as this organization has existed for many years and has helped to train a large number of civilians and young men about to enter the Armed Forces.

Let's hope we can continue to make a Nation of riflemen in keeping with the ideals of our forefathers.

Respectfully,

A. D. SANIAL,
Secretary.

30.06 RIFLE AND PISTOL CLUB,
Milwaukee, Wis., April 22, 1952.

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

DEAR SIR: We, the members of the 30.06 Rifle and Pistol Club, 18 male adult citizens, have been reading a lot lately about H. R. 7391, the Department of Defense appropriations bill for 1953, and of course we do not agree with the action of the committee and of the House of Representatives; instead, as your constituents, we urge you to vote for the continuation of the program for the promotion of small arms marksmanship among the citizens of this country because we consider this to be of real benefit to the welfare of the Nation as a whole.

Part of the above-mentioned bill says: "(b) that it does not add to the effectiveness of our defenses." Again, we respectfully disagree. Can anybody say how much money, time and lives were saved because many of our soldiers in the last war were already trained in the use of the basic arm of the soldier? Money was saved because many of our soldiers already knew how to handle a rifle, and it did cost less to train him; time was saved because it did not take such a long time to train such a soldier; lives were saved because these soldiers when in the battlefields, knew better how to take care of themselves than their less fortunate buddies.

Even in civilian life, sir, the training in the safe handling of firearms, that our citizens get from clubs like ours augments the pleasures of hunting and outdoor life, here again lives may be saved because of the training and knowledge that people get in the safe use of firearms.

We believe that at least the requested amount of $130,000 should be appropriated for the promotion of rifle practice and training.

Very truly yours,

FEDERICO HERRERA,
Secretary.

THE LANDON SCHOOL,
Bethesda, Md., April 29, 1952.

The Honorable ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: A notice from the National Rifle Association of America advises us that the House of Representatives in passing the defense appropriation bill did not include the Bureau of the Budget request for $130,000 for the National Board for the Promotion of Rifle Practice.

In rejecting the budget request, junior and senior rifle clubs throughout the United States will be denied the use of .22 caliber and .30 caliber ammunition used for training and qualification firing. It will also deny them the use of range equipment and rifles already issued by the director of civilian marksmanship, and such equipment which might be issued in the future. As you can see, this would force the closing of many junior and senior rifle ranges throughout the United States which depend upon this appropriation for their existence

We join our fellow shooters throughout the United States in earnestly asking that you help us in our efforts to continue the promotion of rifle practice by supporting the budget request of $130,000. Our continued existence as a rifle club entirely depends on the requested appropriation.

Sincerely yours,

JOHN LANING TAYLOR,
Executive Officer, Assistant Instructor.
EDWIN R. KINNEOR, Jr.,
Secretary, Landon School Jr. Rifle Club,
Bethesda, Md.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON of Texas, from the Committee on Armed Services:

S. 3086. A bill to amend the Mutual Security Act of 1951, and for other purposes; without amendment (Rept. No. 1575); and

H. R. 6787. A bill to extend the Rubber Act of 1948 (Public Law 469, 80th Cong.), as amended, and for other purposes; with amendments (Rept. No. 1581).

By Mr. KNOWLAND, from the Committee on Armed Services:

H. R. 696. A bill to authorize the President of the United States to present the Distinguished Flying Cross to Col. Roscoe Turner; without amendment (Rept. No. 1576).

By Mr. GEORGE, from the Committee on Finance:

H. R. 156. A bill to repeal the Alaska railroad tax; without amendment (Rept. No. 1577); and

H. R. 7188. A bill to provide that the additional tax imposed by section 2470 (a) (2) of the Internal Revenue Code shall not apply in respect of coconut oil produced in, or produced from materials grown in, the Territory of the Pacific Islands; without amendment (Rept. No. 1578).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

S. 2646. A bill to cancel irrigation maintenance and operation charges on the Shoshone Indian Mission School lands on the Wind River Indian Reservation; with an amendment (Rept. No. 1579); and

H. R. 6133. A bill to authorize a $100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation; with an amendment (Rept. No. 1580).

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, May 15, 1952, he presented to the President of the United States the following enrolled bills:

S. 2307. An act for the relief of Holger Kubischke;

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

S. 2521. An act to revive and reenact section 6 of the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved December 22, 1944; and

S. 2672. An act for the relief of Elisabeth Mueller (also known as Elizabeth Philbrick).

BILLS INTRODUCED

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

By Mr. GEORGE:

S. 3175. A bill to permit all civil actions against the United States for recovery of taxes erroneously or illegally assessed or collected to be brought in the District Courts with right of trial by jury; to the Committee on the Judiciary.

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

By Mr. WILLIAMS (for himself, Mr. SCHOEPPEL, Mr. O'CONOR, Mr. HENDRICKSON, Mr. FREAR, Mr. SMITH of New Jersey, Mr. BUTLER of Nebraska, Mr. MARTIN, Mr. TAFT, Mr. MUNDT, Mr. IVES, and Mr. NIXON):

S. 3176. A bill to amend the Internal Revenue Code so as to prohibit the deduction from gross income of bad debts owed by political parties and political organizations; to the Committee on Finance.

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

By Mr. MUNDT:

S. 3177. A bill to reimburse the South Dakota State Hospital for the Insane for the care of Indian patients; to the Committee on Interior and Insular Affairs.

By Mr. MARTIN:

S. 3178. 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. NEELY (for himself and Mr. CASE):

S. 3179. A bill to provide for a Delegate from the District of Columbia to the House of Representatives; to the Committee on the District of Columbia.

By Mr. McMAHON:

S. 3180. A bill for the relief of Spiros Lekatsas; and

S. 3181. A bill for the relief of Andreas Grigoratos; to the Committee on the Judiciary.

By Mr. LEHMAN (for Mr. MURRAY):

S. 3182. A bill for the relief of the Sacred Heart Hospital; to the Committee on the Judiciary.

By Mr. KEM:

S. 3183. A bill for the relief of Barbara Ann Meade, a minor; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 3184. A bill for the relief of Evelyn Hardy Waters; to the Committee on the Judiciary.

AMENDMENT OF UNITED STATES CODE RELATING TO RECOVERY OF CERTAIN TAXES

Mr. GEORGE. Mr. President, I introduce for appropriate reference a bill to amend certain sections of the United States Code. The specific purpose of the bill is to provide a jury trial in any action against the United States for the recovery of any internal revenue tax alleged to have been erroneously or illegally assessed or collected, or any penalty claimed to have been collected without authority, or any sum alleged to have been excessive or in any manner wrongfully collected under the Internal Revenue Code, which is the existing law.

In view of the approval of the President's Reorganization Plan No. 1, it is probably necessary, certainly desirable, to offer this amendment to the Internal Revenue Code. It would also give a complaining taxpayer the right to sue the United States in the district in which the taxpayer resides. Under the present law such suits must be brought in the district in which the collector

of internal revenue in a State resides. In the case of a State having two or three districts, it results in a concentration of litigation in the district in which the collector resides.

The bill (S. 3175) to permit all civil actions against the United States for recovery of taxes erroneously or illegally assessed or collected to be brought in the district courts with right of trial by jury, introduced by Mr. GEORGE, was read twice by its title, and referred to the Committee on the Judiciary.

DEDUCTION FROM GROSS INCOME OF CERTAIN POLITICAL DEBTS

Mr. WILLIAMS. Mr. President, on May 13, 1952, on behalf of the Senator from Kansas [Mr. SCHOEPPEL], the Senator from Maryland [Mr. O'CONOR], the junior Senator from New Jersey [Mr. HENDRICKSON], the senior Senator from New Jersey [Mr. SMITH], my colleague, the junior Senator from Delaware [Mr. FREAR], the Senator from Nebraska [Mr. BUTLER], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Ohio [Mr. TAFT], the Senator from South Dakota [Mr. MUNDT], the Senator from New York [Mr. IVES], the Senator from California [Mr. NIXON], and myself, I introduced Senate bill 3164, to amend the Internal Revenue Code so as to prohibit the deduction from gross income of bad debts owed by political parties and political organizations. The purpose of the bill was to correct the loophole in the present tax law whereby the Treasury Department was ruling that loans to political committees were legitimate deductions for income-tax purposes.

Since the introduction of that bill I have found that while it did correct this particular loophole, at the same time it opened another one whereby loans made to special committees set up for the election of State officers could be deductible.

This certainly was not my intention when introducing the afore-mentioned bill, and just why the new loophole was incorporated I am at a loss to understand. My instructions to the legislative counsel were very specific; namely, that I did not want any loopholes left whereby any political contributions or loans of any description could be classified as income-tax deductions.

On behalf of the same Senators I have just mentioned, and myself, I now introduce for appropriate reference a corrected bill.

A similar correction is being made in the companion bill which was introduced in the House on the same date, and as an additional safeguard a copy of this bill is being submitted to the Treasury Department and they are being asked for an advance opinion as to whether or not this bill will correct any and all possible loopholes in this field.

The bill (S. 3176) to amend the Internal Revenue Code so as to prohibit the deduction from gross income of bad debts owed by political parties and political organizations, introduced by Mr. WILLIAMS (for himself and other Senators), was read twice by its title, and referred to the Committee on Finance.

Mr. WILLIAMS. I now move that the Committee on Finance be discharged from the further consideration of Senate bill 3164, and that the bill be indefinitely postponed.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Delaware.

The motion was agreed to.

AMENDMENT OF INTERSTATE COMMERCE ACT—AMENDMENTS

Mr. JOHNSON of Colorado (by request) submitted amendments in the nature of a substitute, intended to be proposed by him to the bill (S. 2746) to amend the Interstate Commerce Act to provide for a Chairman of the Interstate Commerce Commission, to be elected by the Commission, and in whom administrative authority shall be vested, which were referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

REVISION OF LAWS RELATING TO IMMIGRATION, NATURALIZATION, AND NATIONALITY — AMENDMENTS

Mr. LEHMAN (for himself, Mr. HUMPHREY, Mr. BENTON, Mr. LANGER, Mr. KILGORE, Mr. DOUGLAS, Mr. MCMAHON, Mr. GREEN, Mr. PASTORE, Mr. MOODY, Mr. MURRAY, Mr. KEFAUVER, and Mr. MORSE) submitted 11 amendments, intended to be proposed by them, jointly, to the bill (S. 2550) to revise the laws relating to immigration, naturalization, and nationality; and for other purposes, which were ordered to lie on the table and to be printed.

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

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

By Mr. McMAHON:

Address delivered by Dr. Lev. E. Dobriansky at the Conference on Psychological Strategy in the Cold War, on February 22, 1952.

By Mr. JOHNSTON of South Carolina:

Editorial entitled "Couldn't We Get a Divorce?" published in the Tulsa (Okla.) Tribune of March 17, 1952, relating to the status of Puerto Rico.

By Mr. MARTIN:

Article entitled "Oil Industry Faces Problem of Obtaining Funds for Expansion," published in the Wall Street Journal of May 14, 1952.

Article entitled "Mr. Bloom Goes to Washington," written by Milton V. Burgess, and published in a recent issue of the Pittsburgh Sun-Telegraph.

By Mr. WELKER:

Letter addressed to him by Mr. John Arkoosh, of Gooding, Idaho.

OPPOSITION TO GOVERNMENT SEIZURE BY ORDER OF RAILWAY CONDUCTORS

Mr. O'CONOR. Mr. President, yesterday I took occasion to invite the attention of the Senate to the fact that certain railroad brotherhood representatives who had originally advocated seizure of the railroad industry, have in recent days expressed opposition to Government seizure of the railroads.

I stated that two of the brotherhoods who are now participating in Supreme Court proceedings against seizure had come to realize the dangers of governmental seizure. At the time I made that statement there was not available any written petition or brief filed with the Supreme Court by the railroad unions involved.

This morning it has been called to my attention by W. P. Kennedy, president of the Brotherhood of Railroad Trainmen, one of the splendid organizations which has done so much to advance labor's interests, that this brotherhood which originally petitioned the President for seizure is not a party to the pending Court proceedings. Thus, while three of the four railroad brotherhoods are participating in the current action before the Supreme Court, it is only the Order of Railway Conductors which originally favored seizure of the carriers that now opposes such action.

THE KOJE ISLAND PRISON CAMP AFFAIR

Mr. BRIDGES. Mr. President, I ask unanimous consent, with the courtesy of the Senate and the indulgence of the majority leader, that I may speak for not to exceed 5 minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from New Hampshire may proceed.

Mr. BRIDGES. Mr. President, yesterday I spoke of the affair on Koje Island, in which Communist prisoners seized an American general by the name of Francis T. Dodd, and held him as a captive while he negotiated with them; and then later Gen. Charles Colson, who succeeded General Dodd as camp commander, yielded to the demands of the Communist prisoners.

I had intended today to offer a resolution to have the Preparedness Subcommittee of the Committee on Armed Services investigate this incident. However, during the meeting of the Armed Services Committee this morning, the committee had before it as a witness Hon. Frank Pace, Secretary of the Army. Present also was the distinguished chairman of the Preparedness Subcommittee, the junior Senator from Texas [Mr. JOHNSON]. The chairman of the Preparedness Subcommittee told me it was not necessary to offer a resolution; that a letter or a personal word from me to him as chairman of the Preparedness Subcommittee, of which I also happen to be a member, would bring about such an investigation. Therefore, I shall not offer the resolution, but shall accept the statement of the distinguished Senator from Texas in the matter. In passing, I wish to say that I have found the Senator from Texas always to be very fair, and he is doing an outstanding job as chairman of the subcommittee.

Mr. President, I point out that what happened on Koje Island was very disgraceful. Can we imagine, for instance,

the American prisoners who received terrific abuse from the Japs on Corregidor, where many American soldiers were butchered, many died, and only a few returned, making demands and negotiating with the Japanese? Can we imagine American prisoners negotiating in German prison camps? Can we imagine American prisoners who are even today in Chinese or North Korean Communist prison camps negotiating with and having their demands granted by the enemy we are now fighting?

I say this affair follows the pattern established in Hungary, where three American flyers were seized and held for ransom by the Hungarian Government, and the United States Government succumbed to blackmail and paid the ransom demanded. We ought to reflect upon what happened a century or more ago, when we were a small, weak Republic, and other unjustifiable demands were made upon us. We stood up to them then; it is about time we stood up today.

During hearings of the Appropriations Committee on the State Department budget, I was shocked to learn further details with respect to the Hungarian affair. I am more shocked to learn about the Koje Island affair today. It is being used by the Communists as propaganda all over the world. It is almost unbelievable.

I simply wish to say that, insofar as information has come to us and insofar as I know the few facts which have reached us, I commend Gen. Mark Clark for the action he has taken to date. I wish to pay tribute also to Secretary of the Army Frank Pace for the very forthright statement he made before the Committee on Armed Services. He stood up and took a straighforward position in the matter. It is good to know there are some Americans who are standing up to these things. I think the Senate of the United States and the American public want to know that such is the case. They want to commend the good, but they also want to condemn the bad.

Mr. SALTONSTALL. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. SALTONSTALL. Would not the Senator agree with me that we should not allow our delegates to go to the Korean truce talks simply to have Communist propaganda used against us, as seems to be the situation at the present time?

Mr. BRIDGES. I agree with the Senator's statement.

I have been very much interested in comments that have been received from individual parents whose sons and husbands are now serving in Korea. Some of those sons and husbands are now in prison camps of our enemies, the Communists—God knows under what conditions. How do they feel? What is the situation so far as they are concerned?

I have also been very much interested in comments in the press, and I send to the desk various articles and editorials on this subject, and ask to have them printed in the RECORD as a part of my remarks.

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

[From the New York Times of May 13, 1952]

PRISONERS AND PROPAGANDA

The disclosure of the facts surrounding the kidnaping and subsequent release of General Dodd by Communist prisoners on Koje indicates the close connection between the episode and the Communist propaganda line. What might at first have seemed to be a sudden, spontaneous, and almost accidental action is shown to have been a carefully planned scheme to get a hearing for more of the outrageous sort of charges that the Communists have been making both at Panmunjom and in Peiping. The prisoners' "blackmail" demands had so little relation to the truth that they must have been inspired by something other than the immediate facts or the situation on Koje.

This has been characteristic of the entire Communist approach to the prisoner problem and, for that matter, to most of the other issues that have been raised in negotiation. The Communists have been invited after a truce is agreed, to send their own representatives to observe the fairness of the screening processes, and have even been told that they may use whatever persuasion they can to present their case to the captives. This they have flatly refused, just as they refused any sort of investigation of their repeated charges of germ warfare.

The obvious conclusion is that the Communists prefer not to be put in a position of knowing the truth when they feel that they can continue to make propaganda capital out of their monstrous lies. They prefer not to arrive at a conclusion when they feel that they can turn to their profit any sort of delay and deadlock.

These unhappy facts do not augur well for an agreement at Panmunjom. It has long been evident that the Communists made their initial truce proposal with no real desire to see a truce speedily effected. It is difficult, at this stage, to believe that there has been even the slightest particle of good faith in the Communists' so-called negotiation. The result has been the necessity for prolonging the exasperating discussion to the point from which no further ground could be given by the United Nations.

The prisoner issue is that point. It has been used by the United Nations to reaffirm a position that is unshakably sound in humanity and morals. It has been used by the Communists to obstruct a settlement and to serve as the basis for the manufacture of more and more falsehoods.

[From the Washington Evening Star of May 13, 1952]

THE DAMAGE DONE ON KOJE

What has happened at the prison camp on Koje Island adds up to an unholy mess. American prestige has been hurt. At the same time the Communists at Panmunjom and elsewhere have won a big victory in the propaganda field. General Mark Clark, who has just assumed his new duties as supreme commander of the United Nations in Korea, merits sympathy. He is not going to have an easy time repairing the damage that has been done.

In terms of concrete special privileges, it may be that Brigadier General Dodd is right in declaring that his Communist captors have received concessions of only minor importance in exchange for releasing him unharmed. It may be true, too, as General Clark has intimated, that the concessions will never actually be granted because they have been made in response to unadulterated blackmail and because blackmailers have no legal or moral right to the things they extort. Be that as it may, however, the fact remains that the Red war prisoners on Koje have succeeded in putting on a show that has covered the United Nations command with embarrassment of the first magnitude—the sort of thing that the Kremlin and its puppet propagandists can be counted upon to exploit to the utmost.

As negotiated by Brigadier General Colson—General Dodd's successor as top commander on Koje—three concessions have been made to meet the propaganda-laden blackmail demands. In and of themselves, none of the concessions seems to amount to much. One agrees to recognize and cooperate with a commission of representatives chosen by the prisoners from their own numbers—an arrangement that looks harmless enough. The second promises that everything possible will be done to eliminate future violence on the island—a promise which merely affirms that the U. N. will continue its humane treatment under the Geneva convention. And the third says that there will be no "forcible screenings or any rearming" of the Red captives—an assurance that appears to have little meaning in view of the fact that there has been no such rearming and that every captive has already been screened—without force, of course—through interviews to determine his attitude toward the idea of being returned to Red control.

However, even though these concessions may thus seem to be of minor importance at first glance, a second glance shows how they can be distorted into evidence that the United Nations has confessed to mistreating prisoners in the past. Certainly, it takes little imagination to visualize how the Red propagandists are likely to make use of such statements as the following, which General Colson is reported to have addressed to the Koje desperadoes: "I do admit that there have been instances * * * where many prisoners of war have been killed and wounded by U. N. forces * * * I will do all within my power to eliminate further violence and bloodshed. If such incidents happen in the future, I will be responsible." Needless to say, the enemy's lie machine will not balance those words with General Clark's incontrovertible assertion that the island's troubles in recent weeks have resulted from the deliberate and planned machinations of unprincipled Communist leaders bent on disrupting the camp's orderly operation and embarrassing the United Nations command.

It is possible, of course, that the Koje situation has been handled in about the only way it could have been handled once General Dodd was seized as a hostage—the only way, that is, short of resorting to immediate force and thus imperiling the general's life and risking the possibility of brutal retaliatory action against American and Allied prisoners in Communist hands. With that consideration in mind, the American people will have some cause to temper their criticism of what has happened. But they cannot be blamed if at the same time they demand to know how conditions at the camp—notorious for its unruliness—reached a point where the captives were able to get their hands on the top commander to force the U. N. into a humiliating ransom deal of great propaganda value to the Reds.

Presumably, the investigation into the matter will be as thoroughgoing as possible. Neither our own country nor the United Nations can afford any more such monumental fiascos.

[From the Washington Times-Herald of May 13, 1952]

THE DODD AFFAIR

Even though at this writing Gen. Mark Clark, supreme United Nations commander, hints that the U. N. will not keep the terms forced upon it by the kidnaping of Brig. Gen. Francis T. Dodd, it is obvious that the

Red prisoners of Koje have made the U. N. and the United States Army ridiculous.

It is difficult to understand how an American general can be "captured" by prisoners his men are supposed to be guarding, particularly as it appears the kidnaping was planned and not spontaneous.

By his apparent carelessness, General Dodd has forced the American prison command to accept the insulting and ridiculous terms of the Communist prisoners. Thus a handful of Communists has caused this country as well as its allies in the Korean affair to lose face throughout Asia.

Nor will we gain anything by refusing the demands on the basis they were forced on us under "duress." If we do not live up to our word, then that becomes another opportunity for the Communist propagandists to scream that we are liars.

At the same time the Dodd affair has shed light on disgraceful conditions within the Koje prison compounds which contribute to the humiliation of our forces.

Newsmen, visiting Koje, report that Communist prisoners are flying North Korean banners in direct violation of regulations.

Contraband articles, captured from Red prisoners, are returned by their guards "merely to appease them and prevent trouble," according to Col. Wilbur Raven who was nearly taken prisoner with General Dood.

There have been a number of prison outbreaks, organized by Communists.

Camp officials freely admit that while they control conditions outside the prison compound, the Communist prisoners are running things to suit themselves on the inside.

There seems to be some doubt as to whether the Communists or our soldiers are the real prisoners on Koje.

Taken altogether, the kidnaping of an American general by Communist prisoners under his command and his release only after blackmail has an unfortunately familiar ring.

It was not long ago that another American general provided the Communists with priceless propaganda by allowing his diary to be stolen, and only a little more than a year ago that we had to pay $120,000 for the ransom of four American fliers held prisoner by Hungarian Communists.

Little wonder that the Communist negotiators in Korea hold us in such contempt, and will continue to do so as long as our appeasement policy is maintained. Meanwhile the folly of General MacArthur's dismissal becomes more apparent every day.

[From the Washington Post of May 13, 1952]

SNAFUSSIMO AT KOJE

Apparently the initial reports of the conditions surrounding the release of General Dodd at Koje Island—upon which our editorial of yesterday was based—could hardly have been more misleading. The damaging conditions to which the acting commander of the Koje prisoner of war camp, General Colson, agreed in order to obtain General Dodd's release indicate a snafu of mammoth proportions. Indeed, they promise to dwarf all the other bumbles of the Korean war, and they furnish a really ugly welcome to General Clark as he takes over in Tokyo.

For example, in a note to the fanatical Communist prisoners which the Army has now made public, General Colson admitted that there had been instances of bloodshed on Koje and promised to do all within his power to eliminate further violence. He also assured prisoners that in the future they could expect humane treatment in accordance with international law. What, in heaven's name, have the prisoners been getting? According to all the stories released by the Army, officials have gone out of their way to respect prisoners' rights and in the riots at Koje the guards used firearms only as a last resort.

Then, to make matters worse, General Colson agreed to stop the "forcible screening or any rearming of prisoners of war" in this camp. Does this mean that the U. N. would no longer have the right to ask prisoners whether they wished to be repatriated? If so, then what has all the fracas been about at Panmunjom? And what, pray tell, does "rearming of prisoners of war" mean? Officials in the Pentagon say they do not know. Are we to infer from this cryptic reference that prisoners of war have been rearmed and sent back to fight in, say, the South Korean Army? If so, then someone has been playing pretty loose with the information made available to the public.

General Clark's statement that the reply to the prisoners was made under duress (because of the threat to General Dodd's life) and constituted "unadulterated blackmail" is, of course, abundantly true. But why did any responsible Army officer, supposedly aware of the consequences, become a party to this blackmail? The fact that General Dodd placed himself in a position to be captured seems to show at least bad judgment. It is hard to conceive of any circumstances which warranted considering General Dodd's welfare above the welfare of the entire United Nations undertaking.

Undoubtedly what General Colson did was agree to a list of demands made by the Communist prisoners as part of a plan to embarrass the U. N. command. In a sense General Clark is right in implying that there is no obligation to honor promises made under duress. This may well be the best way out of the whole sorry mess.

But think what a propaganda weapon the Communists have been handed. A general officer of the United States Army has virtually confirmed that treatment at Koje has been inhumane; he has promised that screening for voluntary repatriation will be stopped; and he has implied that there has been rearming of prisoners of war. This will be blared from every loudspeaker behind the iron curtain, and it will go a long way toward making a mockery of all the months of haggling at Panmunjom.

Both the Eighth Army and the Defense Department have an obligation to the American public to investigate and explain all the facts promptly, including the ugly implications in General Colson's reply and the reports of atrociously lax administration of the prison camps. They ought to look particularly at the way in which censorship operated to becloud a bad situation. But all the explanations can scarcely atone for a verbal defeat that looks as bad as any the U. N. has suffered on the battlefield.

[From the Washington Post of May 14, 1952]

RESPONSIBILITY FOR KOJE

Last December, in connection with the decision to ransom the American flyers held in Hungary, this newspaper quoted some lines from Rudyard Kipling. They are equally applicable to the disgraceful promises made by General Colson to the Communist prisoners on Koje Island in buying the release of General Dodd:

"It is always a temptation to a rich and lazy nation
To puff and look important and to say:
'Though we know we should defeat you,
We have not the time to meet you.
We will therefore pay you cash to go away.'
And that is called paying the Danegeld;
But we've proved it again and again
That if once you have paid him the Danegeld
You never get rid of the Dane * * *,
So when you are requested to pay up or be molested,
You will find it better policy to say:
'We never pay anyone Danegeld,
No matter how trifling the cost;
For the end of that game is oppression and shame,
And the nation that pays it is lost.'"

The Defense Department took a necessary step to extricate itself by disavowing the statement of General Colson and by relieving both General Colson and General Dodd of their commands. It was particularly important to have the categorical assertion that "no arming of any prisoners has taken place for any purpose whatsoever" and to have the affirmation that the treatment of prisoners has been humanitarian and that there has been no forcible screening. In our opinion, the Department ought to go further and make it clear that the principle of voluntary repatriation will not be abandoned. It goes almost without saying that Generals Colson and Dodd ought to be court-martialed if their responsibility for this piece of monumental stupidity is established.

Two questions in particular remain to be answered:

1. Was General Colson acting on his own authority in making the foolishly phrased concessions to the Communists, or did he act with approval of some higher headquarters? It is scarcely conceivable that General Van Fleet, the Eighth Army commander who threatened to use tanks to rescue General Dodd, would have assented to such conditions. But it is important to learn just how the muddle was compounded after General Dodd had blundered into letting himself be captured.

2. What is the story on conditions at the prison camp? Reports of almost total lack of discipline keep coming back, indicating that the Army has little or no control within the compound. Through the censorship—which, incidentally, made a bad mess far worse—it is almost impossible to learn the truth. The Army has operated on the theory that inasmuch as the 70,000 fanatical Communists on Koje have been segregated from the non-Communist prisoners, prison discipline is more or less up to them. It is true, of course, that it would be a drain on manpower to supply sufficient guards to police the prisoners in every particular. But if lack of firm supervision has permitted the prisoners to set their own terms, certainly a reexamination of the whole situation is urgent.

No agency is competent to investigate itself objectively. That is why it is especially important to have an independent inquiry in addition to the one called for by the Joint Chiefs of Staff through General Clark. The damage to American and United Nations prestige demands the attention of Congress. The Senate Preparedness Subcommittee is the logical body to conduct an on-the-spot investigation, armed, if necessary, with a specific mandate from the Senate.

Investigation, to be sure, cannot undo the damage—and doubtless the Communists will capitalize the repudiation no less than the original concessions. But a quick, tough investigation can fix the responsibility, correct conditions and point up a sad lesson for the future. Perhaps it will also show that "Danegeld" ought to be required reading at West Point and at the War College.

[From the New York Times of May 13, 1952]

BLACKMAIL IS LAID TO KOJE CAPTIVES IN SEIZING GENERAL—CLARK SAYS PRISONERS WARNED OF UPRISINGS AND KILLING OF DODD IF FORCE WAS USED—ALLIES GRANT DEMANDS—RELEASED OFFICER TELLS OF LONG PARLEYS WITH RED LEADERS IN MOVE TO FREE HIM

HEADQUARTERS, EIGHTH ARMY IN KOREA, Tuesday, May 13.—Gen. Mark W. Clark, United Nations commander in the Far East, said yesterday that the promises made to the Communist prisoners of war who had captured Brig. Gen. Francis T. Dodd, former commander of the prisoner camp at Koje Island, and released him Saturday after 78

hours, had been made in response to unadulterated blackmail.

This blackmail, he said, came in the form of demands by North Koreans, who threatened to kill General Dodd if force were used to free him, and to set off uprisings in compounds on the island containing about 80,000 Communist prisoners.

The prisoners were told that if General Dodd was released unharmed there would be no more forcible screening or any rearming of prisoners of war in the camp, nor would any attempt at nominal screening be made.

General Clark pointed out that Brig. Gen. Charles F. Colson, who succeeded General Dodd as camp commander, had acted on his own initiative when he made these commitments. He explained that the reply of General Colson to the Communist prisoners was made under great duress at a time when the life of General Dodd was at stake.

"Communist demands were unadulterated blackmail, and any commitments made by General Colson as a result of such demands should be interpreted accordingly," General Clark asserted.

QUESTIONS ARE BARRED

Since no questions were permitted on the subject of General Clark's review, it was not known whether this meant that General Colson's promise would be ignored or what was meant by the reference to rearmed prisoners in the camp.

[The Joint Chiefs of Staff has asked the Far East Command to rush an immediate clarifying report to Washington on the explosive situation on Koje, the Associated Press said.]

Meanwhile, General Dodd revealed how he had acted as middleman in the barter deal for his life between the prisoners and Allied troops surrounding the compound in which he was held hostage.

Underscoring the stories of Generals Clark and Dodd was a theme of failure of kindness toward the Communist prisoners and of appeasement of their whims. The uselessness of a plan to win the friendship of the prisoners emerged from interviews of Koje earlier in the day with other key figures in the bizarre drama.

The story began with what had the appearance of an annoying incident, and then suddenly, as American troop pressure increased, developed threats of prison breaks involving tens of thousands of prisoners, and threats to murder General Dodd. Half an hour before General Dodd was to have been released, the Communists tried to renege on their agreement to try to subject him to a humiliating propaganda show.

It was a story in which a mysterious commissar of prisoners turned up at one point and in which, at another point, flowers were placed in the general's tent.

General Dodd nervously read to correspondents an account of his experiences in the compound with 6,000 Communists. In a deep voice that quavered a few times, the burly, gray-haired general started with the Communist ruse that brought him to the gates of the compound; dwelt on his meetings with the Communist ringleaders, and concluded with an opinion—contradicting that of General Clark—that the "concessions granted by the camp authorities were of minor importance."

These concessions included a promise to the Communists by General Colson "that in the future prisoners of war can expect humane treatment in this camp," and an admission "that there have been instances of bloodshed where many prisoners of war have been killed and wounded by United Nations forces." Also extended to the Communists was the pledge barring the screening or rearming of prisoners.

TELLS OF SEIZURE

General Dodd's story, by avoiding the subject of the terms of the negotiations between the prisoners and the United Nations forces, was a more dramatic document than the others, despite its style of military formality.

At 2:00 last Wednesday afternoon, General Dodd said, he went to Compound 76 in response to requests from the prisoners that he listen to their complaints about food, clothing and medical supplies, "as well as a number of demands concerning forced repatriation, the acceptance of Russia as a neutral nation and other matters not appropriate for such an interview."

After an hour and a quarter of haggling, General Dodd decided to leave, and turned to walk away from the opened gate of the compound. Whereupon about 20 prisoners overpowered him and dragged him past an inner gate that closed from the inside.

His personal possessions were confiscated, and were restored to him after he had been moved into a comfortable room in one of the compound buildings and "informed that this action had been planned and that all Communists had been prepared to seize me if the opportunity arose.

During the several hours he spent in this room, General Dodd complied with a Communist request that the allies deliver to the compound the prisoner-leaders of other compounds on the island. By 7:30 that evening the other Communist leaders had been brought to compound 76 by jeep and sedan.

AGREES TO DELEGATION

A half hour later, the leaders told General Dodd they wanted a delegation consisting of one representative of each compound.

General Dodd agreed, "with the understanding that details would be worked out later," and he was led to a tent that had obviously been prepared for him.

At this point, cameramen listening to the general's recital in a briefing room here ringed the lectern on which he was leaning slightly as he read and the general faltered as to the flare of flashbulbs blinded him momentarily. Then he resumed.

"They had quickly constructed a blanketed room with rice mats on the floor, a built-in bunk, a table with flowers and a rack on which to hang my clothes," he recounted. "Three guards remained inside the room for the first 24 hours, and some 15 or 20 remained in the tent, but outside the room. I am convinced now that these guards were placed there to protect me from other members of the compound."

Next morning, he received details of the delegation of prisoner compounds, and he approved, "with minor exceptions." Then on Friday morning, the Communists turned over to General Dodd a more detailed plan to organize the Communist prisoners of war, and a list of incidents at these compounds in which prisoners had been injured.

He was "required to reply to this statement in writing, giving my comment on each reported incident." This chore General Dodd completed by 1 o'clock that afternoon.

ATTENDS PRISONER MEETING

Two hours later, he was taken to a meeting of the prisoner delegation, under the chairmanship of Col. Lee Hak Koo. For 3 hours, General Dodd listened to grievances presented "according to the best parliamentary procedure." General Dodd said that in all cases the chairman ruled in the general's favor. At least, he said, it seemed that way.

But at 6:30 p. m., parliamentary courtesy changed when the Communists were informed that in a half hour American troops would enter the compound to rescue the general. The meeting ended abruptly, and Colonel Lee went into a huddle with General Dodd.

The colonel said "that it had been intended to conduct this meeting for a period of 10 days, according to a prearranged schedule, but now it seemed desirable to find more rapid means of arriving at a solution."

"I was then taken back to my tent," the general said. "There can be no question, but that the indications of force had a decided effect on the decision to speed up the procedure. Shortly thereafter, I was visited by Colonel Lee and a prisoner of war whom I had never seen before, but whom I believed to be the commissar of the entire camp.

WARN HE WOULD BE KILLED

"They discussed with me the effects of the use of force. They informed me that if the troops entered the compound they would resist; that my life would be forfeited; and that there would be a simultaneous break from all compounds on the island.

"They informed me that they were preparing an agenda of four items which they wished to present to General Colson for his consideration, with the hope he would give them satisfactory statement to their problems."

The next morning, the agenda was delivered to General Colson but the Communists termed his answer unsatisfactory until General Dodd explained the difference was a result of faulty translation. Thereupon, General Dodd rewrote the letter to their liking and it was sent to General Colson, who approved it promptly.

Nevertheless, the Communists argued over minor points, and so it had to be changed again. At 8 o'clock that night, Colonel Lee said General Colson's statement was satisfactory. But still, contrary to the Communist promise, the prisoners were reluctant to release General Dodd. They told him the weather was bad and suggested he remain overnight.

At this point in his recital, General Dodd paused, raised his furrowed, perspiring brow and looked out on the room full of silent correspondents. Even photographers stopped moving.

"I then discovered," General Dodd said, while still looking at his audience as though he knew this section by heart, "that they had prepared another letter to General Colson informing him of arrangements for a release ceremony."

THREATENS TO CALL OFF DEAL

"Apparently I was to be decorated in flowers and escorted to the gate between formed lines of prisoners of war. I was to be met at the gate by General Colson, where I would be delivered into his custody."

"I informed them that we would call the whole matter off; that they had not lived up to their promises; that they had admitted that General Colson's statement was satisfactory and now they wished to place other unacceptable conditions upon my release. I informed them that if they could not live up to their promises we would not live up to ours."

General Dodd's eyes left the spectators and returned to the paper on the lectern. A photographer crouched beside him within a few feet of the pistol in a holster at the general's right side and aimed his camera up at the general's face. General Dodd turned his head slightly toward the photographer and then back to his paper.

"By this time," he said, "it was 9 o'clock. They immediately agreed that I was right and requested that I inform General Colson that I would be released at 9:30, and at this time I was delivered to the gate by the principal leaders and released.

"During my entire stay in the compound, I was treated with the utmost respect and courtesy, and my personal needs were looked out for. The demands made by the POW's are inconsequential, and the concessions granted by the camp authorities were of minor importance."

General Dodd picked up his manuscript and, escorted by two lieutenant colonels, left the room.

[From the Washington Evening Star of May 13, 1952]

REDS' PROPAGANDA AMMUNITION—GENERAL COLSON'S STATEMENT IN HIS EAGERNESS TO RESCUE GENERAL DODD IS BOUND TO COMPLICATE TALKS OF PANMUNJOM FURTHER

(By Constantine Brown)

In his eagerness to rescue Brig. Gen. Francis T. Dodd from his captors, Brig. Gen. Charles Colson, the new commandant of the prisoner of war camp at Koje Island, made a statement which is bound to complicate further the Panmunjom negotiations and give the Reds the most powerful propaganda ammunition they have had so far.

General Colson stated to his "wards": "I can assure you that in the future the prisoners of war can expect humane treatment in this camp in accordance with the international law. There will be no more bloodshed. If such incidents occur in the future, I will be responsible."

This astounding statement is tantamount to an admission that in the past the United Nations officials did not live up to the Geneva international convention regarding treatment of prisoners of war. There have been two incidents resulting in bloodshed in the Koje camp but they were caused by uprisings staged by the POW's themselves.

The statement of General Colson is, to say the least, surprising since the commandant and the personnel which guards the prisoners of war have erred more by their leniency toward the Chinese and North Korean Communists than by toughness. Belated efforts of the Defense Department to correct erroneous impressions conveyed by the Colson statement are not likely to undo all the damage.

It is well known in Washington that in the hope of making the life of the allied prisoners in North Korea and Manchuria less difficult the U. N. military authorities were most careful to treat their Red captives with more consideration than was accorded to German and Italian prisoners during the last war.

The fact that more than two-thirds of the Reds in our hands refused to return to their homeland has irked the Chinese and North Korean negotiations at Panmunjom. This attitude of their fellow countrymen was the first serious blow to their prestige in the eyes of the Asiatics.

It is fair to conjecture that the authorities at Pyongyang sent orders by grapevine communications for the captives at Koje to kidnap the American commandant and extract such a statement as General Colson gave. This will supply the Panmunjom negotiators with admirable propaganda material to blast the Americans for their "barbarous" treatment of the POW's as "admitted" by Colson. In all likelihood it will be used to support charges that the Reds who refused to return to the Communist "paradise" were actually coerced by brutal treatment.

A full investigation of the circumstances regarding the carelessness of General Dodd will be made by the new U. N. commander, Gen. Mark Clark. At the same time Gen. J. Lawton Collins, the Army's chief of staff, will have to give full explanations of this painful incident, which reflects seriously on our Army, to the Armed Services Committees of Congress.

General Collins is expected to be invited to appear shortly before the Senate committee with a complete presentation of conditions in the Korean POW camps. The committee members will want to know why General Dodd was so careless when previously Lt. Col. Wilbur R. Raven had been captured by the Reds and held for about 3 hours.

General Dodd was detached from his position as assistant chief of staff of the Eighth Army because Gen. James Van Fleet was not satisfied with conditions in the Koje stockade and particularly in Compound 76. He was believed to be a strong man who would not permit a repetition of the outrages committed by prisoners in the past.

Senators who visited the camps where German prisoners were held during the last war—and some of the Nazis were as fanatical as the Reds—remember that guards with tommy guns were ready to intervene at the slightest provocation. When a deputation of POW's went to make complaints it was escorted to the commandant. The officer in command never went into the stockade to listen to prisoners. This method obviously was not followed by General Dodd, although the insubordinate and rebellious attitude of the prisoners in Compound 76 who captured him was well known.

The Reds were so certain that they would succeed in this kidnaping that they had prepared beforehand a tent with flowers and other western comforts for their prisoner-to-be.

Our loss of face throughout Asia, at a time when we had succeeded in turning the table on the enemy, is serious. Also this painful incident is bound to make the Panmunjom negotiations even more difficult than they have been heretofore.

Mr. BRIDGES. I believe this subject should have our attention. As I have stated, I do not wish to condemn anyone unwarrantedly. I pay tribue to the two men I know of who have stood up. There may be others. However, this subject should be looked into. I commend it to the Senate for its attention. I shall watch with interest the development of the facts as they are submitted to the Preparedness Subcommittee. The distinguished Senator from Texas [Mr. JOHNSON] has assured me that the subcommittee will immediately begin a thorough investigation of the incident.

LABOR UNIONS AND THE ANTITRUST LAWS

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

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Virginia may proceed.

Mr. ROBERTSON. No industrial dispute in the history of the Nation has stirred our people to a greater extent than has the current dispute between the steel operators and the steel workers. No constitutional issue has arisen which is more vital to the future of our democratic institutions than the one so ably argued last Monday by Hon. John W. Davis in the steel seizure case.

In January of 1950, when it was apparent to all that we were moving into a major rearmament program, the junior Senator from Virginia anticipated that in that program we might encounter some industrial disputes between management and labor which could be very harmful to the defense effort, and perhaps fatal to our effort to prevent a third world war by demonstrating readiness, willingness, and ability successfully to defend ourselves should we be attacked.

On January 23, 1950, the junior Senator from Virginia introduced a bill, Senate bill 2912, to protect trade and commerce against unreasonable restraints by labor organizations. The bill was referred to the Committee on the Judiciary. I ask unanimous consent that that bill be printed in the RECORD at this point as a part of my remarks.

There being no objection, the bill (S. 2912) to protect trade and commerce against unreasonable restraints by labor organizations, was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That (a) section 1 of the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," as amended (U. S. C., title 15, sec. 1), is amended by inserting before the period at the end thereof the following: *Provided further*, That when a labor organization or the members thereof have unreasonably restrained trade or commerce among the several States, or with foreign nations, in articles, commodities, or services essential to the maintenance of the national economy, health, or safety, or any substantial segment thereof, such conduct shall not be made lawful, and the jurisdiction of any court of the United States to issue an injunction against any such conduct shall not be restricted or removed, by the act of October 15, 1914, entitled 'An act to supplement existing laws against unlawful restraints and monopolies and for other purposes,' as amended, or the act of March 23, 1932, entitled 'An act to amend the judicial code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes'."

(b) Section 3 of the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," as amended (U. S. C., title 15, sec. 1), is amended by inserting before the period at the end thereof the following: "*Provided*, That when a labor organization or the members thereof have unreasonably restrained trade or commerce between any such Territory and another, or between any such Territory or Territories and any State or States or the District of Columbia, or with foreign nations, or between the District of Columbia and any State or States or foreign nations, in articles, commodities, or services essential to the maintenance of the national economy, health, or safety, or any substantial segment thereof, such conduct shall not be made lawful, and the jurisdiction of any court of the United States to issue an injunction against any such conduct shall not be restricted or removed, by the act of October 15, 1914, entitled 'An act to supplement existing laws against unlawful restraints and monopolies and for other purposes,' as amended, or the act of March 23, 1932, entitled 'An act to amend the judicial code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes'."

Mr. ROBERTSON. After some weeks of delay that bill was referred to a subcommittee, which held hearings. As I understand, the subcommittee favorably reported the bill to the full committee, but the full committee has taken no action on it.

One of the witnesses who appeared before the subcommittee was my dear departed friend, Edward H. Miller, then a practicing attorney in Washington, and previously one of the ablest lawyers to serve in recent years in the Antitrust Division of the Department of Justice. The arguments advanced by Mr. Miller, in a brief prepared by him at that time on the antitrust laws, for making labor unions, under certain circumstances, amenable to the antitrust laws when they undertake to exercise control of vital national industries was so cogent that I ask unanimous consent to have

it printed in the RECORD at this point, as a part of my remarks.

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

STATEMENT OF EDWARD H. MILLER BEFORE A SUBCOMMITTEE OF THE SENATE JUDICIARY COMMITTEE IN CONNECTION WITH S. 2912, AN AMENDMENT TO THE SHERMAN ANTITRUST ACT

My name is Edward H. Miller. I am a practicing lawyer in Washington and am appearing before this subcommittee at the invitation of its chairman. I represent no one in presenting this statement, and the views I express are entirely my own.

Before I entered the private practice of law in Washington, I served for over 4 years as a special assistant to the Attorney General of the United States in the Antitrust Division of the Department of Justice. In the course of that experience, I was working constantly with problems arising under the Sherman Act and the other antitrust laws, an experience which, I believe, prompted Senator A. WILLIS ROBERTSON to ask me to testify during the course of the hearings he conducted on behalf of the Senate Banking and Currency Committee last July and August. I have given careful consideration to Senator ROBERTSON'S proposed amendment to the Sherman Act embodied in S. 2912, as well as to other possible methods of approach to the problem with which this bill attempts to deal, and I am convinced that Senator ROBERTSON'S approach is the soundest, fairest, and most practical solution for this difficult, but most urgent, problem.

I

Today the Sherman Antitrust Act is, for practical purposes, a nullity as far as labor union activities are concerned. Labor unions can do practically anything they please to impose unreasonable restraints on the interstate commerce of this Nation, free from any fear of injunction, criminal prosecution, or treble damage suit. For whatever value it may have to this committee, I shall try to analyze some of the vagaries of the antitrust laws as they have been applied to labor unions, by sketching the evolution of these laws to their current state, and by pointing out how they immunize labor unions from all the normal legal sanctions applicable to other groups. Naturally any future antitrust legislation will be interpreted against the background of past experience under the Sherman, Clayton, and Norris-LaGuardia Acts. Therefore, it is necessary to examine the past application of these acts to unions, and thus gain a realization of the steps by which labor has achieved its present immunity from the antitrust laws.

Under the common law of England, all combinations of labor for any purpose were originally outlawed, and the cases so holding were the very cases relied on by our Supreme Court in defining and building up the nonstatutory concept of criminal monopoly by business. The British Parliament gradually liberalized by statute the common law restrictions on labor unions, just as the restrictions on combinations of capital were also eased. Thus restraints of trade and monopolies by labor were not entirely foreign to the antitrust problem when the Sherman Act was passed in 1890.

With this background in mind, it is not surprising that the Sherman Act was originally interpreted to apply to labor unions, although it was not passed with that specific purpose in mind. Section 1 of the Sherman Act[1] provides that "Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is hereby declared to be illegal."

[1] 15 U. S. C., sec. 1.

This language is unambiguous and unqualified. Read literally, it includes every combination and conspiracy in restraint of trade, whether engaged in by labor organizations or others. Thus, those who contend that the Sherman Act was not originally intended to apply to labor[2] are forced to rely chiefly on the Sherman Act's legislative history. In the debate in the Senate it was argued that the bill if enacted in its original form (for which Senator Hoar was largely responsible) would be employed to oppress labor and agricultural organizations. Senator Sherman offered a proviso exempting the activities of such organizations from the act. Senator Edmunds attacked this proviso on the floor of the Senate and the bill was then referred to the Judiciary Committee, of which Senator Edmunds was chairman. The language of the bill was materially altered by the committee and no proviso exempting labor was included. Senator Edmunds, who had vehemently opposed the exemption, professed himself satisfied, and no reference to the labor problem appears in the subsequent debates in either the Senate or the House.

It has been argued that the elimination of Senator Sherman's labor-exemption proviso clearly indicates that Senator Edmunds' view prevailed. If so why then did not the protagonists of labor voice their objection to it? On the other hand, it has been contended that the revised bill, by using language normally applicable only to business combinations, made any specific exemption of labor unions unnecessary, but the latter argument begs the question, and leaves Senator Edmunds' acquiescence unaccounted for. A solution which will explain the reconciliation of the conflicting senatorial positions is that while the revised bill was regarded as not exempting labor entirely, it was accepted as applying only to unlawful labor activities. The bill to which the proviso had been appended originally gave justifiable grounds for believing that activities of labor unions which had been previously regarded as lawful would be in violation of its terms. The removal of this threat by the revision of the bill sufficed to satisfy the advocates of the proviso, without giving to labor a blanket immunity which would have met with the continued opposition of Senator Edmunds.

The Supreme Court first applied the Sherman Act to labor unions in *Loewe* v. *Lawlor* (208 U. S. 274 (1908)), known as the Danbury Hatters case. This case was a treble-damage action against a union brought by a hat manufacturer employing about 230 people. Through a Nation-wide secondary boycott, pressure was brought by the union against wholesalers and retailers to keep them from buying the plaintiff's hats in order to compel the plaintiff to consent to a closed shop. The Supreme Court construed the Sherman Act to prohibit any combination whatever which essentially obstructed the free flow of commerce between the States, or restricted, in that regard, the liberty of a trader to engage in business. At common law, according to the Court, "every person has individually, and the public has collectively, a right to require that the course of trade should be kept free from unreasonable obstruction," and the Sherman Act has a broader, not a narrower, application than the common-law rule. Thus any distinction between labor and business combinations was repudiated by the Supreme Court at its first opportunity. This holding was in accord with prior lower Federal court decisions.

Three years later the Supreme Court in *Standard Oil Co.* v. *United States* (221 U. S. 1 (1911)), held that illegal combinations could be dissolved under the Serman Act. This caused union leaders to become apprehensive that unions might be dissolved under the act regardless of the extent of their activities. Concurrently—and of more immediate importance to labor—the labor injunction was assuming a more prominent role in labor disputes as a strike-breaking device. Organized labor trained its guns on both the labor injunction and the application of the Sherman Act to union status and activities, and protection against these threats was promised in the Democratic platform in the Presidential campaign of 1912. These promises to labor were dealt with in the Clayton Act of 1914.

Section 20 of the Clayton Act[3] prevents the granting of injunctions by Federal courts against certain specific labor activities which even at that time were generally considered legal, such as peaceful picketing. By implication it left undisturbed the illegality attached to certain other conduct.

Section 6 of the Clayton Act,[4] after declaring that "the labor of a human being is not a commodity or article of commerce," provides that "Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor * * * organizations * * * or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the antitrust laws." This section was the answer to the other promise made in 1912, following the apprehensions engendered by the Standard Oil Co. decision. It removed all doubt of the right of labor to organize in unions, and affirmed the legality of their status. However, by the use of such language as "legitimate objects," and by legalizing not the acts of labor organizations or their members, but only the organizations and members themselves, it is plainly confined to an attempt to protect labor unions against a charge of an unlawful status.

With the Clayton Act, as with the Sherman Act, the legislative history shows that Congress did not intend to exempt all union activities from the act. In the course of the debates in the House, after a question had been raised as to the meaning of section 6, and particularly the meaning of the declaration that labor is not a commodity or article of commerce, a clear-cut labor exemption proviso was offered by way of amendment, and was rejected.

After the passage of the Clayton Act, the Supreme Court took the first opportunity to refute, in very explicit language, the suggestion that the Clayton Act had created any blanket immunity for labor unions. In *Duplex Printing Press Company* v. *Deering* (254 U. S. 443 (1921)), a majority of the Court held that section 6 of the Clayton Act protected only the existence of labor organizations. The act was said to be merely declaratory of the prior substantive law—merely declaratory of what the best practice always had been for the granting of injunctions. See *American Steel Foundries* v. *Tri-City Council* (257 U. S. 184, 203 (1921)). Further, section 20 was construed to apply only where an employer-employee relationship existed.

Since the Clayton Act allowed individuals as well as the Government to seek injunctions, the injunction problem became increasingly acute in the eyes of labor organizations. The question of what a union could or could not do legitimately to further its interests was frequently litigated in the twenties, and the now famous labor dissents of Justices Holmes, Brandeis, and Stone were mostly concerned with the question of the

[2] For statements of this view see Berman, Labor and the Sherman Act (1930), pt. 1; Boudin, the Sherman Act and Labor Disputes, 39 Col. L. Rev. 1283 (1939), 40 Col. L. Rev. 14 (1940).

[3] 29 U. S. C., sec. 52.

[4] 15 U. S. C., sec. 17.

justifiable extent of a labor union's interest in industry-wide conditions, in how far a union could go to further the welfare of its members.

The cases decided under the Clayton Act recognized that a union cannot be effective in raising the wages of its members without going outside a single employer's shop. As Chief Justice Taft expressed it, "It is helpful to have as many as may be in the same trade in the same community united, because in the competition between employers they are bound to be affected by the standard of wages of their trade in the neighborhood. Therefore, they may use all lawful propaganda to enlarge membership and especially among those who labor at lower wages and willingly injure their whole guild." *American Steel Foundries* v. *Tri-City Council* (257 U. S. at 209).

Some members of the Court went further. Mr. Justice Brandeis, in his dissenting opinion in *Hitchman Coal & Coke Co.* v. *Mitchell* (254 U. S. 229, 268 (1917)), stated that the desire of the United Mine Workers to unionize every mine on the American Continent, and especially those mines in competition with mines already unionized, was not unlawful but was part of a reasonable effort to improve the condition of workingmen engaged in the industry by strengthening their bargaining power through unions and extending the field of union power.

In spite of these favorable legal demonstrations, unions still found the Sherman and Clayton Acts embarrassingly restrictive, and the use of the injunction as a strike-breaking weapon increasingly onerous, as unions expanded and sought greater power.

The result of labor's hue and cry was the Norris-LaGuardia Act[5] of 1932, which broadly and unequivocally removed the jurisdiction of any Federal court to issue any restraining order or injunction in practically any case arising out of a labor dispute. Thus, labor finally secured immunity from the injunctions that had plagued so many of its organizing campaigns.

The main object of the Norris-LaGuardia Act was to remedy what was felt to be an existing evil, namely, a too-liberal use by the Federal courts of their equity power to issue injunctions in labor disputes. Labor unions and their partisans had contended that whatever power labor might possess through collective action was effectively canceled by the ability of employers to secure temporary restraining orders against strikes, picketing, and other concerted activities, merely by filing an affidavit in a Federal district court, without notice to the opposing party. To remedy this situation, the act provided in substance that the Federal courts should no longer have jurisdiction to issue restraining orders or temporary or permanent injunctions in any case involving or growing out of a labor dispute.

It will be noted that to some extent the Norris-LaGuardia Act duplicates section 20 of the Clayton Act. Two significant distinctions between these statutes exist, however.

The first of these differences is that the term "labor dispute" is defined explicitly in the Norris-LaGuardia Act to cover more ground than was covered by section 20 of the Clayton Act. A labor dispute may exist within the meaning of the Norris-LaGuardia Act, whether or not the disputants stand in the proximate relation of employer and employee (sec. 13 (c)).

The second major difference between the Clayton Act and the Norris-LaGuardia Act is that the latter purported to do no more than regulate the issuance of injunctions by the Federal courts. Whereas section 20 of the Clayton Act contained the substantive provision that none of the labor activities therein mentioned should be considered or held to be violations of any law of the United States, the Norris-LaGuardia Act nowhere contains such a provision.

With the law in this posture, the Department of Justice in 1939 began a Nation-wide campaign against racketeers in the building trades, where labor unions were prohibiting the use of new building techniques, imposing wasteful feather-bedding practices on employers, and, in general, restraining trade through callous abuse of their power. No clearer example of restraints of trade can be conceived than the policy of certain unions of excluding from a geographical area the products of companies in competition with local employers of union labor.

Criminal prosecutions under the Sherman and Clayton Acts were begun on a Nation-wide basis, and numerous indictments secured. The whole campaign, however, came to naught when the Supreme Court held in *United States* v. *Hutcheson* (312 U. S. 219 (1941)), that labor activities exempted from injunction by the Norris-LaGuardia Act were by implication exempted completely from the prohibitions of the Sherman Act. This case involved an employer caught in the middle of a jurisdictional dispute between the carpenters' union and the machinists' union. The carpenters' union called a strike, picketed the premises, requested its members throughout the Nation not to buy the employer's product, and attempted to foment sympathy strikes. The Government caused the head of the carpenters' union to be indicted. The holding in this case might well have been that the direct employer-employee relationship brought the case within the immunities provided by section 20 of the Clayton Act. Instead, the majority opinion by Mr. Justice Frankfurter was based on the theory that the Norris-LaGuardia Act had in effect amended both the Clayton Act and the Sherman Act to immunize all concerted labor activities where pursued by labor unions acting in their own interests and where such activities were involved in or grew out of labor disputes as defined in the Norris-LaGuardia Act. This bombshell was fatal to the Department of Justice's attempts to remove these log-jams in the stream of interstate commerce and explains why the Department cannot adequately deal with problems like the present coal situation.

The licit and the illicit under section 20 of the Clayton Act were no longer, after the Hutcheson case, to be distinguished by any judgment regarding the wisdom or unwisdom, the rightness or wrongness, the selfishness or unselfishness, of the end which the particular union activities sought to achieve. And the case of *Hunt* v. *Crumboch* (325 U. S. 821 (1945)), underscored the holding in the Hutcheson case that motive and wisdom are immaterial. In that case the union's grievance stemmed wholly from a personal dislike for the employer, because of which the union withheld its labor from the employer in order to destroy him. Although the employer offered to sign a closed-shop contract, the union refused to let its members work for him, and forced his customers, with whom the union had closed-shop contracts, to cease doing business with him. Such conduct was held to be lawful under the doctrine of the Hutcheson case, on the theory that laborers can sell or not sell their labor on such terms as they please. The employer was destroyed but left without legal recourse.

Under the Hutcheson case the only apparent limitations upon the immunity accorded a union are that it must act to further its self-interest as a labor organization, and cannot combine with nonlabor groups. Thus, except in certain cases, where business conspires with labor, every conflict in which labor is involved can qualify as a labor dispute.

II

The Hutcheson case marked the practical realization of the complete immunity of labor from the antitrust laws. Between 1914 and 1941 the courts were considering the extent and scope of the statutory immunity of labor created by the Clayton and Norris-LaGuardia Acts. While the statutory immunity was still regarded as incomplete, the courts also were considering the companion problem of what types of union restraints were illegal under the Sherman Act itself. This is now a purely academic question to most lawyers, but peculiarly of interest to this committee, since the effect of removing by legislation part of labor's immunity will be to reinvigorate and rejuvenate the concept of unreasonable restraints of trade as developed prior to the Hutcheson case.

While the basic language of the Sherman Act is unchanged, the Supreme Court's version of its meaning has been subjected to modifications. The rule as to which restraints are illegal adopted in *Loewe* v. *Lawlor*, which held illegal a secondary Nation-wide boycott of a small hat manufacturer, was thus stated by the Court:

"In our opinion, the combination described in the declaration is a combination 'in restraint of trade or commerce among the several States,' in the sense in which those words are used in the act, and the action can be maintained accordingly.

"And that conclusion rests on many judgments of this Court, to the effect that the act prohibits any combination whatever to secure action which essentially obstructs the free flow of commerce between the States, or restricts, in that regard, the liberty of a trader to engage in business.

"The combination charged falls within the class of restraints of trade aimed at compelling third parties and strangers involuntarily not to engage in the course of trade except on conditions that the combination imposes; and there is no doubt that (to quote from the well-known work of Chief Justice Erle on trade-unions) 'at common law every person has individually, and the public also has collectively, a right to require that the course of trade should be kept free from unreasonable obstruction" (208 U. S. at 292).

This concept was subjected to modification by the *Standard Oil* case (221 U. S. 1 (1911)). That case first established the rule of reason, which declared that only those contracts which unreasonably restrained trade were outlawed by the Sherman Act. The opinion contains an elaborate analysis of the common law dealing with monopolies. Later, the rule of reason was declared applicable to labor restraints, in *National Association of Window Glass Manufacturers* v. *United States* (263 U. S. 403 (1923)).

Typical of the cases following the *Loewe* v. *Lawlor* concept of physical interference with interstate commerce is *Hitchman Coal & Coke Co.* v. *Mitchell* (245 U. S. 299 (1917)), an extremely controversial opinion by Mr. Justice Pitney, which upheld an injunction against an attempt by the United Mine Workers to organize nonunion mines in which the workers had agreed to quit work if they joined a union. In dealing with such an employer the unions naturally strove to keep the extent of their success in organizing secret until they were able to close the mine by strike. Also the members of the union kept working while awaiting the strike call. The opinion stressed the idea that the employer's action in imposing the condition of nonunion membership was reasonable due to the difficulties in operating with a union shop in the past. The union recognized these unorganized mines as a serious threat, since the competition produced by the unorganized field rendered it more difficult for the operators of union mines to grant concessions demanded by the union. Thus, in order to relieve the pressure on union members and their employers elsewhere, a concerted organizing drive was undertaken in the unorganized West Virginia district.

[5] 29 U. S. C., sec. 101 et seq.

On these facts the Court held that the employer was within its legal rights in employing its men only on terms of continuing nonmembership in the union. It was held that the employer had a property right in the employment relationship with its employees which could not be interfered with by a third person. The union had violated this property right by secretly soliciting among the employees in preparation for a strike, and therefore the union was not pursuing its object by lawful means.

Mr. Justice Brandeis' dissent was predicated on the proposition that the organizing campaign in West Virginia was part of a reasonable effort to improve the conditions of workingmen engaged in the industry by strengthening their bargaining power through unions, and extending the field of union power. According to his dissent, the employees were not induced to violate their contracts with the employer, but were merely solicited to join the union. This distinction the majority of the Court declined to recognize.

A different approach is reflected in *United Mine Workers* v. *Coronado Coal Co.* (259 U. S. 344 (1922)). Chief Justice Taft, speaking for a unanimous Court, reversed and remanded a judgment against a union entered as a result of a strike accompanied with considerable violence in the Arkansas coal fields. Some Arkansas mines which had been operating as union mines decided to operate as an open shop. The strike, fighting, and flooding of the mines followed. An injunction was secured, and nonunion miners were brought in from outside the State. Some of the strikebreakers were shot in an attack by the union forces.

The Court held that obstruction to coal mining is not a direct obstruction to interstate commerce in coal, although it may be affecting it by reducing the amount of coal to be carried in commerce. The UMW pressed the unionization of the mines not only as a direct means of bettering the conditions of the workers there, but also as a means of lessening interstate competition for union operators. But this latter was held to be only an ancillary motive, with the actuating force in a given case necessarily dependent upon the particular circumstances to which it is sought to make it applicable. According to the Court, if unlawful means had been used by the union to unionize miners whose product was important, actually or potentially, in affecting prices in interstate commerce, the union would be guilty of an actionable conspiracy under the Sherman Act, but here the evidence was held not to show any primary plan to control competition. *Loewe* v. *Lawlor* was distinguished on the ground that the direct subject of attack there was interstate commerce. The Supreme Court said that the capacity of the mines affected was not shown to be large enough to affect substantially the market price of coal, and the decision of the lower court was reversed.

A new trial was granted, which resulted in a directed verdict for the defendants, and the case was brought to the Supreme Court for a second time. 268 U. S. 295 (1925). New evidence was introduced at the second trial to show that a major purpose of the strike was to prevent the nonunion coal from competing with coal produced by union mines. Evidence about union meetings, and testimony by former union officials, indicated the great concern of the union over that part of the industry not covered by union contracts. New evidence also showed that the productivity of the mines in question was much greater than had been indicated in the first opinion of the Court, and could have an effect upon the general price level of coal. The Supreme Court held that there was substantial evidence at the second trial to show that the purpose of the strike was to stop the production of nonunion coal and to prevent its shipment to markets in other States where it would be in competition tending to reduce the price of the commodity and affect injuriously the maintenance of wages for union labor in competing mines.

United Leather Workers v. *Herkert & Meisel Trunk Co.* (265 U. S. 457 (1924)), involved a strike to secure a closed shop. Illegal picketing and violence followed and in consequence the employer was unable to fill orders from out of State. There was no evidence as to any attempt to impose a boycott or to prevent shipment in interstate commerce of already manufactured products. The Court held against the employer on the ground that only where there is a direct intention to restrict interstate commerce and thus to create inflated price structures or prevent price competition is there a violation. "It is only when the intent or the necessary effect upon such commerce in the article is to enable those preventing the manufacturer to monopolize its supply or control its price or discriminate between its would-be purchasers, that the unlawful interference with its manufacture can be said directly to burden interstate commerce."

Important distinctions between the second Coronado and Herkert cases are hard to find since in both cases the unions acted with the object of either compelling unionization or forcing employers out of business. Although there was proof in the second Coronado case, as there was not in the Herkert case, of an intention on the part of the union later to gain the elimination of nonunion mined coal in the national markets, such proof was not required in the secondary boycott cases of *Loewe* v. *Lawlor* and *Duplex Printing Press Company* v. *Deering*. The confusion was enhanced when the Court in 1927 decided *Bedford Cut Stone Co.* v. *Journeymen Stone Cutters' Association* (274 U. S. 37 (1927)), which, following the two cases last named, held unlawful a Nation-wide secondary boycott.

This confusion remained relatively static until the Supreme Court decided *Apex Hosiery Co.* v. *Leader* (310 U. S. 469 (1940)), a civil action for treble damages under the Sherman Act against a union which had shut an employer down by use of sit-down strike tactics. The strike was marked by violence; and although the jury only found an intent by the union to conduct a sit-down strike, there was specific testimony that the strikers refused to permit the withdrawal of finished merchandise from the manufacturer's factory for shipment to fill out-of-State orders.

The union argued once again that union activities should be granted an immunity under the Clayton and Sherman Acts. Once again this was rejected. Stating that mere violent interference with interstate commerce, such as a train robbery, is not necessarily a violation of the Sherman Act, Mr. Justice Stone conceived the question as "whether a conspiracy of strikers in a labor dispute to stop the operation of the employer's factory in order to enforce their demands against the employer is the kind of restraint of trade or commerce at which the act is aimed, even though a natural and probable consequence of their acts and the only effect on trade or commerce was to prevent substantial shipments interstate by the employer" (310 U. S. at 487).

The Court held that the Sherman Act was not designed to police interstate commerce but was enacted for the prevention of restraints to free competition in business and commercial transactions which tended to restrict production, raise prices or otherwise control the market to the detriment of purchasers or consumers of goods and services, all of which had come to be regarded as a special form of public injury (310 U. S. 493). According to the opinion, the Sherman Act did not apply in any case, whether or not involving labor organizations or activities, unless there was some form of restraint upon commercial competition in the marketing of goods and services, and could not apply in cases of local strikes conducted by illegal means in a production industry except where it was shown that the restriction on shipments had operated to restrain commercial competition in some substantial way. In other words a restraint on competition in the course of trade in articles moving in interstate commerce is not enough unless the restraint is shown to have, or have been intended to have, an effect upon prices in the market, or otherwise to deprive purchasers or consumers of the advantages which they might derive from free competition. Although in order to render a labor combination effective it must eliminate the competition from non-union-made goods, and although the elimination of price competition based on differences in labor standards is the objective of many national labor organizations, this effect on competition was stated not to be considered the kind of curtailment of price competition prohibited by the Sherman Act. It was observed that in each of the cases where the act was held applicable to labor unions, the activities affecting interstate commerce were directed at the control of the market and were so widespread as to affect it substantially.

Mr. Justice Stone did not find it necessary to overrule any precedents. *Lowe* v. *Lawlor*, and the Duplex Printing Press Co. and the Bedford Cut Stone Co. cases, were all distinguished on the stated ground that in those cases—

"The effort of the union was to compel unionization of an employer's factory, not by a strike in his factory but by restraining, by the boycott or refusal to work on the manufactured product, purchases of his product in interstate commerce in competition with the like product of union shops.

"In the Bedford Cut Stone Co. case it was pointed out that, as in the Duplex Printing Press Co. case, the strike was directed against the use of the manufactured product by consumers with the immediate purpose and effect of restraining future sales and shipments in interstate commerce and with the plain design of suppressing or narrowing the interstate market, and that in this respect the case differed from those in which a factory strike, directed at the prevention of production with consequent cessation of interstate shipments, had been held not to be a violation of the Sherman law.

* * * * *

"That the objectives of the restraint in the boycott cases was the strengthening of the bargaining position of the union and not the elimination of business competition—which was the end in the nonlabor cases—was thought to be immaterial because the Court viewed the restraint itself, in contrast to the interference with shipments caused by a local factory strike, to be of a kind regarded as offensive at common law because of its effect in curtailing a free market and it was held to offend against the Sherman Act because it affected and was aimed at suppression of competition with union-made goods in the interstate market" (310 U. S. at 506).

In the Apex case the Court found the elements of restraint of trade present in the second Coronado case, and alone to distinguish it from the first Coronado case and the Leather Workers case, were here lacking. The restraints imposed were said not to be within the Sherman Act unless they were intended to have or in effect have the effects on the market on which the Court had relied to establish the violations in the second Coronado case, and restraints not within the act when achieved by lawful means are not brought within its sweep merely because, without other differences, they are attended by violence.

Thus, after 13 years, an attempt at a definitive statement of the application to labor unions of the antitrust acts was finally given. Unfortunately, it has had little practical value yet, because the next year, in the Hutcheson case, labor unions were accorded the immunity from the Sherman Act which they had been denied in the Apex case.

III

The Apex case shows that if this Congress should strip away from the Clayton and Norris-LaGuardia Acts a meaning which this Congress, in my judgment, never intended those acts to have—a meaning which was read into those acts by the majority opinion in the Hutcheson case—the Sherman Act would again emerge, not really amended but rather restored, to condemn restraints of trade in the same forceful and unequivocal language as in 1890. Labor unions are immune only because of the Supreme Court's construction of the subsequent statutes, and the Supreme Court has recently held[6] that there is no constitutional ground requiring the exemption of any group from the antitrust laws.

As I see it, Senator ROBERTSON's bill would accomplish only one result, but that result would be an extremely important one, from the standpoint of our national welfare. Today, under the Hutcheson case, labor has what amounts to an absolute immunity from criminal prosecution, injunction, or treble damage suit based on the Sherman Act. The Sherman Act, until the decision of the Supreme Court in the Hutcheson case in 1941, was the only really effective deterrent to unreasonable restraints imposed by labor unions on interstate commerce. If the Hutcheson case were nullified, as it would be by S. 2912, the Government could, in the event a labor union undertook to impose restraints on interstate commerce so unreasonable as to prejudice the national economy, health, or safety, move against the union either by a criminal prosecution or a suit for an injunction, or both. To bring about this change in the law would require no modification of the language of the Sherman Act. Congress would merely read out of it and out of the Clayton Act a meaning which this Congress, in my judgment, never intended either of those acts to have, a meaning which was read into those two acts by the Supreme Court's interpretation of the Norris-LaGuardia act in the majority opinion in the Hutcheson case.

Today the courts of the United States are closed to the Government, as far as applying the Sherman Act to labor union activity is concerned. Senator ROBERTSON's bill would open that door. Once the Government had then come into a Federal court and named a labor union as a defendant, the Government would have the burden of convincing the court that the labor union activity complained of was not legitimate labor union activity, but was so unreasonable, and so unrelated to any legitimate labor union objective, that it fell within the prohibition of the Sherman Act as an unreasonable restraint of interstate commerce. The Government would have the further burden of showing that, however unreasonable the restraint the union had imposed, the restraint had been imposed on articles, commodities, or services essential to the maintenance of the national economy, health, or safety. Under these qualifications and this heavy burden of proof, the Government could not be expected to proceed against a labor union under the Sherman Act unless the union had gone far beyond what any fair-minded citizen would believe was legitimate union activity, and unless the case was so important that the union activity was really seriously prejudicing the national welfare.

[6] *Giboney* v. *Empire Storage Co.* (336 U. S. 490 (1949)).

In each case it would be up to the court, or up to a jury under appropriate guidance from the court, to decide the ultimate question of whether or not an unreasonable restraint of trade had been imposed. Of course, a union could not come into court and successfully insist, no matter what it had been doing, that its primary purpose was to obtain better wages or working conditions, and thus preclude the court or jury from looking behind that statement and determining whether such a motive was a primary one. On the other hand, neither could the Government preclude the court or jury from determining that the primary purpose of the union was to obtain better wages or better working conditions. In each case it would be a question of fact, although there are certain activities which any court would be obliged to hold, under controlling Supreme Court decisions, are per se violations of the Sherman Act, such as price fixing and Nation-wide secondary boycotts.

Nothing in Senator ROBERTSON's bill would prevent the right of labor to organize, to strike, or to work for legitimate union objectives, on a Nation-wide basis or otherwise. The sole purpose of this act, as I see it, is to give the Government a chance to go into a court and to convince that court that certain labor-union activity had been so outrageous, so shocking to principles of rightness and wrongness, so unrelated to any legitimate union objective, and so far reaching as to prejudice the national economy, safety, or health, that the court, if it agrees with the Government, can take appropriate steps to stop conduct which carries with it all these elements of shocking unreasonableness. I have difficulty in understanding why anyone who has the welfare of this Nation at heart should object to entrusting his Government with this kind of power.

INCENTIVE PAY FOR MEMBERS OF THE ARMED SERVICES

Mr. STENNIS. Mr. President, recently, during debate on the supplemental appropriation bill, amendments were offered by the Senator from Illinois [Mr. DOUGLAS] with reference to the so-called incentive pay of those in the armed services. There was considerable debate on that subject on the floor of the Senate, although the amendment was not relevant to the subject matter of the bill under consideration.

The chairman of the Armed Services Committee [Mr. RUSSELL] took part in that debate. He assured the membership of the Senate that the Armed Services Committee then had under consideration the subject of incentive pay, and that it would continue to pursue the facts, examine the policy, and reach conclusions, advising the Senate thereon. Tentatively the date of May 15, today, was set as the due date for such report.

The Preparedness Subcommittee of the Armed Services Committee has gone into this question, not exhaustively, but rather thoroughly. We have taken two full days or more of testimony, and the staff is working further on the subject. The question involved is a very difficult one. It has many ramifications. No over-all general statement could cover the situation, and in our opinion no general amendment could fully meet the requirements.

We have not had time fully to develop all the facts. We have not had time fully to examine the present policy and the present administration of the so-called incentive pay.

It so happens that the Senator from Wyoming [Mr. HUNT], chairman of the task force which is working on this question, is out of the city today. He will be absent for a day or two longer, and more time is needed by the Armed Services Committee. This oral statement is offered in the nature of an interim report, to show that we are seriously considering the subject and trying to develop the facts fully. We need more time. At least 10 days longer will be required before we can have ready for submission even a preliminary report on this far-reaching subject matter.

The Senator from Massachusetts [Mr. SALTONSTALL] is a member of the task force.

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

Mr. STENNIS. I yield.

Mr. SALTONSTALL. As a member of the minority party who is serving on the task force in its investigation of the incentive pay problem, I wish to substantiate the statements of the Senator from Mississippi. The deeper we delve into the problem, the more complicated and difficult it becomes. It involves not only the question of pay, but also questions of morale and other problems which confront us at the present time in the present situation of the Army, the Navy, and the Air Force. I agree with the Senator from Mississippi that the subject is being given careful consideration. However, it would be very unfortunate if the Senate Committee on Armed Services were required to make a report today.

Mr. STENNIS. Mr. President, I appreciate the remarks of the Senator from Massachusetts. I do not know that a formal request of the Senate is necessary. In any event, I make this interim oral report to the Senate at this time. We are prepared to submit ourselves to questioning if any Senator wishes to ask questions.

RENEWED APPEAL FOR BIPARTISAN FOREIGN POLICY

Mr. WILEY. Mr. President I should like to continue at this point my effort in fervent support of bipartisan foreign policy and adequate appropriations for mutual security aid in the next fiscal year.

Toward that end, I have assembled certain materials regarding various aspects of this effort.

I send them to the desk now and ask unanimous consent that they be printed in the RECORD in this order following my remarks.

(a) The text of an address which I delivered yesterday, Wednesday, May 14, before the World Affairs Forum of the Pittsburgh Foreign Policy Association.

(b) The text of two editorials and an article endorsing my bipartisan appeals. These editorials are respectively in the Minneapolis Morning Tribune and the Winston-Salem Twin City Journal and Sentinel. The article consists of a column from the May 14 issue of the Christian Science Monitor written by Roscoe Drummond, chief of the Washington News Bureau.

(c) Excerpts from a report in the course of a May 13 Washington radio program on music and current events. The program is entitled "The Gentleman Jockey" and is conducted by Mr. B. S. Bercovici.

(d) Three additional quotations from American Presidents on the issue of bipartisan foreign policy. It will be recalled that I had previously inserted one such quotation from the late President William Howard Taft.

(e) Finally, a series of excerpts from communications to me from my own and other States. These quotations indicate that the people of the United States, while recognizing that our foreign policy has been far from perfect, still endorse the mutual-aid program and other elements of international cooperation and resistance to the Communist tide.

Incidentally, my own address in Pittsburgh had been devoted to an analysis of "The Nature of the Aggressor."

Lastly, I am glad to note that the Senate Armed Services Committee has refused to cut the $7,900,000,000 figure which had been set by the Foreign Relations Committee. I trust that the full Senate will similarly so vote. I further trust that no factor—be it Presidential politics or any other partisan phase—will interfere with the fulfillment of our basic obligations of American leadership.

My own remarks are not intended for anyone or against anyone, but solely on the basis of principle, never on the basis of personality.

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

THE NATURE OF THE AGGRESSOR

(Address in Pittsburgh, Pa., May 14, by Hon. ALEXANDER WILEY, of Wisconsin)

It is a privilege for me to appear with you today on the same panel with this distinguished group of thinkers and, yes, doers in the field of America's foreign relations.

LEADERSHIP AT GRASS ROOTS NECESSARY

I speak today to leaders. I personally am privileged to be in a position in the United States Senate and on the Foreign Relations Committee to submit suggestions for rather prompt consideration by the United States State Department and the Mutual Security Agency. But you here in Pittsburgh, or anywhere else, throughout the Nation, wherever there are thinking Americans—you are in an outstanding position also to contribute to the constructive activity of your Nation. You are in a position to lead and you are facing up to your obligation.

FPA SPEARHEADED INTERNATIONAL REVIEW

The Foreign Policy Association has down through the years spearheaded America's review of its international responsibilities.

Today, more than ever before, the American people realize that they have indeed been precipitated to leadership.

Leadership, we know, calls for giving direction and guidance. It calls for setting an example which will inspire others. It calls for selflessness, for clear-headedness, for straight thinking, not synthetic thinking; it calls for vision. The Good Book tells that "where there is no vision, the people perish."

Let us therefore analyze the nature of the aggressor—the nature of the "beast." Let us first briefly summarize what I shall submit to you, my friends.

IDENTIFYING OUR REAL FOE

1. First, who is the aggressor? The aggressor is not the 200,000,000 people of the Soviet Union. It is the varying number—five to eight million members of the Russian Communist Party. They are headed at the top by the dozen leaders of the Politburo. These men—working through the instrument of the Cominform, the Communist International—give direction to the world-wide move toward Red revolution.

It is this relatively small group of men who have taken over the vast manpower and potentialities of the great Eurasian expanse which is Russia.

2. Second, we note that there is not only strength in the Soviet Union; there are weaknesses, and we must exploit these weaknesses.

3. The principal current device of the Kremlin is to utilize satellite nations to do the Kremlin's dirty work.

4. The Kremlin capitalizes on every situation in every nation in the world where there is discontent, disorder, low living standards, in order to create chaos and build hatred against the west.

5. The nature of the aggressor is to subjugate the minds and bodies of individuals to a police state, state all-powerful in every respect. The hands of the clock are turned back. The history of mankind is reversed into the dark ages of slavery.

6. The nature of the aggressor is to utilize the brains and brawns of its own citizens and of those who would do its bidding. For example, the brilliant minds of German inventive genius were brought into the Soviet Union to work on guided missiles, atomic energy, etc.

REDS SURPASS MACHIAVELLIAN TRICKS

7. The nature of the aggressor is to utilize every Machiavellian tactic—including all modern weapons of propaganda and penetration in order to effectuate conquest.

8. The nature of the aggressor is to push all the varied pawns on the world chessboard for its own ends. The Kremlin views its problem as a global one, and we must do likewise.

Now, let us take up these subjects in order.

First of all, we have identified the aggressor as the Communist Party of the Soviet Union, headed by the Politburo doing its world-wide work through the Cominform.

It is important that we make this distinction between the people and their leaders. The Soviet Union would like to make its citizens believe that we bear ill-will to the people of Russia themselves.

Nothing is further from the case. We have nothing but friendship for the Russian people, enslaved by tyrannical leaders. We do oppose the members of the Communist Party, that relatively small group of fanatical and restless disciples of the religion of Marxism, eager to enslave the entire globe.

2. I have stated that there are both strengths and weaknesses in the Soviet Union.

THE SOVIET'S STRENGTHS

Among her strengths are the following factors:

(a) She has emerged as a relatively young, vigorous nation and is proud of her considerable progress since 1917 in certain economic fields.

(b) In Siberia, she has a vast frontier containing tremendous mineral riches which enhance those of the European part of Russia.

(c) She came out of World War II as the greatest military power on the European continent—on the land and in the air.

(d) She has been able to concentrate a tremendous share of her energies into military fields. For too long, did we underestimate her military strength.

It will be remembered that some of our military experts guessed that she would last 6 weeks against Hitler.

It will be remembered that some experts said that the Russians would never be able to master the secrets of the atomic bomb. Not only has she done so, thanks to her espionage agents in part, but she is about to develop the hydrogen bomb, according to some reports.

(e) Her expert diplomacy at Yalta, Tehran, has often made western diplomatic leaders look like naive amateurs. She knows what she wants. She is on her way to getting it.

Do we know what we want? Have we altered our naïveté?

SOVIETS HAVE MANY WEAKNESSES

These are a few of her strengths, but what of her weaknesses? They are many and I say that it is up to us to exploit them. They are as follows:

(a) Russia is one vast concentration camp where there is bitterness, hatred, and dissension against the rulers of the police state.

MINORITY PEOPLES BITTER AGAINST MOSCOW

(b) There are more than 70 tongues spoken in Russia, not to mention all the divergent cultures. It has been estimated that of the 200,000,000 Soviet people around 46 percent "consist of many minority groups each of which has its own distinct and very real grievances against the regime."

The quotation is from United States Senate Document No. 41, entitled "Tensions Within the Soviet Union." This is a study prepared by the Library of Congress at my request.

The peoples of the Baltic area (the Latvians, Estonians, and Lithuanians); the people of the Balkan satellite states (Rumania, Hungary, Bulgaria, Albania); the people of Poland, of the Ukraine, all feel intense yearnings for national independence and freedom. Within their breasts is a bitter hatred toward the "great Russians," as differentiated from the "nongreat Russian" peoples.

Senate Document No. 41 states: "Of about 170 different nationalities living in the Soviet Union, only 7 had had any representation in the Politburo since the inception of the regime."

(c) Millions of Soviets had some contact with the west during, and particularly after, World War II. These people now know that they had been fed lies about their standard of living. They know that even in the most bomb-battered country of Western Europe, the standard of living was infinitely higher than in the hovels of Russia.

(d) No one can estimate the millions of Russians in concentration camps nor the millions of non-Russians who have been shipped to Siberian slave labor camps.

(e) There is disaffection even in the Red army. At the start of World War II, some 4,000,000 Russian soldiers either surrendered or were captured by the Germans. That certainly gives an indication as to how the average Russian felt about fighting beneath the Soviet flag. Had it not been for Hitler's vicious policies, he might have been successful in recruiting literally millions of Russians into his own army.

(f) The Soviet peasantry has historically bitterly fought the collectivization program.

(g) The women of the Soviet Union know that so-called equality between the sexes has merely meant that women have been enslaved like robots to machines.

(h) The intellectuals of the Soviet Union—the musicians, the artists, the writers—know that their initiative is stifled.

(i) Such religion as is permitted to exist in the Soviet Union is used as but a puppet of the godless rulers of the Kremlin.

CRAFTY USE OF SATELLITE STATES

3. Now, I have referred to Red use of satellite states. We perceive very clearly today how Russia has conserved her own manpower while sending only a few so-called volunteers and training cadets into Korea. She would like to fight through to the last Red Chinese.

Meanwhile she has catapulted Red China into front rank as a major power with vast

shipments of jet planes, tanks, and other arms. That is a revealing glimpse of Soviet production potential—her ability to arm others and arm herself simultaneously.

4. Next we note that the nature of the Soviet Union is to utilize every situation in every area of the globe where there is discontent. The Soviet Union thrives on three particular factors: (a) Hunger, (b) illiteracy, and (c) disease.

Wherever it finds a low standard of living, wherever people are hungry, wherever there is political instability, wherever there are minorities stirring against majority forces, the Kremlin sends its agents in to stir up trouble. That has occurred (a) among the northern tribes of Iran, (b) among the poverty-ridden people of the Philippines, (c) among the hungry people of India, and (d) in other critical areas of the globe.

MEN USED AS STATE'S SERFS

5. The nature of the Soviet aggressor is to make men slaves of the state.

Every freedom is trampled—freedom of the press, speech, assembly—so that all power is left in the hands of the state.

Stalin and others have stated that they are bent on world conquest by utilizing, first, all means except force and then, finally, wherever necessary, force itself. They who are willing to murder individuals have little hesitancy to murder nations.

SOVIETS USE FOREIGN BRAINS AND BRAWN

6. The nature of the aggressor is to tap every possible skill, every bit of brain and brawn of its own and foreign peoples in order to speed up its research, for example, into rockets and atomic energy.

Russia grabbed up whole groups of German researchers lock, stock, and barrel, brought them into the Soviet Union, paid them handsomely, set them up under relatively favorable conditions in order to exploit their genius.

Compare this with the situation in the slave-labor camps where the Russians have imported millions of foreign peoples in chains to do the manual work of the police state until they are dead.

SOVIETS USE EVERY SHADY TRICK

7. The nature of the aggressor is to "out-Machiavelli" Machiavelli.

The Soviet Union will not hesitate to liquidate millions of its own peoples who oppose its aims. It will use every treachery, every bit of underhandedness, every trick in the repertoire of skullduggery.

It will place its own stoolpigeons in high political offices in foreign lands. It will occupy by force, if necessary, any land which is defenseless against it.

It will utilize every forum offered to it. It will sound off with its message of venom from the forum of the United Nations.

It will spread the big lie and the little lie. It will trumpet to the world its charges as to alleged Allied use of germ warfare in Korea, but it will, of course, refuse to permit the Red Cross to come in to demonstrate the falsity of those charges.

PAWNS ON GLOBAL CHESSBOARD

8. The nature of the aggressor is to utilize every area of the global chessboard to do its work. Consider the successive incidents since the end of World War II. Consider how the Russian chess players feinted here, moved there, constantly seeking to divert our attention and to move into a vacuum situation.

They tried to conquer Greece, but were defeated.

They tried to cause revolution in Iran but thus far have not succeeded.

They tried to bulldoze Turkey into submission, but the fierce valiant Turks stood up to them.

They tried to choke Berlin, but the airlift defeated them.

They tried to take over Italy by electoral process and failed. They tried a general strike and failed. They tried street rioting and failed.

But they have achieved notable successes. They have established a foothold in the Western Hemisphere, in Cuba, in Guatemala, and in other Latin American lands.

They have scored notable victories in India so that their party is second in strength now only to the Congress Party.

The Soviets exploit every aspiration and desire of foreign peoples. The people of Europe, like the people of the world, hunger for peace. And so the Russians play upon the peaceful intentions of German socialists headed by Dr. Schumacher; the French socialists headed by M. Moch; the English wing of socialists under Mr. Bevan; the Italian socialists under Mr. Nenni.

There is but a small margin of power which separates all of those men from taking over the reins of their governments.

We cannot be guilty of any action which would cause a friendly allied government to fall and to be replaced by a hostile group. Our friends—like Dr. Adenauer—are skating on thin ice. We must not crack the ice from under them. We must try to see their problems through their eyes. We must put ourselves in the other fellow's shoes.

This, then, is the nature of the aggressor. It is, of course, far from a complete picture, but within the limited time available to me, it summarizes perhaps some of the principal features.

WE MUST HAVE BIPARTISAN FOREIGN POLICY

It is in view of all of these conditions that I for one have recommended that there be continuation of United States bipartisan foreign policy.

I do not want my Nation to dissipate its strength by internal quarrels. I do not want us to degenerate into a fifth-rate power—disintegrated by hatreds and tensions—at the very time that the world situation calls for a first-rate leadership—built upon strength and unity.

If the Republican and Democratic Parties are to rip each other's foreign policy approach apart, then America in turn might be torn assunder. That must not and will not happen.

Let there be no blinking at this fact.

A great many mistakes have been committed in American foreign policy, notably in Asia. I want us to try to correct those mistakes. I don't want to see them repeated.

But neither do I want to see us become so preoccupied with mistakes of the past that we cannot become adequate to meet the challenges of the present and future.

Adequacy is what I seek. Adequacy at home and abroad.

Adequacy in America's financial system by maintaining a sound American dollar.

Adequacy in our political situation by maximum cooperation between political parties on foreign affairs.

Adequacy in our spiritual approach. I don't want us to be fearful, panic stricken or hysterical. I want us to be calm and reasonable and judicious.

PRESERVING THE THREE GREAT JEWELS

I want us to be adequate in preserving the three great jewels of the Republic:

1. Our economic system of free enterprise.

2. Our political system of separation of powers.

3. Our spiritual system of Judaic-Christian values.

I feel certain that we can be adequate, if we but use our God-given judgment and intelligence.

All America is united on these three great objectives.

Partisan policies must not be allowed to impair our adequacy. The American people want both Republicans and Democrats to rise to the challenges before them—as statesmen, as leaders in the highest sense of those terms.

They want us to be constructive. They want us to seek the light so that we may find the path to a just and enduring peace.

[From the Minneapolis Morning Tribune of May 12, 1952]

WILEY'S IS THE WAY TO FIX AMOUNT OF FOREIGN AID

The layman, as we have remarked previously, is not sufficiently acquainted with the needs of our allies and American resources to wisely determine whether it is in the national interest to give $7,900,000,000, $6,900,000,000, or $6,000,000,000 in foreign aid during the coming fiscal year.

The first figure is what the President, the State Department, and the Joint Chiefs of Staff say will be urgently needed to enable our allies to develop their military defenses and maintain their economies to the extent necessary to help us deter Communist aggression.

After studying the problem for 2 months, the Senate Committee on Foreign Relations unanimously decided by a 12 to 0 vote that 1 billion, but no more than that, could safely be lopped off the administration proposal. The Foreign Relations Committee urges the Senate to authorize $6,900,000,000 for foreign aid.

Since $3,620,317,000 of this would go for military aid for Europe, $533,859,000 would go for military aid for Asia and the Pacific and $584,000,000 for military aid for the Near East, Africa, and Latin America, the Senate Military Affairs Committee has insisted on an independent evaluation of the $6,900,000,000 proposal.

Senators TAFT and BRIDGES and some other Republicans in Congress who are not on the Foreign Affairs Committee are insisting that another $900,000,000 be cut off from the amount recommended by the Foreign Affairs Committee, with the approval of Republican Senators WILEY (Wis)., ALEXANDER SMITH (N. J.), TOBEY (N. H.), LODGE (Mass.), and BREWSTER (Maine). TAFT and BRIDGES would give the administration $1,900,000,000 less than it requests.

* * * * *

A billion, or many billion dollars, saved for use at home at the cost of a Communist victory, would be very foolish economy indeed.

In existing conditions it is safer to take out the kind of insurance envisaged in the foreign-aid program than to save billions by taking extreme risks with our freedom and security.

There is nothing sacred about the 6.9 billion dollar figure recommended by the Senate Committee on Foreign Relations but, in the words of ranking Republican member Senator ALEXANDER WILEY, it represents the best horse-sense reasoning of the committee after prolonged study. "We Republicans have been fully consulted in the formulation of the foreign aid program," WILEY points out. WILEY says those Republicans who insist on cuts without giving the problem similar study and who apparently think they can gain votes by attacking the foreign-aid program are a minority within the minority and it is not they who speak for our party.

The majority of Republicans for whom WILEY says he speaks are not willing to sacrifice this Republic in order to win an election. We are not going to allow electioneering to blind our eyes to our paramount responsibility.

Those are the words of the man who would preside over the foreign relations committee if the Republicans gain control of the Senate next November. They reflect a lofty sense of responsibility, a grasp of the world situation and an ability to cooperate in the nonpartisan conduct of foreign policy which should carry great weight with voters weighing the consequence of replacing the present

administration with a Republican administration.

Whence a man with such views joins with Senators such as SMITH, LODGE, GEORGE, SPARKMAN and other members of the committee to recommend a 6.9 billion dollar appropriation the recommendation carries weight with us.

[From the Winston-Salem Twin City Journal and Sentinel]

THE SPIRIT OF VANDENBERG

The bipartisan approach to United States foreign policy which, to all intents and purposes, collapsed with the death of Senator Vandenberg, still lingers on in the thoughts and actions of some Republican legislators.

Last week we were treated to a divergence of opinion on foreign aid between the two leading contenders for the Republican presidential nomination, General Eisenhower and Senator TAFT, of Ohio. President Truman, in his January budget message asked $7,900,000,000 be allocated for foreign economic and arms aid. The Senate Foreign Relations Committee recommended a $1,000,000,000 cut in the figure, and Senator CONNALLY, chairman of the committee, asked General Eisenhower for his views. The general wrote that the proposed cut would be heavily and seriously felt, and that any reduction beyond that figure might well endanger United States security. Senator TAFT taking issue with his opponent, said that a cut of $2,000,000,000 would in no way endanger the program or the security of the United States.

On Friday a third Republican, Senator WILEY, of Wisconsin, stepped into the fray. Senator WILEY is the ranking Republican member of the Foreign Affairs Committee. Moreover, he has never been closely allied with the so-called liberal wing of his party, and he has often been a critic of the Democratic administration and some of its policies.

The Wisconsin Senator has called for Republican support of the $6,900,000,000 foreign aid figure. This figure, said WILEY, was arrived at by careful, prolonged horse sense reasoning, not by flipping a coin, not by arbitrary choice, but with great care. He furthermore asserted that most Republicans are not willing to sacrifice this Republic to win an election.

In an address before the American Society of Newspaper Editors in Washington on April 19, Senator WILEY said that he would oppose, "as a matter of principle, not personality, the efforts of anyone within my own party, or in any other party, who has the mistaken idea that simply because 'the other fellow' recommended a policy, it is necessarily wrong." Senator WILEY'S attitude commends itself to his colleagues on both sides of the aisle.

[From the Christian Science Monitor]

STATE OF THE NATION

(By Roscoe Drummond)

GOP LINE DRAWN ON FOREIGN AID

WASHINGTON.—The debate in the Senate on the Mutual Security Agency appropriation is enlightening and at points encouraging.

It is showing Senator ALEXANDER WILEY, of Wisconsin, ranking Republican member of the Senate Foreign Relations Committee, to be a sturdy and impressive advocate of America's discharging its role as leader of the free world with vision and daring.

It is showing something of a rebuilding in the Senate of the forces of bipartisanship in foreign policy which may, on the most critical issues, resist even the heat and scuffle of a Presidential election year.

It is disclosing the first major difference over a concrete piece of legislation between two leading Republican Presidential candidates—Senator ROBERT A. TAFT and Gen. Dwight D. Eisenhower.

Senator TAFT favors cutting an extra billion dollars off the mutual security appropriation.

General Eisenhower opposes the additional billion-dollar reduction.

Senator WILEY'S Senate speech was addressed more to a group of Republican colleagues than to the Senate as a whole. He put the case for the mutual security bill as vigorously and as nonpartisanly as Senator Vandenberg would have done.

Senator WILEY said that the American people must face the realities that "we cannot act—as some people pretend we can—by simply turning back the clock and withdrawing from Korea."

He said that the United States must act "as befits the Nation which has been chosen to lead in this period of the world's history. There is no retreat."

He said that he believes "the American people want the United States to act in its role as the chosen leader among the nations."

He said that if Communist aggression should bring on a terrible third world war—which we cannot assume it won't—he did not "want history to say that it was permitted or precipitated by weakness or short-sightedness on the part of the United States, or that we failed to do everything in our power to prevent it."

The divergence between Senator TAFT'S and General Eisenhower's view of the Mutual Security program now emerges more sharply than heretofore and, of course, reflects differences within the Republican Party itself.

Senator TAFT considers a further billion cut in the military-economic aid bill as wise economy.

General Eisenhower considers it an unwise economy.

It is Senator TAFT'S military judgment that the further reduction he proposes would in no way endanger the security of the United States.

It is General Eisenhower's military judgment that the proposed further reduction might endanger the security of the United States by discouraging our friends and by encouraging our potential enemies.

Senator WILEY put his influence on the side of General Eisenhower's stand on this issue. He put it this way in the Senate:

"I trust that the $6,800,000,000 amount will be maintained. I trust the Senate will reject any effort in juggling figures merely to make even numbers sound prettier—to round off the total at an even $6,000,000,000. I do not like that idea. I believe in setting figures based on facts."

Senator WILEY contended that the Republican opponents of bipartisanship in foreign policy would prove to be the minority of the Republican Party.

"Certain members of our party—a minority within our minority—oppose us," he told the Senate. "It is we—we of the majority within the minority—who speak for American teamwork, American leadership. We speak for our party, and with like-minded Democrats, for America as a whole. We refuse to permit anyone, Republican or Democrat, to apply nineteenth century notions to twentieth-century realities."

In reply to the criticism that support of the mutual-security program—which in 1950 the Senate passed 65 to 0—means selling out to some group known as internationalists. Senator WILEY brought to his case a concept of spiritual responsibility. It is a concept which helps to put our military program into perspective:

"When an American makes a contribution to support a church mission in Africa or Asia, no one accuses him of selling out to church internationalists. On the contrary, he is fulfilling the highest responsibilities of his church by helping to bring light and sustenance to other peoples.

"That does not mean that he fails to recognize the unfilled needs of churches in his own land. But if we were to cut off all aid to foreign missions simply because there were domestic church needs that were still unfulfilled, we would be gravely impairing our international spiritual responsibility.

"It is my contention that the MSA program is fundamentally a Christian program—that of a good Samaritan. It is also a program for self-preservation, not only of the individual, but also of the Nation."

THE GENTLEMAN JOCKEY SAYS

A statesman, according to an old saying, is a dead politician. In other words, a politician has to die in order to become a statesman.

This, however, is not the case with Senator ALEXANDER WILEY, of Wisconsin. Senator WILEY is very much alive and has indicated he has the makings of a true statesman.

Recently he defied the Republican fraternity in the Senate by upholding the principles of the late Senator Vandenberg of Michigan. He told his colleagues that bipartisanship is necessary if the United States foreign policy is to have any meaning. Some Republicans in the Senate were appalled even more than they had been at Senator WILEY'S speech of an earlier date in which he admitted the State Department wasn't so bad after all.

In his recent speech Senator WILEY fought against sharper cuts into the mutual assistance appropriations and it took plenty of courage to do that, especially in a presidential election year.

* * * * *

Also, one must bear in mind that if the Republicans should capture the Senate Senator WILEY will put on the late Senator Vandenberg's mantle as chairman of the powerful Foreign Relations Committee, and that job requires the state of mind and the approach of a statesman—not that of a politician. His Senate speech indicates not only that Senator WILEY is fully equipped for the position, but that he has the courage to announce it to the world and to those who oppose what has come to be known here in Washington as me-tooism.

PRESIDENTIAL MESSAGES ON BIPARTISANSHIP

How desirable then must it be, in a Government like ours, to see its citizens adopt individually the views, the interest, and the conduct which their country should pursue, divesting themselves of those passions and partialities which tend to lessen useful friendships (Thomas Jefferson, third annual message, October 17, 1803).

While our foreign relations have not at all times during the past year been entirely free from perplexity, no embarrassing situation remains that will not yield to the spirit of fairness and love of justice which, joined with consistent firmness, characterize a truly American foreign policy (Grover Cleveland, first annual message, December 4, 1893).

The doctrine promulgated by President Monroe has been adhered to by all political parties, and I now deem it proper to assert the equally important principle that hereafter no territory on this continent shall be regarded as subject of transfer to a European power (Ulysses S. Grant, message to the Senate, May 31, 1870).

EXCERPTS FROM LETTERS ON FOREIGN POLICY

From Appleton: "From myself and five other independents, bravo. May God help others see the light."

From Wauwatosa: "We were very pleased with the sentiments you expressed at the meeting of the editors. It is a pleasure to know that you place Americanism above party politics."

From Milwaukee: "Congratulations on your intelligent and patriotic statement on

bipartisan foreign policy recently. Your statesmanship on this point was superb."

From Arlington, Va.: "I want to say I am all for more of the sort of forthright statement you made on foreign affairs. Were there more like you in the Republican Party, it might find a lot of adherents among dissatisfied Democrats. The 'against everything' policy will never win any national elections."

From Fairchild, Wis.: "I wish to express my appreciation of your courageous address to the convention of the American Society of Newspaper Editors on April 19. It shows statesmanship for which we are badly in need. * * *"

From Fond du Lac, Wis.: "We feel that we would be terribly negligent as voters if we did not advise you that we heartily applaud your recent speech on American foreign affairs. We admire your political fortitude and your courageous statesmanship. Your speech will live longer in the minds and history of Americans than those of the 'Mud Pack' whose bay you must by now have ringing in your ears."

From Madison: "Just a word of a complimentary nature on your fine expression on our foreign policy. It was indeed a statement of conviction befitting a man of your stature on the Foreign Relations Committee. It appears also to show courage in the face of anticipated criticism from many quarters during this time of electing a new President. Too often we are ready to throw a brickbat at our elected officials in Washington when we disagree with them and let pass the good things they stand for without much comment. Therefore, let me take this opportunity to congratulate you on this statement and your stand on the tidelands issue and the seaway."

From Keshena, Wis. (Indian reservation): "A great many times I have intended to write you to compliment you for and express my appreciation of your high standard of statesmanship which you have consistently and continually maintained while in office as Senator from Wisconsin. Now I will delay no longer and wish to thank you for your fine address before the American Society of Newspaper Editors. I like both the ethics and the politics which you have expressed. They are like those I am in the habit of reading in the Christian Science Monitor and are both Christian and soundly patriotic. Thank you again."

From Milwaukee: "Your recent speech to the American editors increased the high regard that my husband and I have for you. I think many more people will be encouraged to vote Republican next fall."

From Janesville: "Your courageous statesmanship in calling for a continuation of the bipartisan foreign policy is receiving more praise than will ever reach your ears."

From Chicago: "I am very pleased to write that I have read your speech with much pleasure, and I congratulate you upon your poise, your vision, your willingness to accommodate yourself to the political situation, and above all your courage."

EXTENSION OF DEFENSE PRODUCTION LAW

Mr. WILEY. Mr. President, there will shortly come to the Senate floor the bill reported by the Banking Committee providing an 8 months' extension of the defense production law as regards price and wage controls.

At this time I send to the desk an important communication received from the able executive secretary of the Wisconsin Canners Association, Mr. Marvin Verhulst. This communication was sent by him to the Honorable Ellis Arnall, Director of OPS.

Mr. Verhulst points out that approximately 90 percent of the total volume of canned vegetables sells at less than ceiling price levels and that therefore the inflationary danger insofar as canned vegetables are concerned has certainly long since passed.

I commend this letter to my colleagues and ask unanimous consent that it be printed at this point in the body of the RECORD.

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

WISCONSIN CANNERS ASSOCIATION,
Madison, Wis., May 10, 1952.

Hon. ELLIS ARNALL,
Director, Office of Price Stabilization, Washington, D. C.

DEAR MR. ARNALL: The Wisconsin canning industry at its annual convention last November adopted a resolution urging the immediate suspension of ceiling prices on canned vegetables which were in adequate supply and exerting no pressure on ceilings. Since that time, the market situation has deteriorated substantially and we have no hesitancy in saying that Wisconsin canners now favor suspension of all price controls on canned vegetables on the basis of supply and market conditions.

In view of the large supplies of peas and some other canned vegetables that are being carried over into the new marketing year, even the items that are in relatively short supply could not substantially exceed their present ceiling if ceiling prices were suspended on all canned vegetables.

We appreciate the importance of preventing run-away inflation and concur in the need for price ceilings when such inflation threatens. However, the current situation does not involve any such threat so far as canned vegetable markets are concerned and the continuance of ceiling prices merely places a heavy load of complicated paper work on the canner. This is particularly burdensome to the small independent operator without extensive accounting and legal facilities. We strongly urge that the proposed revision of CPR 55 be issued merely on a stand-by basis so that if any sharp rise in prices of canned vegetables is imminent, ceiling prices can be imposed with little delay.

Very truly yours,

_____,
Executive Secretary.

SENATOR RUSSELL, OF GEORGIA

Mr. McCARRAN. Mr. President, I hold in my hand a copy of the magazine section of the Atlanta Journal and Constitution of March 23, 1952, on the cover of which appears a picture of the Senator from Georgia [Mr. RUSSELL] and his wonderful mother.

Mr. President, I wish that the picture could be inserted in the CONGRESSIONAL RECORD. Not only would I honor the great citizen and outstanding statesman, DICK RUSSELL, by having the picture inserted in the CONGRESSIONAL RECORD, but I would also honor his great mother, the mother of 13 children, seven boys and six girls. The boys are now engaged in various professional work in their native State.

Aside from that, Mr. President, Mrs. Russell is the mother of one of the greatest statesman this country has ever known, in the person of her son, RICHARD RUSSELL, now a candidate for the Democratic nomination for President

Mr. President, in my judgment it is time for us to forget the so-called imaginary line which for too long has divided the great people of the South from those of the North. It is time for America to draw into her higher offices the fine citizens who come from the South and the fine citizenry who have emanated from the South.

So, Mr. President, in honor of RICHARD RUSSELL and in honor of his wonderful mother, I shall ask unanimous consent to have printed in the RECORD this article entitled "Why the Home Folks Want DICK RUSSELL for President." In that regard, let me say that I make this request with some degree of sentiment because there is a kinship between the senior Senator from Nevada and the junior Senator from Georgia [Mr. RUSSELL]. Both of us come from the South. All his folks came from south of the Mason-Dixon Line, and all my folks came from the south of Ireland; so we have a kindred spirit. [Laughter.]

For those reasons, Mr. President, I ask unanimous consent that the article to which I have referred—without the pictures, I am sorry to say—be printed in the RECORD, in honor of the great mother of this great man and in honor of the great man himself.

The PRESIDING OFFICER (Mr. GEORGE in the chair). Without objection, it is so ordered.

The article is as follows:

WHY THE HOME FOLKS WANT DICK RUSSELL FOR PRESIDENT

(By Wylly Folk St. John)

In Winder, Ga., in a big old-fashioned white house shaded by magnolias and pecans and water oaks, there's a proud 84-year-old mother sitting by her comfortable fire today, remembering.

And she wouldn't take a million dollars, she says, for her memories.

She is Mrs. Richard B. Russell, mother of 13 well-known Georgia men and women who are successful in many fields today. Her memories, of course, include them all. But right now her thoughts are turning back especially to the small, fond things she can recall about her eldest son, RICHARD BREVARD RUSSELL—because the whole country is interested in Georgia's Senator who has decided to try for the Democratic nomination for President of the United States.

"He ought to be President," she says stanchly. "He's made for that kind of work. He'd make a good President. He's good at anything he tries to do."

She remembers, certainly, the autumn day he was born—November 2, 1897—and how his father, who was for many years Chief Justice of Georgia's Supreme Court, was so elated at the birth of a boy after three girls that he went out and fired a shotgun to celebrate. And she remembers such events as taking young R. B., as he was called then, to Atlanta when he was 5. "He had on new shoes," she says, "and he looked so nice, and I was so proud of him—even if he did take the shoes off when they began to hurt his feet! I was proud of him then—and I'm still proud of him."

And she recalls the first time he said he would be Governor of Georgia some day. It was when he was about 8 or 9, and had been invited to spend the night at the Governor's Mansion with Governor Terrell, a friend of his father's. R. B. was so impressed by the mansion, and by the drive in the Governor's carriage to the State capitol the next day, that he came home determined to run for the State's highest office as soon as possible.

There is also a family story that when his father ran for Governor and was defeated, in 1906, young R. B. told him not to mind, that he'd be Governor instead, some day. And Richard, junior, did become Governor of Georgia, 25 years later.

But his brothers—three of whom, Dr. Alex, Judge Robert, and William, the farmer, live at the Russell "settlement" near Winder—remember another angle on the Senator's youthful visit to Governor Terrell, which illustrates how independent he was even at an early age. Mrs. Terrell, when bedtime came, sent the maid up to help her small guest undress. He told the maid, in no uncertain terms, that he was quite able to undress without help. And he did.

None of his family, nor his old friends from boyhood in Winder, can remember that he ever expressed as great a determination to be President as he did governor. But they all think he would make a wonderful candidate and a fine President if elected.

Ask his small niece Sally why she thinks Uncle Dick would make a good chief executive. " 'Cause he's such a smart man, that's why." If the Senator should become President, he'd surely have the distinction of being the President with the most nieces and nephews ever in the White House. He has 36 of them—and eight grandnieces and nephews. He is deservedly popular as an uncle, with a reputation for being generous with candy every day and with silver dollars all around at Christmas. He also gives rewards for reading current events—Alex Jr. won a .22 rifle that way. The Senator is popular as a brother and brother-in-law, too. Mrs. Bill, one sister-in-law, baked him a birthday cake in a dishpan last November 2, so the whole family could have a piece. The family cook, Modene, is also a firm supporter of "Mr. R. B." for President. "He's jes' a fine man, that's all I know," she says.

The Senator's youngest brother, Dr. Alex, expresses his belief that Dick will be a good candidate this way: "Integrity and ability in public office are at a premium in this country right now. It would behoove any political party to present to the Nation the man best qualified in these two important respects. A national party with the power and prestige of the Democratic organization should be willing to cross the so-called sectional barriers in order to bring to the Nation the services of such a man."

Senator RUSSELL'S family is prouder of his integrity in public office than of any other of his many fine qualities. He has no more money now, they point out, than he had as governor; he has not been involved in any capital scandals; he has spent his life exclusively in being an honest, forthright, and courageous public servant. He has been so wholeheartedly devoted to service to his country that he has not even married; he is the only one of the 13 Russells still unmarried. One of his notable characteristics is family affection and loyalty. "He's always ready to help out when any need comes up, and with a big family like this, something's always coming up," his niece, Mrs. Ernest Vandiver, says. When Judge Bob (the nearest boy to Dick in age) was at the point of death in 1925, Dick sat by his bed for 3 days and nights. The judge remarks, "Dad often told us the old fable about the bunch of fagots; singly they could be broken, but if they all held together nobody could break them. He taught us that if we all stuck together, we could do anything."

His kinfolks point out that Senator RUSSELL'S strongest supporters in State politics were those who had served with him in the legislature and had seen him operate. Now the same significant fact can be noted about his supporters nationally; they are the men who have worked with him in Washington for 19 years and have seen him in action as leader of the southern Democrats, fighting against civil-wrongs legislation, as chairman of the Armed Services Committee at the MacArthur hearings or probing conditions abroad, and vigorously laboring on his other committees such as the Appropriations and the Atomic Energy Committees. These are the men who could make his candidacy more than a southerner's bid for the nomination, backed by the South; who could make him the really national figure in the Democratic Party that his experience and ability are conceded to warrant.

His old friends around Winder are for him 100 percent, and that includes everybody in the county. They call him "Dick" with the utmost affection, and when he comes to town he sits down on the curbstone and talks politics with everybody who comes along or rides around the countryside cheering up the farmers, or drops in at Dick Herrin's drug store or at Fletch and Hoke Smith Wallace's barber shop for a bull session with the boys. There's not a soul in town who wouldn't vote for DICK RUSSELL for anything from President on down.

Dick Herrin, who has known the Senator all his life and went to grammer school with him, says, he'd make a good President because "he's made a study of government all his life; he's capable, and a real Jeffersonian Democrat, which is what we need. He has the respect of everybody, in Washington as well as everywhere else."

Fletch Wallace, who's been cutting DICK RUSSELL'S hair for 35 years ("since he had a lot more hair than he's got now"), says the Senator would make a good President "because he's got plenty of horse sense as well as other kinds of sense." Mr. Wallace also calls on his fund of memories pretty often these days, with newspapermen haunting Winder to dig up all they can about the southern Democrats' best candidate.

He remembers when Dick started to run for governor and the barber was fixing him up for a campaign picture, the potential statesman asked him not to make him look too young—he wanted to look older than he really was. "I did my best for him," says Fletch. Dick became one of the Nation's youngest governors.

"I told him one time," remembers Fletch, "that he ought to marry a rich Yankee, and he said, 'You might have something there.' He said a Senator from Maine had said the same thing. He told us about dancing with Kate Smith at a party in Washington. Yes, he's a good sport—he likes to dance. When the new half dollar came out, he brought me one—just gave it to me. I used to cut his hair about every 2 weeks. His law office was over the barber shop then. He used to come down for a shave and a massage every now and then, too. He liked that massage—he'd kid me and call it a sau-sage. He was always good natured—just one of the boys. I don't care if he was President, he'd be just the same."

Hoke Smith Wallace, the other brother in Wallace Brothers' barber shop, who also "waits on" the Senator sometimes, adds, "When Dick came back from Europe, he came in and told us the whole story about the foreign situation. I asked him to speak at the Lions Club, and he did. Congratulated me on being senior master, too."

Harry Smith, editor of the Winder News, says, "This country's ready for a change. Dick would make as fine a President as we could have. He's got the background for it. Nationally, he has shown that he's got the stuff. He's well liked over the country as a whole, and he's the best man the Democratic Party could possibly get to run."

Judge Clifford Pratt, who has known Senator RUSSELL since they started to practice law in adjoining offices when just out of college, praises him as well. "We all feel like there's nobody up to him. He's the best-balanced man in Washington, as far as statecraft is concerned, and the best informed on national and international matters, too. He's given his entire time to the country's affairs, even denied himself social pleasures and family life. I think he's the most outstanding man in the Senate today, and there's a strong possibility he can get the nomination. Dick's been powerful lucky in everything he's tried for—he might be lucky at trying for the Presidency, too."

Some of the men around the courthouse, or on the liar's bench at the cross-roads store, put it a little differently, a little more pungently, perhaps, but still with confidence. As C. W. Stinchcomb, who's known the judge's boy for 40 years, predicts about Dick's chances at the White House, "Shoot, yes. He'll go thar a-flyin'."

But even if he does—even if DICK RUSSELL should be offered the highest honor this country can give a man, his mother will still see in her mind's eye—along with the tall, blue-eyed statesman—the little boy in the new shoes that hurt his feet, the lad who plowed and milked on the farm, the older brother who was so good to the children.

Even if he were President, nothing he does could mean more to her than the fact she mentions softly, when you ask her about her famous son, "Dick's always so sweet to me."

DATA CONCERNING PURCHASE AND SALE OF GOLD BY THE UNITED STATES GOVERNMENT

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter which I addressed to the Secretary of the Treasury under date of April 14, 1952, requesting certain information relative to United States gold stocks and the price at which we have been selling gold, together with certain other information. For the information of Senators, I may say that I have to date received a simple acknowledgement, though my office has been advised that a compilation is being made of the information requested in my letter.

The PRESIDING OFFICER. Is there objection?

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

APRIL 14, 1952.

Hon. JOHN W. SNYDER,
Secretary of the Treasury,
Washington, D. C.

DEAR MR. SECRETARY: As a member of the Senate Appropriations Committee, I would appreciate it very much if you would supply me with information concerning the purchase and sale of gold by the United States Government for each year from January 1, 1933 through December 31, 1951.

1. I would like this broken down as to purchase of gold from newly mined sources in the United States and from new production, if any, from other countries of the world.

2. Purchases and sales from and to other governments.

3. Sales during that period of time to industrial establishments for manufacturing purposes.

4. The amount of gold turned in each year by United States citizens and/or other residents including gold coin and/or gold bullion other than newly mined as indicated in paragraph 1 above.

5. Whether or not the Treasury has paid in any case more than $35 per ounce for any of the gold mentioned above, or has sold any gold at a higher price.

6. What information does this Government have as to the price of gold on the foreign market in Europe and Asia for each of the years requested? This information to include the quoted price per ounce (high and low for the year) in American dollars.

7. Does this Government have any information relative to the sales of gold by foreign countries at a price higher than $35 an ounce and, if so, are such sales still being made?

8. Under what conditions sales of gold are made by the Treasury to foreign governments and what agreements or understandings exist relative to the resale of such gold stocks and the reporting of such transactions to the Treasury? Is it possible for a foreign government to purchase gold at $35 an ounce from this Government and have such gold stocks held by the Treasury or the Federal Reserve bank and then have them to dispose of an equivalent or lesser amount on the free market at the prevailing world price?

I would appreciate it very much if this information could be furnished me at your earliest convenience.

With best personal regards, I remain,

Sincerely yours,

WILLIAM F. KNOWLAND.

REVISION OF LAWS RELATING TO IMMIGRATION, NATURALIZATION, AND NATIONALITY

The PRESIDING OFFICER. The Chair now lays before the Senate the unfinished business, Senate bill 2550.

The Senate resumed the consideration of the bill (S. 2550) to revise the laws relating to immigration, naturalization, and nationality, and for other purposes.

Mr. McCARRAN. Mr. President, I hold in my hand and wish to have printed in the RECORD, a telegram from Los Angeles, Calif., signed by Y. C. Hong, grand president of the Chinese-American Citizens Alliance. The telegram is addressed to myself, and reads, as follows:

LOS ANGELES, CALIF.,
May 14, 1952.

Hon. PAT MCCARRAN,
Senate Office Building,
Washington, D. C.:

Our Chinese-American Citizens Alliance, the only nationally organized group of American citizens of Chinese descent in this country, heartily supports the passage of S. 2550, your omnibus immigration and naturalization bill. We believe the provisions therein represent both careful deliberation and honest effort to eliminate racial discrimination from our immigration and naturalization laws and prevent unnecessary separation of families. Letter following.

Y. C. HONG,
Grand President.

Mr. President, I now hold in my hand a letter under date of May 13, 1952, on the letterhead of the Chinese American Citizens Alliance, of San Francisco, Calif. The letter is over the signature of Y. C. Hong, and is addressed to me. It reads as follows:

CHINESE AMERICAN CITIZENS ALLIANCE,
San Francisco, Calif., May 13, 1952.

Hon. PATRICK MCCARRAN,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: This is to confirm my telegram of even date, a copy of which is attached hereto, voicing our support of your omnibus immigration and naturalization bill, S. 2550. We appreciate that this proposed legislation is the result of an intensive investigation and study of our entire immigration and naturalization system for almost 3 years and that it meets the approval of the greatest number of our people who have the welfare of our country at heart.

We are happy that an honest effort has been made not only to eliminate the racial barriers in our immigration and naturalization laws but also to prevent unnecessary, inhuman separation of families. It takes a statesman with your foresight and patriotism to champion such a progressive measure.

Respectfully yours,

Y. C. HONG.

Mr. President, I now wish to read to the Senate a letter from the Department of State, as it appears on page 31 of Report No. 1365 of the House of Representatives, Eighty-second Congress, second session, which is the report of the Committee on the Judiciary on House bill 5678. The letter is addressed to Hon. EMANUEL CELLER, chairman of the House of Representatives Committee on the Judiciary, and is signed by Jack K. McFall, Assistant Secretary, for the Secretary of State. I now read the letter:

FEBRUARY 6, 1952.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

MY DEAR MR. CELLER: Further reference is made to your letter of October 18, 1951, the receipt of which was acknowledged on October 22, 1951, regarding the views of the Department of State on H. R. 5678—

Let me say at this point, parenthetically, that House bill 5678 is the House companion measure to Senate bill 2550—

a bill introduced by Congressman WALTER, of Pennsylvania, to revise the laws relating to immigration, naturalization, and nationality, and for other purposes.

The bill H. R. 5678 represents a revision of a previous bill, H. R. 2379, which was also introduced by Congressman WALTER, for the same purpose. The revision was made after public hearings were held by a joint committee of the Senate and the House of Representatives. The Senate bill in question was S. 716, introduced by Senator MCCARRAN. It has also been revised and the revision has been incorporated in a new bill, S. 2055, of which H. R. 5678 is a counterpart.

The Department of State submitted a report and officers of the Department testified at the public hearing before the joint committee on the earlier bills. Some of the suggestions of this Department and of its officers have been adopted in the revised bills, and in other instances changes have been made which at least partly conform to the views of this Department.

The Department considers that the revised bill is in many respects an improvement over the existing law. It endorses the idea of an omnibus immigration measure which will constitute a codification of all existing law on the subject. The bill constitutes a step in the direction of better relations with foreign countries. The Department, however, has comments and suggestions which it is prepared, and requests the opportunity, to present to your committee at its convenience.

The Department has been informed by the Bureau of the Budget that there is no objection to the submission of this report.

Sincerely yours,

JACK K. MCFALL,
Assistant Secretary
(For the Secretary of State).

All of that goes to confirm the statement I made in my opening remarks, Mr. President, namely, that representatives of the State Department were heard at our hearings, including representatives of the Passport Division and the Visa Division of the Department of State. Representatives of all those agencies were heard, and their views were taken into consideration and were molded into this bill.

Mr. LEHMAN. Mr. President, will the Senator from Nevada yield for a question?

Mr. McCARRAN. I yield for a question.

Mr. LEHMAN. The question is this: Will the Senator from Nevada explain to the Senate the differences between House bill 5678 and Senate bill 2550, because there is not much doubt, as I am sure the Senator from Nevada will agree, that there are differences between the two bills; and the letter written by Assistant Secretary of State McFall applies to House bill 5678.

Mr. McCARRAN. Mr. President, in response to the request that I explain the differences, I shall do so:

Mr. President, most of the points of difference between my bill, S. 2550, and H. R. 5678, as it passed the House, involves technical changes or changes for purpose of clarification, and do not involve major substantive changes. In addition to the technical and inconsequential differences, the principal differences between the provisions of the two bills relating to immigration are as follows:

First. H. R. 5678 omits the provision contained in section 101 (f) of S. 2550 which sets forth in detail who is not to be considered a person of good moral character within the meaning of the provisions of the bill relating to naturalization and suspension of deportation cases.

Second. H. R. 5678 modifies in some respects the provisions relating to the grounds for the exclusion of aliens as they appear in S. 2550.

Third. Another point of difference between H. R. 5678 and S. 2550 is with regard to the provisions relating to the grounds for deportation. The House bill contains some modification of several of the grounds of deportation as they appear in S. 2550. However, I do not believe that the difference between the two bills in this regard presents any serious question, since both bills strengthen the provisions relating to the deportable classes of aliens.

Fourth. The House and Senate bills also differ somewhat in the provisions relating to the procedure for granting suspension of deportation. While the provisions in both bills are designed to correct many of the abuses which have occurred under the present suspension-of-deportation procedure as contained in section 19 (c) of the Immigration Act of 1917, the House bill would relax somewhat the provisions as they appear in S. 2550. Again, however, I believe that these minor differences can be adjusted in conference in such a manner as to provide a procedure for the granting of suspension of deportation which would correct many of the defects of the existing suspension-of-deportation procedure.

Fifth. Another point of divergence between the two bills is that the House bill, as amended on the floor, attempts to give statutory recognition to the Board of Immigration Appeals. My bill, S. 2550, does not change existing law in this respect, but leaves it to the discretion of the Attorney General in cases where a right of appeal is provided under the bill to determine whether or not the

Board of Immigration Appeals is continued.

Sixth. The House bill makes provision for a joint congressional committee, to be known as the Joint Commitee on Immigration and Naturalization Policy, whose function would be to make a continuous study of the administration of the act and of such conditions within or without the United States as might have any bearing on the immigration and naturalization policy of the United States. The Senate bill makes no similar provision, but I am confident that the desirability of establishing such a joint committee can be satisfactorily resolved in conference.

Most of the differences between those provisions of my bill and the House bill relating to naturalization are technical or minor in nature. The chief areas of significant difference are with reference to loss of nationality caused by residence abroad by naturalized citizens, and the procedure for regaining nationality by persons who have lost it.

Mr. President, as I pointed out at the outset, most of the points of difference between the House and Senate bill are technical, and are for the purpose of correcting drafting errors or for purposes of clarification. I do not believe that the few minor points of divergence with respect to the substantive provisions present any serious problem. I am quite confident that any points of disagreement between the House and the Senate with respect to policy questions can be satisfactorily ironed out in conference and that the Congress will ultimately be presented with a bill which will provide this country a sound immigration and nationality system.

Mr. LEHMAN. Mr. President, I wish to thank the Senator from Nevada, the distinguished chairman of the Judiciary Committee, for so clearly pointing out at least some of the very substantial differences which exist between the House bill and the Senate bill. They are not minor differences. In the opinion of those who oppose the McCarran bill—which is the only measure now before the Senate—the differences from the Walter bill as approved by the House are vital and substantial. I believe that the statement just read by the distinguished Senator from Nevada is an illuminating statement showing the great differences between the two bills. These differences make the letter from the Assistant Secretary of State, Mr. Jack K. McFall, just read, of rather questionable significance in regard to S. 2550. Of course, I am grateful to the Senator from Nevada for his reading of this memorandum and statement. I repeat, it is a very illuminating document.

I want to make clear, Mr. President, that I and my associates see grave defects in the Walter bill. It is not a sound measure in its present form. But there are vital differences and great improvements in the Walter bill over the McCarran bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Bridges	Hickenlooper	McMahon
Butler, Md.	Hoey	Mundt
Connally	Holland	Neely
Dirksen	Johnson, Colo.	Pastore
Douglas	Johnston, S. C.	Robertson
Ferguson	Lehman	Seaton
Flanders	Long	Smith, N. C.
Frear	Martin	Stennis
George	Maybank	Taft
Gillette	McCarran	Welker
Hayden	McClellan	Wiley
Hendrickson	McFarland	Williams

Mr. JOHNSON of Texas. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Kentucky [Mr. CLEMENTS], the Senator from Washington [Mr. MAGNUSON], and the Senator from Georgia [Mr. RUSSELL] are absent by leave of the Senate.

The Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. UNDERWOOD], the Senator from Rhode Island [Mr. GREEN], the Senator from Wyoming [Mr. HUNT], the Senator from Tennessee [Mr. KEFAUVER], the Senators from Oklahoma [Mr. KERR and Mr. MONRONEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Montana [Mr. MURRAY], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Oregon [Mr. MORSE], and the Senator from Minnesota [Mr. THYE], are absent by leave of the Senate.

The Senator from Utah [Mr. BENNETT], the Senator from Montana [Mr. ECTON], the Senator from North Dakota [Mr. LANGER], the Senator from Nevada [Mr. MALONE], and the Senator from New Hampshire [Mr. TOBEY] are absent on official business.

The Senator from Maine [Mr. BREWSTER], the Senators from Indiana [Mr. CAPEHART and Mr. JENNER], the Senator from Kansas [Mr. CARLSON], and the Senator from Pennsylvania [Mr. DUFF], are necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

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

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. BENTON, Mr. BRICKER, Mr. BUTLER of Nebraska, Mr. CAIN, Mr. CASE, Mr. CORDON, Mr. DWORSHAK, Mr. EASTLAND, Mr. ELLENDER, Mr. FULBRIGHT, Mr. HENNINGS, Mr. HILL, Mr. HUMPHREY, Mr. IVES, Mr. JOHNSON of Texas, Mr. KEM, Mr. KNOWLAND, Mr. LODGE, Mr. MCCARTHY, Mr. MCKELLAR, Mr. MILLIKIN, Mr. MOODY, Mr. NIXON, Mr. O'CONOR, Mr. O'MAHONEY, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. SMITH of New Jersey, Mr. WATKINS, and Mr. YOUNG entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

MUTUAL SECURITY APPROPRIATIONS

Mr. FLANDERS. Mr. President, I wish to say a very few words with regard to the mutual security bill, on which I shall be unable to vote because I expect to be absent.

First, I wish to register my opposition to the proposed further cut of $400,000,000, which I presume will be attempted by way of an amendment offered from the floor. This is the wrong place to cut out $400,000,000. The bill gives us the cheapest production of arms and armament we can get. I was assured during the hearing by Secretary Lovett that, practically speaking, all the economic aid went into the production of arms and armament abroad, where they can be produced more cheaply than here. It is not an economy measure to cut off this $400,000,000.

I am also opposed to an amendment which may be offered from the floor relating to the disposition of jet planes so that more of them may go to Korea. That I conceive to be a worthy objective, but in my opinion, sought to be attained, by the wrong means. The right means is to have the Secretary of Defense and the Chief of the Joint Chiefs of Staff before us to report on the degree of unification which has really been arrived at, and upon the assignment of duties and responsibilities to the various services, and then to ascertain whether, for example, too little is going to aircraft and too much to manpower.

I have been urging that an investigation should take into account such a reorientation of our military policy, as was suggested by me in a magazine article published last fall, and as Mr. Hoover has suggested in an article in the Reader's Digest. Such an investigation might well save billions of dollars instead of hundreds of millions, and might lead, through a saving, to a much better Military Establishment.

FLOODS IN THE UNITED STATES AND IN ITALY

Mr. LODGE. Mr. President, recent travels have taken me over the flooded areas of the Middle West. When one views this disruption of lives and this damage, and when one adds to it the vast losses of the floods of nearly a year ago, the question naturally projects itself as to when we are going to take adequate steps to check the ravages of floods. Here we have a nation abundant in inventive and engineering resources and in all it takes to master floods. Yet our human contrivings, to say nothing of our politics, seem to set at naught our technology. Meanwhile, the floods roll on.

I am reminded by a letter from a friend in Italy that they roll on in other places of the world, too. Last November the Po River broke through its levees in several places in Northern Italy, necessitating the evacuation of some 180,000 men, women, and children. About 250,000,000 acres of farm land were flooded. These floods followed inundations in parts of southern Italy, too.

A report just given me by a friend relates that today, almost 6 months after the start of the floods, something like 50,000 acres are still under water. Much of the population is still suffering hardships as well as loss of their homes and possessions. The total loss is estimated in the neighborhood of $350,000,000. This represents a loss equal to 2½ percent of Italy's gross national product. It compares with a quarter of 1 percent loss of our own national product in the Missouri-Kansas floods of 1951. This implies no minimizing of our own loss, but it does point up the serious impact suffered by the Italian economy.

The free world was quick to respond to the Italian need. Relief supplies were sent from all over Europe. Our own American aviation industry responded magnificently in flying in tons of medicines, foods, and other requirements. But in the long and hard months of pumping out the water, rebuilding levees and homes, and revitalizing farms, it has been the Italians themselves who necessarily have had to do the work.

It seemed appropriate to me, Mr. President, that at this time when we are considering our own flood losses, we be reminded of the gallant effort the Italian people and their leaders are extending in meeting a cruel affliction. The magnificent private and public help we are giving should be carried on. It may cheer our Italian friends to know that our interest and support continues, even at a time when we have similar troubles of our own.

REVISION OF LAWS RELATING TO IMMIGRATION, NATURALIZATION, AND NATIONALITY

The Senate resumed the consideration of the bill (S. 2550) to revise the laws relating to immigration, naturalization, and nationality, and for other purposes.

Mr. LEHMAN. Mr. President——

The PRESIDING OFFICER (Mr. GEORGE in the chair). The Senator from New York is recognized.

Mr. MOODY. Mr. President——

Mr. LEHMAN. Mr. President, I defer to my colleague, the junior Senator from Michigan.

Mr. MOODY. Mr. President, I rise in opposition to Senate bill 2550, the omnibus immigration bill. It is essential to emphasize the word "omnibus." This is no narrow bit of legislation upon some small specific topic. Instead, it purports to be a codification of existing law.

As a code, such a bill becomes the basis of all future policy on immigration matters for many decades to come. If this policy is to be wise, just, and in accordance with the democratic principles for which our boys are fighting today, it is imperative that every section and clause of the bill be carefully examined. I am aware that there are several new and constructive provisions in this alleged codification of existing law, but the great number of restrictive regulations proposed in S. 2550 so far outweigh these few provisions, that I am convinced the bill is harmful to our welfare as a Nation and a danger to the millions of foreign-born already here.

I cannot do better to summarize these dangers than to quote from the minority views of the members of the Committee on the Judiciary. These men—Senators KEFAUVER, MAGNUSON, KILGORE, and LANGER—who participated in the hearings held on immigration matters a year ago, have the following trenchant remarks to make about S. 2550:

> Specifically, the bill would inject new racial discriminations into our law, establish many new vague and highly abusable requirements for admission, impede the admission of refugees from totalitarian oppression, incorporate into law vague standards for deportation and denaturalization, and would deprive persons within our borders of fundamental judicial protections.

Seldom have I seen a more damning indictment of a piece of important legislation to which this body is now asked to give its approval.

Who are the people to whom such terrifying, undemocratic and, yes, un-American, actions are to be applied, Mr. President? They are the people who have contributed so largely to making this country the powerful, respected, democratic Nation that it is. The history of this country and of my own State of Michigan affords a testimonial to the wisdom of a humane and liberal immigration policy. It was the people from many sources: Poland, Germany, Russia, Italy, Finland, the Netherlands, Greece, Hungary, and other lands who made the sinews of Michigan's, and this country's, industrial might possible. Yet many of these countries are the very ones most savagely discriminated against in this bill.

When these immigrants and the children and grandchildren of immigrants have proved their loyalty and worth in our moments of crisis and need during war and peace, are we now to reward them with doubts and suspicions?

Are we to say to them that because of a record of their birth in a foreign land, or because they have an accent, they may be searched in their cars or interrogated at any time without a warrant by petty immigration officials? Are we to say that they cannot bring their parents here to spend their last years without a tragic wait of from 5 to 10 years? Are we to say to those among them who fled religious or political persecutions many years ago, under an assumed name, of necessity, that with the passage of this legislation they have become deportable, even though they are American citizens by naturalization?

Mr. President, more than a century and a half ago, that great statesman of the constitutional convention, James Madison, said:

> That part of America which had encouraged them (the foreigners) most, has advanced most rapidly in population, agriculture, and the arts.

That statement was truly prophetic. It is a fact that the 10 States with the highest percentage of foreign-born have a per capita income almost twice as high as that of the 10 States with the lowest percentage of foreign-born. This applies not only to our industrial States, but to our agricultural States as well.

What accounts for this great difference? Certainly one of the key factors is the persistence with which immigrants have brought to us new techniques, new refinements in production, marketing, invention, and transportation. One has only to call the roll of inventions which have contributed so much to the greatness of our country to realize the truth of this observation. Look at the field of industrial invention alone.

There is the German immigrant Steinmetz and the Yugoslav immigrant Pupin, fathers of great discoveries in electricity; the immigrant Swede, Ericsson, who brought us the ironclad ship and screw propeller; the Scottish-American Alexander Graham Bell, of telephone fame, is too well known to require mention; and the immigrant German, Mergenthaler, who invented the linotype. Think how much he has contributed to the enlightenment of our people by making possible the great newspapers and press of our country.

Think of the great advances in aviation in this country which have resulted from the work of the Italian immigrant, Bellanca, and the Russians, Sikorsky and De Seversky. The list is almost endless, Mr. President.

Consider the Americans who owe their daily living to the inventive genius of these immigrants. Consider the Americans who work daily in great industries founded by such men as the Hungarian immigrant, Charles Fleishman, or the Du Ponts, who were refugees from France; the Czech, Joseph Bulova; or the Dane, William S. Knudsen. And this, Mr. President, is only in the material realm.

Mr. DOUGLAS. Mr. President, will the Senator from Michigan yield for a moment?

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from Michigan yield to the Senator from Illinois?

Mr. MOODY. I am delighted to yield to the Senator from Illinois.

Mr. DOUGLAS. Is it not a fact, as the history books of the United States indicate for the period of the administration of John Adams, that when the alien and sedition laws were passed, one of the purposes of the alien law was to enable the Government to deport the Du Pont family, who had come to this country following the French Revolution, and at that time were regarded as dangerous Jacobins, friends of Jefferson?

Mr. MOODY. It is, indeed. However, I do not believe that today anyone would seriously contemplate deporting the Du Pont family.

Mr. DOUGLAS. I think it is a very good thing that the United States did not deport them during the administration of John Adams.

Mr. MOODY. I certainly agree.

Mr. President, the list of contributions in the material realm made by immigrants to the United States is almost endless. My own city of Detroit is very

proud of the late William S. Knudsen, who did so much for the automotive industry, for the people of our community, and for the entire Nation during World War II. Mr. Knudsen was a Danish immigrant who came to the United States and made the most of his opportunities, and contributed greatly to the welfare, prosperity, and safety of the United States.

Mr. DOUGLAS. Mr. President, will the Senator from Michigan yield for another question?

Mr. MOODY. I am delighted to yield.

Mr. DOUGLAS. Is it not true that another great automotive engineer, Mr. Charles E. Sorensen, is himself of Swedish birth or of Swedish stock?

Mr. MOODY. Actually, Mr. Sorensen was born in Copenhagen, Denmark. At the Ford Motor Co. in Detroit, Mr. Sorensen did a great deal for the automotive industry of our Nation.

Of course, I shall not take the time to mention the thousands of persons from every part of the world who have contributed so much in the equally important nonmaterial sphere. I refer now to the musicians, artists, writers, composers, playwrights, and teachers whose very names indicate the tremendously rich and diverse ethnic origins from which they have sprung. It is these people and people like them whom this bill proposes to treat so shabbily. Students of immigration say these people have the sharpest appreciation of the value of democracy and the dangers of communism and nazism of any of the groups in our midst.

To a greater degree than many native-born Americans, the immigrant understands the importance and value of freedom. He has lived long enough elsewhere to appreciate that freedom is not taken as a matter of course.

Typically, our refugee immigrants have been individuals who wanted to improve themselves in a land of freedom. When the forces of restriction and oppression proved too strong for them in their native lands they turned to the United States of America.

The process of immigration is itself a process of selection. But more than this, Mr. President, the discovery of America itself by people of foreign origin is an education. When even unreflective, ordinary individuals come to a society where they can see the contrast between the old and the new they tend to appreciate very keenly the values of democracy. This they do even if they are not conscious of politics or political theory. Every immigrant, no matter what his level of education or ability to think, sees this contrast between what he left behind and what he finds here in America, and in practice this develops an attachment to American ideals.

Foreign-sounding names in the recent crime hearings led many a superficial observer to conclude that the foreign-born are prominent among those who transgress the law. But it was former President Hoover's Commission on Law Enforcement which came to the conclusion that precisely the opposite is true, and that the record of the immigrant is one of abiding by the laws of our country. Here are the conclusions of the Hoover Commission:

1. That in proportion to their respective numbers, the foreign born commit considerably fewer crimes than the native born.

2. That the foreign born approach the record of the native white most closely in the commission of crimes involving personal violence.

3. That in crimes for gain, including robbery, in which there is also personal violence or the threat of violence, the native white greatly exceed the foreign born.

Of course, I am not in any way reflecting on the native white; I am merely pointing out that it is unfair, inaccurate, and certainly unjust to imply that foreign-born persons or their dependents are any crime risk, as has been implied.

The role of the immigrant in our society has been one of honor. It has been proved, over and over again, that wherever he has settled in our several States he has brought economic strength, artistic distinction, and industrial and agrarian progress. What is the force which seeks to persuade us to surround this immigrant with discriminatory quotas, label him with registration cards, and place him at the whim of bureaucratic officialdom here and abroad?

I would say that the anti-alien laws find their impetus in the anxiety and fear which now possess so many of us. At such a moment there is a tendency to take refuge in narrow nationalism and bigotry. It is an aping of the very worst in the European community where, down through the long centuries, national hatreds and prejudices have literally torn the continent apart.

The United States has never developed such hatreds and prejudices, and let us not begin to do so now. What is more European, in the worst sense, than the premise expressed in the quotas in this bill that a citizen of the United Kingdom is 13 times as welcome as an Italian and 12 times as preferred as a citizen of Poland?

One of the predecessors of this bill—passed in 1917 over a presidential veto, at the height of the strength of the Ku Klux Klan—was denounced by Woodrow Wilson when it first was vetoed by him in 1915. He said:

> This bill seeks to all but close entirely the gates of asylum which have always been open to those who could find nowhere else the right and opportunity of constitutional agitation for what they conceived to be the natural and inalienable rights of men. It excludes those to whom the opportunities of elementary education have been denied, without regard to their character, their purposes, or their natural capacity. * * *
>
> Restrictions like these, adopted earlier in our history as a Nation, would very materially have altered the course and cooled the humane ardors of our politics. The right of political asylum has brought to this country many a man of noble character and elevated purpose who was marked as an outlaw in his own less fortunate land, and who has yet become an ornament to our citizenship and to our public councils.
>
> The children and compatriots of these illustrious Americans must stand amazed to see the representatives of their Nation now resolved, in the fullness of our national strength and at the maturity of our great institutions, to risk turning back such men from our shores without test of quality or purpose.

President Wilson concluded by saying that the object of the bill was restriction, not selection.

Wilson was not the first to veto such restrictions on immigration. President Taft vetoed one in 1913.

Mr. President, I would be remiss in my duties as a representative of the great State of Michigan if I failed to point out with what force this proposed legislation would bear down upon so many of our citizens. By far the greatest proportion of our foreign-born population comes from the Central Southern and Eastern European and Mediterranean countries. Many have looked forward for years toward bringing relatives—their parents, their children, their grandparents—to join them in this country. But even under the present law, the case of those coming from Poland, Rumania, Bulgaria, and Greece is hopeless or almost hopeless. The Yugoslav quota is now taken up to almost the year 2000; so is that of Rumania and Bulgaria. It is necessary to wait years to get on the Greek and Polish quotas.

The pending omnibus immigration bill is described as a modernization of our immigration laws. Yet its quota provisions are based upon the population of the United States 32 years ago in 1920.

Think of all the changes which have occurred in the numbers and make-up of our population in the past 3 decades. How can a law which even purports to be "modern" use as the main basis of its calculations the end of the World War I decade?

In the last 30 years thousands of people from countries like Poland, Germany, Italy, and other lands of the eastern and southern part of Europe have come into this country and become fine citizens of States like my own Michigan. Yet nowhere in the McCarran bill is there any recognition that the United States has changed in the many years since the First World War.

Is there any reason why a quota system drawn up in 1952 should make use of the census of 1920 instead of the 1950 census, except as a subterfuge to perpetuate the inequities of 3 decades ago and the discrimination against the peoples of southern and eastern Europe?

Well over half of our present quotas go unused because they are assigned to countries like Great Britain whose people do not desire to emigrate to the United States. While from forty to fifty thousand quota numbers are wasted yearly in this way, the fugitives from Communist terror, the aged parents and grandparents of some of our finest American citizens, wait in vain for the chance to come to freedom and to reunion with their loved ones. This is only one of the hundreds of flaws in the McCarran bill which the Humphrey-Lehman bill would redress, through such provisions as pooling of quotas.

Even should the elderly parent, or the religious persecutee run the gamut of an oversubscribed quota, he would be turned back if he had been poorly edu-

cated and could not read. For the first time in our law this bill requires the aged parents and grandparents of United States citizens, who under the present law are exempted from the literacy requirement, to pass a literacy test.

There is another hurdle put in the way of these people. S. 2550 for the first time excludes aliens who have been convicted of two offenses, except purely political offenses.

Mr. President, just think of that. Such a provision would exclude aliens convicted of trumped-up non-political offenses, who were fighting the Communists and Fascist kangaroo courts. The presumption is that the people who resisted the Nazis the hardest, and who are now resisting the Communists, if they managed to escape to free territory and wanted to come to the United States, would be barred from doing so, desirable citizens though they might be, because of the unwise and unfair provisions of the pending bill.

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

Mr. MOODY. I am glad to yield to my friend from Minnesota.

Mr. HUMPHREY. Does the Senator know that under the provisions of the McCarran bill Cardinal Mindszenty would not be permitted to enter the United States, if he should even escape from the Communist jail in which he is now forced to stay by the Communist decrees of Hungary?

Mr. MOODY. I certainly do; and in my text, Cardinal Mindszenty is next in line. I thank the Senator from Minnesota for bringing out that point so forcefully.

Mr. HUMPHREY. I think it needs to be pointed out that frequently, in connection with trumped-up charges and political charges of the Communist-dominated party, what they do is to bring one or two political charges against the alleged culprit and then include one or two other charges of a social or economic nature.

Mr. MOODY. That is correct.

Mr. HUMPHREY. Those trumped-up charges are put in the form of an indictment against the victim; he is given a so-called trial, convicted, and incarcerated in jail. What would happen if the man so convicted should, by some good fortune, escape from jail? Let us assume that an underground is working, and that he gets across the border, let us say into West Germany.

Speaking now of Cardinal Mindszenty as a good example, if he were to get into West Germany, he would still have to have his immigration papers based on the Hungarian quota; but because he would have against him two offenses carrying jail sentences of 5 years or more, jail sentences imposed by a Communist court in a rigged judicial process, he could not come into the United States. We would thus deny ourselves the privilege of having that great clerical statesman in our midst.

Mr. MOODY. What this bill would do would be to place in the hands of the Communist kangaroo courts the power to bar anybody from entering the United States of America.

Mr. HUMPHREY. Indeed it would; and it would also place a heavy burden upon those who have been the courageous fighters for freedom, who have stood up in Communist countries to fight the Communist organization, and who have suffered jail penalties. Suppose an alien in this category should get out of jail through an underground movement of some kind or, by sheer escape, and proceed to a country, let us say, France, Germany, Italy, or Greece, where for a period of time he is a political refugee. He wants to come to the United States under an immigration visa, say from Poland, Hungary, Estonia, or Bulgaria. What happens to him? The McCarran bill says, "We cannot use you, because the Communist courts sentenced you under trumped-up charges; so we are going to take the word of the Communist courts and deny you, a freeman, a lover of freedom, an opportunity to live in the United States." Mr. President, if anyone can justify that, I shall be around for a long time awaiting the justification.

Mr. MOODY. In other words, such an alien would find, after going through all that for the sake of freedom, that the American Government had abdicated its powers and had placed him in the hands of Red-dominated kangaroo courts.

Mr. HUMPHREY. Indeed he would. The same thing would be true in the case of refugees from fascism and nazism. Let us assume that during the period of Hitlerism and during the period of Mussolini's fascism Italian soldiers stood up to fight against the Fascist philosophy. They were incarcerated in a Nazi or Fascist jail. The charges against them were political in nature, or what may be called criminal charges or misdemeanors, depending upon whether they received a sentence of 5 years, or one for a longer period than 5 years. We may rest assured that they received longer terms than that. Such men, who had the courage to fight for their freedom and to resist the forces of oppression, are denied a refuge, a home and a haven in the United States of America. It is a mockery. It is a mockery of everything this Nation has stood for.

Mr. MOODY. I think it would be a clear conclusion that the people who had fought against Nazi tyranny and Communist tyranny, who had not only the spirit of freedom but also the courage in their hearts and souls, to seek it, would be the very people who would be most desirable as citizens of this country; yet this bill would exclude them.

Mr. HUMPHREY. History tells us that this Nation was built and created by those who came here yearning for freedom, who had been driven from the shores of other lands by tyrants; who wanted to worship their God as they saw fit and who wanted to practice their political beliefs with freedom of conscience and of speech. These were the people who were refugees from the tyrannical despotisms of the European world.

Mr. MOODY. The Pilgrim Fathers would have been barred under the McCarran bill, had it been in force at the time.

Mr. HUMPHREY. That is true; and Roger Williams would never have been able to come to America. The French Huguenots would never have been able to come here, nor would the great patriots who fled from the debtor persecutions of France and England, and who settled along the coasts of Georgia and North Carolina. Had the McCarran bill been on the books in the year 1700 and in the year 1650, we would still be taking a census of the native Indian tribes on the eastern seashore.

Mr. MOODY. We would probably be a colony of some foreign land.

Mr. LEHMAN. Mr. President, will the Senator from Michigan yield?

Mr. MOODY. I am glad to yield to the Senator from New York. I may say in yielding that I think not only I but also the entire group who are fighting this bill—people of foreign origin as well as of American origin all over the country—owe a debt of gratitude to the great Senator from New York for the leadership he has exercised personally, with the Senator from Minnesota, in carrying forward the fight against the McCarran bill. I compliment the Senator from New York in the highest terms.

Mr. LEHMAN. I thank the Senator very much. I appreciate his remarks. I think the McCarran bill affects adversely conditions under which this country has become great.

Mr. MOODY. That is correct.

Mr. LEHMAN. I wonder whether the Senator will not agree with me that the whole basis of exclusion for the crimes to which the Senator from Minnesota has referred is not the question of moral turpitude. Today, under the existing law, there is a whole string of offenses for which a man may be excluded if they involve moral turpitude. Neither the Senator from Michigan, the Senator from Minnesota, nor anyone else on our side, wants to let down the bars which would keep an alien, if guilty of a crime involving moral turpitude, out of the United States.

Mr. MOODY. Of course not.

Mr. LEHMAN. But the offenses which are listed in the bill do not at all involve moral turpitude.

Mr. MOODY. That is correct.

Mr LEHMAN. The offenses might not even constitute misdemeanors, or what we in this country consider to be misdemeanors, much less crimes. As we know, "poor Joe," in Germany, under Nazi Hitler, was hiding away, refusing to register because, had he registered, he would have run the risk of being sent to a concentration camp and finally to a gas chamber. If that man were apprehended, of course, heavy penalties would be inflicted upon him. A priest in Poland, or in any of the other satellite countries, teaching a child a little bit about religion, would be, in the eyes of the Communist government, guilty of a crime and subject to very heavy penalties. Yet offenses of that kind are set forth in the bill as grounds for exclusion. It is such provisions that make the bill such an evil and abominable thing.

Mr. MOODY. After all, the United States is a God-fearing Nation. Why the United States Congress should want

to abdicate to an un-Christian effort to so rig a person's record as to make him ineligible for entry into the United States is entirely beyond my comprehension.

Mr. LEHMAN. I thank the Senator from Michigan.

Mr. MOODY. Mr. President, as the Senator from Minnesota just pointed out, the McCarran bill would keep out aliens convicted of trumped-up nonpolitical offenses by Communist and Fascist kangaroo courts. How well we know to what length such courts have gone, and are going, in making crimes of what would be praiseworthy behavior in this country. Under this law, Cardinal Mindszenty could not enter the United States.

Mr. President, I am deeply concerned not only about the provisions of the McCarran bill which would so unjustly deal with immigration, but also with its provisions which would endanger the millions of law-abiding foreign-born now in this country. Should this bill become law, the traditional judicial protection of the alien in our midst would be swept away. Administrative officials would be given broad indefinite powers to pick and choose among our alien population, to harass them, and to inflict upon them the terrible punishment of exile from the United States.

It is, of course, necessary to protect ourselves against the criminal element in our midst, whether among citizens or noncitizens. The present law does, therefore, provide for the deportation of aliens who have committed serious crimes. But listen to what S. 2550 would do: It would permit the deportation of any alien convicted of any criminal offense. Should any future administrative immigration official form a dislike for a noncitizen, he has only to search the latter's record. If the alien was once convicted of killing a deer out of season, of spilling garbage on the street, of the violation of a municipal antinoise ordinance, of reckless driving—and all these are criminal offenses according to our courts—the Attorney General has only to declare, in his opinion, such an alien undesirable to find a legal basis for deportation of the unfortunate. What a terrible power to place in the hands of one man. I do not say that every Attorney General would be so lacking in reasonable discretion as to deport every alien who was subjected to a $5 fine; but I do say that he could do so, should the temper of the times so induce him. This is a power that no Attorney General should have over any individual, wherever born. It is statism, to which I believe no Member of this body wishes to submit anyone living in the United States.

Another dangerous power of the same sort is revealed by the new provision in the McCarran bill for the deportation of any alien who, in the opinion of the Attorney General hereafter and at any time after entry, shall be a public charge from causes not affirmatively shown to have arisen after entry—section 241 (a) (8). This would allow the inhuman deportation by the Attorney General's office of a man who came here 20 years ago, if 20 years from now he goes on relief, and cannot prove in the opinion of the Attorney General, one member of the President's Cabinet, that the cause of his unfortunate state arose after his entry into this country. It can be a very difficult thing to prove to an unsympathetic administrative official the reasons for one's going on relief.

Mr. President, this is the most puzzling bill to come before the Senate in many years. A codification of our immigration laws is long overdue, but that is certainly not what this bill does. Frankly, I cannot understand what it is trying to accomplish. The committee has worked long and hard on the subject matter, and although the proponents of the bill say it codifies the immigration laws; yet it does not do so.

Why should this bill add more than 20 new grounds for deporting displaced persons and other immigrants admitted in past years? Why does it create 13 new grounds for excluding future immigrants, and an undetermined number of new ways of losing one's American citizenship? Is this codification and simplification? Of course, it is not.

Why should anyone want to eliminate the exemption of such groups as professors from the quota-exempt immigrant group? What is the purpose of such a provision?

Why recognize the actions and decisions of Nazi kangaroo courts? Why should a person convicted twice of violating a Communist law against religious worship become ineligible to enter the United States? Can there be any rhyme or reason to such legislation?

Why should the existing statute of limitations in deportation cases be abolished? Has the country been harmed by the statute as it exists?

Why should anyone seek to bring about a series of neighborhood investigations of applicants for naturalization and set hordes of new Government officials prowling in our neighborhoods? What is the indication of the need for this new set of invasions of privacy?

Mr. President, I predict that if such a bill as this is passed by the Congress, it will certainly be vetoed by the President of the United States as a matter of pure justice.

Why is the principle of judicial review abrogated, and what amounts to life-or-death power placed in the hands of one man, the Attorney General? Are our public officials so infallible as that?

The declared purpose of the sponsors of the McCarran bill is to reunite families. Why, then, extend literacy requirements to victims of religious persecution, and to the close relatives of citizens and resident aliens, though even the present law exempts them? If we are trying to reunite families, what is the idea of making it more difficult to reunite them?

Why should a bill authorize the deportation of immigrant brides and bridegrooms who fail to fulfill marital agreements "to the satisfaction of the Attorney General?" What earthly business is that of the Attorney General?

Why should naturalized citizens be made subject to denaturalization, at the instigation of any private informer who files an affidavit, for acts which were not grounds for denaturalization when citizenship was acquired?

Why should the year 1920 be used as the basis of a code adopted in 1952?

If there are any answers to these questions I should like to have some Senator rise and give the answers. I do not think there are any answers, and I hear no reply.

Why should anyone want to write into the law for one group in our population the terrible doctrine of the presumption of guilt until proved innocent?

What can be the reason for perpetuating in a modern American code the doctrines of racial discrimination?

Why is this legislation labeled as a codification and, therefore, a simplification, when the test of whether admitting an alien is in the public interest appears as subclause (b) of clause (ii) of subparagraph (28) of subsection (a) of section 212 of chapter I of title II of chapter 6, of title VIII of the United States Code dealing with immigration matters? What is clear or simple about that?

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

Mr. MOODY. I am delighted to yield to the Senator from Minnesota, who has provided such fine leadership in this fight.

Mr. HUMPHREY. I thank the Senator from Michigan. I should like to ask him whether what he was referring to was the simplified, modernized recodification of the immigration law.

Mr. MOODY. Oh, yes. According to the committee bill, that is what is simple and clear.

I should like to ask the Senator from Minnesota, if I may, if he can conceive how any person coming into the United States without a detailed, expert knowledge of the law, could even find in the law, if the pending bill became law, what his rights would be? Is it the purpose so to obfuscate the law that no one could possibly find out?

Mr. HUMPHREY. I think the Senator has put his finger on the purpose. The only real asset this bill seems to offer is a full-employment program for immigration attorneys. It would undoubtedly give them a sufficient number of cases and details to work on for years.

I wish to recur to what I heard the Senator comment upon a moment ago, in reference to the powers of the Attorney General. I regret that at the moment I was in consultation and did not have a chance to follow along with the Senator.

Do I correctly understand that under the terms of the bill the Attorney General is to have something to say about whether or not a marriage relationship has been fulfilled and is satisfactory? Will the Senator give me that information again? That certainly smacks of something new in legislation.

Mr. MOODY. It certainly smacks of something. The bill provides that if a bride and bridegroom come into this country under a marriage relationship, and fail to fulfill the marital agreement to the satisfaction of the Attorney General——

Mr. HUMPHREY. Just a moment. Let us stop there.

Mr. MOODY. I do not know why the Attorney General should be interested in that, but perhaps he is.

Mr. HUMPHREY. I know that many people have had unkind words to say about many Attorneys General, but I do not believe Congress ought to put the burden upon the Attorney General to decide whether a marriage relationship is satisfactory or has been properly consummated.

Mr. MOODY. That is my point.

Mr. HUMPHREY. What is the express language again?

Mr. MOODY. "Fail to fulfill marital agreements to the satisfaction of the Attorney General."

Mr. HUMPHREY. I think we should ascertain from the sponsors of the bill just what that means. It sounds very interesting.

Mr. MOODY. It would be interesting to know.

Mr. HUMPHREY. I should like to know what it means.

Mr. MOODY. I do not think the proponents of the bill can tell us; but, if the Senator desires to ask them, he may do so.

Mr. HUMPHREY. The Attorney General is going to be a busy man, under this bill.

Mr. MOODY. He certainly is.

Mr. HUMPHREY. Not only that, he is going to be in on some secrets he ought not to be in on.

Mr. MOODY. The Senator is correct.

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

Mr. MOODY. I am delighted to yield.

Mr. PASTORE. As a matter of fact, the McCarran bill may become the best seller of the year.

Mr. HUMPHREY. It will certainly become a sort of congressional Kinsey report.

Mr. MOODY. I do not think it will ever become law, so we need not anticipate that.

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

Mr. MOODY. I yield.

Mr. HUMPHREY. It has possibilities of being the beginning of a most interesting document.

Mr. MOODY. I think so. When it would give the Attorney General dictatorial power to use his own judgment as to whether the violator of a traffic law or an antinoise law is a desirable citizen; when it would set up hordes of investigators, who would go around inquiring into the lives of people, it seems to me to be operating in precisely the opposite direction from the concept of our democratic or free system. We do not want a gestapo operating in the United States. While the bill does not set up a gestapo, it gives a very great deal of power to one man, the Attorney General. While ordinarily we have honorable Attorneys General, I can conceive of a situation such as occurred in the 1920's, when there was a very bad condition in the Department of Justice, and when an Attorney General got into very serious trouble.

If there is a man who is not properly in the Cabinet and he is given authority like that conferred in the pending bill, he could go a long way toward stamping out the liberties of the American people. I must say that an American citizen if he is naturalized, is just as much an American as a man born in Minnesota, Michigan, New York, or Nevada.

Mr. HUMPHREY. We have had a little good fun over one provision of the bill which does not make much sense.

Mr. MOODY. Yes, and there are several other provisions which do not make sense.

Mr. HUMPHREY. I have one other question about a point which the Senator from Michigan has brought out. In all candor, the points the Senator is bringing out about the unusual and extraordinary powers given to the Attorney General under the bill go far beyond anything which has ever been legislated by this or any other Congress.

Mr. MOODY. I am afraid that is true. I hope Congress will not enact the bill for that reason, if for no other reason.

Mr. HUMPHREY. I hope Senators will realize that if Congress enacted the bill it would be literally violating what we traditionally call due process of law; that in the bill the right of court review of many of the powers involved is eliminated, or at least it is confined to the question whether the Attorney General acted on his own opinion, or a determination of whether the Attorney General did have an opinion. There is no provision for a substantive review of deportation or naturalization proceedings.

It is unthinkable that we should vest in the Attorney General so much power over human beings. I remind the Senator that we do not give the State Department or the Justice Department that much power over a can of sardines imported into this country.

Mr. MOODY. We hear great complaint when an effort is made to stabilize our economy, and temporary power is granted for control of a can of sardines. It is un-American, undemocratic, and dictatorial to say that the Senate has power to enact a law that would give one man dictatorial power over the lives, hearts, and souls of millions of Americans, and to enact a law which would permit the Attorney General to go back 20 or 30 years and pick out a flaw in a man's record, and then send him out of the country.

Mr. HUMPHREY. The Senator is correct. The Senator knows that even an American importer or exporter has the right of hearing and the right of review if he feels he has been aggrieved.

Mr. MOODY. And he ought to have it.

Mr. HUMPHREY. Indeed, he should.

Mr. MOODY. A human being should have no less.

Mr. HUMPHREY. Yet, in some instances under the proposed legislation, he will be denied the right of review.

Mr. MOODY. I said he should have no less. Under this bill he would have considerably less.

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

Mr. MOODY. I yield.

Mr. PASTORE. There was much ado about the fact that certain Members of the Senate had not read the committee report on the bill. As I understand, at the present time, before an alien can be deported, he must be convicted of having committed a crime involving moral turpitude.

Mr. MOODY. That is correct, as I understand.

Mr. PASTORE. That would all be changed by the McCarran bill. As the able Senator from Michigan has pointed out, if the McCarran bill ever becomes the law of the land, it will be within the power and discretion of the Attorney General to deport for violation of a municipal ordinance.

Mr. MOODY. That is correct.

Mr. PASTORE. Has the able Senator from Michigan been able to ascertain from the committee's report just why we are going down so low, to small misdemeanors, to deport aliens from the United States?

Mr. MOODY. I have not. I think it is an excellent point, and I am glad the Senator from Rhode Island has made it.

Mr. PASTORE. That is exactly the point we have been trying to make. There has been no explanation or statement of congressional intent in the provisions in this bill, which would indicate to anyone the reason why it is proposed to change the provisions of existing law requiring conviction of a crime involving moral turpitude before an alien can be deported.

Mr. MOODY. I should like to point out to the Senator from Rhode Island that some of the inequitable, unfair provisions of the McCarran bill go beyond any opportunity for establishing congressional intent, because they set down in clear, cold—and I mean cold—words what Congress would be enacting into the law of the United States if it should pass this measure.

As I said a few minutes ago, I predict that no President of the United States would lower himself to such an extent as to sign such a measure as this. I predict this measure will never become law.

Mr. PASTORE. Mr. President, will the Senator yield again?

Mr. MOODY. I am glad to yield.

Mr. PASTORE. Is the Senator willing to concede that with that type of provision in our deportation law, we would actually run the danger of having gestapo tactics employed in this country?

Mr. MOODY. I am afraid that might be the result.

Mr. HUMPHREY. Mr. President, will the Senator give me his attention for a moment?

Mr. MOODY. Certainly, I should say that everything set up in the area to which the Senator from Rhode Island is referring is antipathetic to our whole democratic system and all our democratic ideals and should not become law.

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

Mr. MOODY. I yield.

Mr. HUMPHREY. I have listened to to Senator's discussion of the quota system and the preference system. I have a series of questions which I should like to propound to anyone who is willing to answer them. Since we do not receive much cooperation from the proponents of the bill, I shall have to ask these question of the opponents. I have great

respect for the judgment of the Senator from Michigan.

Mr. MOODY. I thank the Senator.

Mr. HUMPHREY. The Senator from Michigan has done an admirable, sound, and constructive job of analyzing the pending bill. Let me ask him this question: Is it not true that under the terms of the bill, if the Attorney General grants the petition of a citizen for a preference for his father living in Italy or Greece, and the consul in Athens or somewhere else in Europe refuses to issue a visa, there is absolutely no way of appealing the counsul's decision to the Department of State, or obtaining a review in the courts?

Mr. MOODY. Yes. That is another dictatorship established under the bill. Admission into the country would be under the control of dictators.

Mr. HUMPHREY. Would not the bill give absolute power to the American consuls so far as the issuance of visas is concerned?

Mr. MOODY. I think it would.

Mr. HUMPHREY. There is no mention in the McCarran bill of any appeal from the decision of the consul.

Mr. MOODY. That is correct. It is a violation of the traditional principle of judicial review. It is unfortunate that such a proposal should come, of all sources, from the Senate Committee on Judiciary, which ought to be most careful in preserving that great principle of our American system.

Mr. HUMPHREY. Mr. President, will the Senator yield for a brief observation in connection with what the Senator has said?

Mr. MOODY. I am glad to yield.

Mr. HUMPHREY. In section 221 (g), page 76, line 21, of the McCarran bill the consular officer may refuse to issue a visa "if (1) it appears to the consular officer, or the consular officer knows or has reason to believe that such alien is ineligible to receive a visa."

After that there is no right of review or appeal. In other words, the consular officer is a little Napoleon. The word "consul" is right in this instance. He is a little Napoleon.

Mr. MOODY. The Senator means "consul" in the Roman sense, does he not?

Mr. HUMPHREY. That is correct. The consular officer takes a look at the father or grandfather or grandmother of an American citizen who wants his dad or grandfather or grandmother to come to the United States to spend his or her remaining years in the quiet and peace of the family life of a good American citizen.

What happens? If the consular officer decides that the father or grandfather or grandmother does not look right to him, if, in the language of the bill, he knows or has reason to believe, or if it appears to him that such alien is ineligible to receive a visa, grandpa or grandma does not make the trip. No one can possibly obtain a review. There is no appeal from the consular officer's decision, regardless of the ground. Furthermore, let me say to the Senator, the consul does not even have to state the ground for exclusion. He can simply say, "No go." He can ask the question, "Is this trip necessary?" and answer it by saying that it is not; and the alien is all through.

Mr. MOODY. A few minutes ago I said that this was a very puzzling bill to me. The Senator from Minnesota has well brought out some of the points which have puzzled me. I have been trying to bring out some of the other puzzling points. If an attempt is being made to codify the immigration laws of the United States, which is certainly a desirable objective, and one which is long overdue, I certainly cannot see why provisions such as those referred to should have been deliberately written into the bill. They must have been deliberately written into it. I cannot believe that the committee did not know what it was doing. I cannot see any reason why such provisions should be written into the bill.

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

Mr. MOODY. I yield.

Mr. HUMPHREY. The chairman of the Judiciary Committee [Mr. McCARRAN] made a great point in his presentation by holding up many voluminous documents to show that there had been hearings on several bills; yet I invite attention to the fact that anyone who looks at the joint hearings will see that there is no reference to Senate bill 2550.

Mr. MOODY. Those were hearings on other bills.

Mr. HUMPHREY. I can bring in hearings on other bills; but we have never been able to get by with that sort of thing. When the fair-employment practices bill was before the Senate, complaint was made because of the fact that there had been no hearings during the Eighty-first Congress, although hearings had been held during the Eightieth Congress. The Senate Committee on Labor and Public Welfare was reminded that it should not report a bill to the Senate without first holding hearings. Other bills, such as the Alaska statehood bill, have been sent back to committees. Why? Apparently because there had been no hearings. At least that was a part of the justification.

The McCarran bill is the greatest piece of parliamentary and legislative sleight-of-hand I have ever seen. The bill was introduced and reported on the same day. It is a 300-page bill. One must be pretty good to be able to know what is in 300 pages of a legislative proposal which is introduced and reported on the same day, and submitted for the approval of the Congress.

I know that the hearings to which reference has been made relate to the general subject of immigration. But we do not get by in this legislative chamber by talking about the general subject. We talk about specific subjects. We are now discussing the question whether the grandfather or grandmother of a naturalized American citizen can come into this country and enter the home of such an American citizen.

Mr. MOODY. It would be impossible, on the basis of hearings held a year ago on some other bill, for the Senator from Minnesota, the Senator from New York, or anyone else to go before the committee and raise specific objections against the bill as introduced.

Mr. HUMPHREY. That is correct.

Mr. MOODY. To say that hearings were held on the general subject is something else. Not long ago the question of the St. Lawrence waterway project, in which both the Senator from Minnesota and I are deeply interested, was before the Foreign Relations Committee. There had been hearings in previous years. We thought that the merits of the proposal were so great that no further hearings were necessary. Yet objection was made on the ground that hearings had not been held on the specific measure. I am happy to say that the committee has now reported that measure, after due consideration.

I do not know what the deliberations of the Judiciary Committee were, but I do know that at least four members of the committee violently objected to the pending bill in their scathing minority views, from which I read a few moments ago. The very provisions of the bill lead me to believe that the members of the committee could not possibly have thoroughly understood what the bill would do. I do not believe that certain provisions of the bill represent the motives or intentions of members of the committee. They ought to read their own bill before they report it.

Mr. HUMPHREY. Is it not true that in the minority views the Senator from Tennessee [Mr. KEFAUVER], the Senator from Washington [Mr. MAGNUSON], the Senator from North Dakota [Mr. LANGER], and the Senator from West Virginia [Mr. KILGORE], four distinguished members of the Judiciary Committee, stated that the bill was never subjected to a section-by-section analysis or study?

Mr. MOODY. The Senator is correct.

Mr. HUMPHREY. That is the printed word.

Mr. MOODY. How could it possibly have been analyzed or studied when it was introduced and reported on the same day?

Mr. HUMPHREY. Can the Senator from Michigan give me a list of the eminent American religious, civic, fraternal, and patriotic organizations which are supporting the McCarran bill?

Mr. MOODY. I was about to say that I cannot see why anyone should fly in the face of literally scores of religious, national, and social groups which are opposing the bill. So far as I know, every such group which is primarily interested in the question is opposed to the McCarran bill. If there are one or two exceptions I shall correct my statement later. But I believe there are no exceptions.

Mr. HUMPHREY. I think we should make it quite clear that many organizations have opposed certain sections or portions of the bill, and have not necessarily opposed all the bill.

Mr. MOODY. That is true.

Mr. HUMPHREY. What we are seeking in our desire to debate the bill and ultimately to recommit it is to give those organizations every opportunity to state what they consider to be justifiable reasons for objecting to particular provi-

sions. I will not say that all of the McCarran bill is bad. Parts of it are good.

Mr. MOODY. There are good parts in the bill. That is why I wonder if the sponsors of the bill fully appreciate the significance of certain of its provisions. I cannot believe that they do.

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

Mr. MOODY. I yield.

Mr. PASTORE. Is it not a fact that the majority of the organizations whose representatives appeared before the joint committee of the Senate and House, while they did not appear specifically with respect to the bill which is now before the Senate for consideration, did appear on the general subject of naturalization and immigration?

Mr. MOODY. That is true.

Mr. PASTORE. Is it not also true that the majority of those organizations, if not all of them, actually appeared in behalf of a liberalization of our naturalization laws?

Mr. MOODY. That is true.

Mr. PASTORE. As a matter of fact, the bill which was actually reported by the committee, which is the bill we are now discussing, represents anything but a liberalization of our immigration and naturalization laws. In fact, it constricts those laws and creates a very hostile atmosphere on the entire subject of immigration and naturalization.

Mr. MOODY. I should dislike to think that that very fact was the reason why no hearings were granted on the bill. However, I should like to know why no hearings were granted.

The other afternoon reference was made in the Senate to the fact that the substitute bill sponsored by the Senator from Minnesota [Mr. HUMPHREY] and the Senator from New York [Mr. LEHMAN] was not introduced until after the committee had reported its bill. Of course, it was not, because the sponsors of the substitute bill hoped that the committee would submit an adequate bill which they could support. It was not until after the committee had reported a bill which was obviously not acceptable that the Senators who are interested in the subject got together and drafted a more acceptable bill.

(At this point, Mr. MOODY yielded to Mr. CONNALLY for the purpose of introducing Dr. Leopold Figl, Chancelor of Austria. The proceedings which ensued appear in the RECORD at the conclusion of Mr. MOODY's speech.)

Mr. HUMPHREY. Mr. President, will the Senator from Michigan yield?

Mr. MOODY. I shall be very happy to yield, but first I wish to have printed in the RECORD the list referred to by the distinguished Senator from Minnesota. It is the list of organizations which support the Humphrey-Lehman bill.

I ask unanimous consent to have this lengthy list, headed by the National Catholic Welfare Conference and the National Catholic Council of Catholic Women, printed in the RECORD at this point in my remarks. It lists groups which certainly are American and certainly should have the consideration of Congress.

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

The National Catholic Welfare Conference.
The National Council of Catholic Women.
The Catholic Committee for Regugees.
War Relief Services, National Catholic Welfare Conference.
The National Council of Catholic Charities.
The Friends Committee on National Legislation.
The Order of the Sons of Italy in America.
The American Veterans Committee.
The Association of Immigration and Nationality Lawyers.
Americans for Democratic Action.
Nationality Community Relations Advisory Council.
American Jewish Committee.
Anti-Defamation League of B'nai B'rith.
Polish Legion of American Veterans.
Czechoslovak National Council.
Jewish Labor Committee.
National Council of Jewish Women.
National Association for the Advancement of Colored People.
Chinese American Citizens National Association.
Lithuanian American Congress.
United Service for New Americans.
Hebrew Immigrant Aid Society.
National Council of Churches of Christ.
National Lutheran Council.
Council for Community Action, New York City.
Indiana Council of Churches.
Polish Immigration Committee.
International Ladies Garment Workers Union.
Amalgamated Clothing Workers.
Administrative Law Division of the American Bar Association.
American Friends Service Committee.
American Fund for Czechoslovak Refugees, Inc.
American National Committee to Aid Homeless Armenians.
International Social Service, Inc.
Lutheran Resettlement Service.
United Lithuanian Relief Fund of America, Inc.
United States Committee for the Care of European Children, Inc.
The Protestant Council of the City of New York (Brooklyn Division).
The American Hellenic Veterans Association.
The Common Council for American Unity.
The Synagogue Council of America.
The Jewish War Veterans of the United States.
Union of American Hebrew Congregations.
The United Automobile Workers (CIO).
The Congress of Industrial Organizations.

Mr. MOODY. Mr. President, I should like to ask whether the views of these organizations should not be taken into consideration when Congress undertakes a recodification of our immigration laws. I believe the Senate should take judicial notice of the position taken by these groups.

Why should anyone fly in the face of the scores of religious, national, and social groups who have taken a position against this bill and in favor of the Lehman-Humphrey bill?

Mr. President, I have chosen just a small sample out of hundreds of questions which came to my mind as I looked at this bill. I cannot understand the rationale, the motives, or the purposes which guided those who have prepared this proposed legislation. I have listed only a few of the objections to S. 2550. There can be no question that the bill should be recommitted to the Committee on the Judiciary for greater study, not only with reference to the pending bill, but the substitute bill as well.

I have not even touched on the new dangers to which naturalized and even native citizens may be subjected under this bill, or the new difficulties put in the path of naturalization attempts. There are many, many more injustices, pitfalls, and harassments created or codified by the McCarran bill, which I could recite. A government founded upon the principle that all men are created equal, a government based upon laws and not upon men—and certainly the provisions in this bill with reference to the Attorney General are based on the concept of government by men—dare not for its own preservation enact into law practices and principles which so often resemble too closely for comfort the theories of those countries against whose aggressions our boys are at this very moment fighting.

I close, Mr. President, with a list of some of the Congressional Medal of Honor winners who have given their life's blood for the preservation of the ideals which have made this Nation great. Listen to these names—all born in countries indicated—Austria, Sgt. Matej Kocak, USMC; Greece, Seaman Demetri Corahorgi, USN; Russia, Seaman Alexander Peters, USN; Germany, Pvt. Jacob Swegheimer, Army; Italy, Maj. Ralph Cheli, USAF.

One of top aces of ETO was Col. Francis S. Gabreski, of Polish descent.

Is there any better way in which we can do our inadequate bit to honor these men than to prevent the enactment of legislation which would insult their relatives both in this country and abroad, and prevent the replenishment of the heroic blood which they have spilled? I think not.

This bill would endanger the very principles of justice and democracy which have made this country great.

In my judgment the bill should be recommitted for further study by the great Committee on the Judiciary.

I ask unanimous consent to have included in the RECORD at this point an article, published in this morning's Washington Post, with reference to a Michigan soldier who died saving his unit. He was recently awarded the Medal of Honor.

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

SOLDIER WHO DIED SAVING HIS UNIT WINS MEDAL OF HONOR AWARD

A Michigan soldier who lost his life to save his retreating comrades in Korea has won the Medal of Honor.

The forty-eighth announced award of the Nation's highest military honor in the Korean war told yesterday of the supreme gallantry of Corp. John Effebagger, Jr., 23, husband of Mrs. Mary V. Effebagger, Holland, Mich.

The corporal's commanding officer, Capt. Holger H. Thompson, Salinas, Calif., supplied the Army with the story of Effebagger's valor and death on a Korean battlefield on April 25, 1951.

Effebagger's squad was one of two assigned to cover a withdrawal in the face of

an assault by a large Chinese Communist force.

The rear-guard squads had thrown back repeated rushes when the enemy attacked in overwhelming force. Effebagger's comrades began to retreat, spurring the Reds to even greater efforts.

Realizing that his comrades would be at the mercy of the Reds, Corporal Effebagger charged the enemy single-handed, firing as he advanced into the waves of shouting Reds.

His commanding officer told the Army that the corporal's valor was "solely responsible for stalling the fanatical assault, protecting the withdrawal and enabling the entire unit to repulse the enemy attack and regain possession of the vital position."

The medal will be presented to the corporal's widow at a ceremony here on a date to be announced.

VISIT TO THE SENATE BY DR. LEOPOLD FIGL, CHANCELOR OF AUSTRIA

During the delivery of Mr. MOODY's speech,

Mr. CONNALLY. Mr. President, will the Senator from Michigan yield to me, without his losing the floor?

The PRESIDING OFFICER (Mr. FREAR in the chair). For what purpose does the Senator from Texas desire the Senator from Michigan to yield?

Mr. CONNALLY. Because we have with us on the floor of the Senate a very distinguished visitor, Dr. Leopold Figl, Chancelor of Austria.

Mr. MOODY. I shall be very glad to yield, with the understanding that I do not lose the floor.

The PRESIDING OFFICER. With that understanding, the Senator from Texas may proceed.

Mr. CONNALLY. Mr. President, I wish to invite the attention of Senators to the fact that we have with us on the floor of the Senate the very distinguished Chancelor of Austria, Dr. Leopold Figl.

When World War II broke with all its fury, Dr. Figl was imprisoned in a German prisoner-of-war concentration camp. He remained in the concentration camp for six long years. It was one of the penalties for his patriotism and his gallantry and his devotion to his country and to other countries similarly situated.

I asked him to visit the Senate, to be greeted here on the floor of the Senate. I shall be very happy to present to him any Senators who wish to meet him.

(Applause. Senators rising in greeting to the distinguished visitor.)

Mr. CONNALLY. I wish to express my appreciation to the Senators and to the Presiding Officer for the courtesy extended to Chancelor Figl and to those who accompany him.

The PRESIDING OFFICER. Chancelor Figl, on behalf of the Vice President of the United States and the Senate of the United States, we bid you a very warm welcome on your visit to this body. We are happy to have you with us.

Mr. MOODY. Mr. President, I was delighted to yield for the purpose asked by the distinguished chairman of the Foreign Relations Committee. I think it is particularly appropriate that Dr. Figl, the distinguished European statesman, should visit the Senate at a time when we are debating a measure of such great importance to the people of his country and to the people of our country, many of whom have come to us from his country.

REVISION OF LAWS RELATING TO IMMIGRATION, NATURALIZATION, AND NATONALITY

The Senate resumed the consideration of the bill (S. 2550) to revise the laws relating to immigration, naturalization, and nationality, and for other purposes.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment.

Mr. McMAHON obtained the floor.

Mr. HUMPHREY. Mr. President, will the Senator from Connecticut yield for a quorum call before he begins his address?

Mr. McMAHON. I think not. I thank the Senator very much. However, it would only delay the Senate perhaps for half an hour, and perhaps only a dozen more Senators would be present in the Chamber.

Mr. President, I oppose as strongly as I can the McCarran anti-immigration bill, S. 2550. I oppose it not only because of its prejudicial approach to immigration problems as such, but also because I believe it is undemocratic and wrong as it affects the people and institutions of the United States and is subversive of the fundamental requisites of a successful foreign policy.

I should make it clear at the beginning that I am not opposed to codifying, clarifying, and improving our immigration laws. I most emphatically support the idea of such clarification and improvement. Generations of ill-advised, and often prejudiced, piecemeal legislation has made our existing laws a great goat's nest of mismatched, overlapping, and conflicting legislation. The most expert practitioners are baffled in interpreting the present law. Its operation is uneven and often arbitrary. This can readily be proved by a glance at the numerous private bills which have tc be introduced in Congress every year because the law inflicts so many gross injustices on deserving people. I need not emphasize the intolerable burden this private legislation places on the Senate. What is more important, many deserving cases each year go without relief simply because we cannot adequately handle problems of this sort. We should not be required to. We should certainly revise our general legislation, so as to make a single, comprehensible system of our immigration law, a system which does not act as a trap for the uninformed and a hunting ground for the predatory expert practitioner; and, above all, a system which dispenses even-handed and enlightened justice, rather than discrimination and bitter heartbreak.

Mr. President, I have said that I support and urge improvement in our existing immigration laws. But I feel strongly that the proposals of the Senator from Nevada [Mr. McCARRAN] are far from an improvement. As I stated at the start, they are improperly restrictive, harmful to important domestic policies, and dangerous to our foreign relations. I realize that these are serious charges, and it is only right that I should prove them by direct analysis. This is especially necessary because this proposed legislation is enormously complex, in addition to being just enormous. Hidden in the three-hundred-and-two-odd pages of this monster bill are provisions which, first, retain and in some respects intensify the discriminations based on racial origin.

It is not the least of my objections to this bill that its meritorious removal of the most blatant racist provision of existing law, the one restricting naturalization is used as a cloak for devices which retain the same substantial effect, and even intensify it. I do not think the conscience of the United States can be anaesthetized by any such subterfuge.

Second. The bill excepts deportation procedures from the Fair Administrative Procedure Act.

I think it wrong to say to ourselves or to the world at large that aliens are not entitled to the same standards of procedure which we have determined to be fair for ourselves. Moreover, it will not do to say that these inferior procedures will be applied only to aliens. It not infrequently happens that persons subjected to deportation proceedings assert—and prove—that they are, in fact, citizens. Surely such people should have the full benefit of compulsory administrative fairness. But most important of all is the fact that such treatment violates a fundamental American principle. It is the universal teaching of history that what we inflict upon a minority group, we may live to see inflicted upon ourselves. Subjecting aliens to procedures which are less than fair opens the door for similar treatment of other groups. When our traditional insistence on fairness is made subject to exception, our moral judgment is weakened and confused. In time of crisis it then becomes easy to abandon the principle of protection of the individual against arbitrary action. The time to guard against such an erosion of principle is now, when the first step is being taken. I strongly and sincerely hope and urge that this great legislative body will not now repeat the error that was put over on us by subterfuge when administrative fairness was withdrawn from immigration by a rider to an appropriation bill. We could then plead confusion and misleading circumstances. In the present instance, however, the issue is squarely before us. We must not—we dare not—openly ally ourselves with legislatures which have denied to minority groups the basic procedural protections our traditions require. We know, and the world knows, that legislatures which have done this in the past have ceased to exist as free legislatures. I say and repeat that American tradition requires us to insure that every man who is judged in this country, whether citizen or alien, is judged fairly and under fair procedures. We must tolerate no exception.

That brings me to the third vital defect in this bill. Our passage of such a law will speak in unmistakable terms to the peoples of the world. No propa-

ganda, no assertion of pious intentions and principles, can drown out the plain speaking of our own action here. The free world which we seek to unite against the threat of encroaching totalitarianism will not be deceived. Their unity with us will be lost in cynicism. They can at best give nothing but worthless lip service to principles we ourselves betray.

How can we rally others to struggle with us for the fundamental rights of the individual—and that is the ultimate foundation of our defense against the triumph of communism and fascism—how, indeed, can we steer our own course with consistency and direction, when we legislate unequal treatment based on race, when we deny procedural fairness to a minority, when we give to our consuls abroad arbitrary power to deny access to our shores on the basis of whimsical and speculative determinations which are subject to no review or appeal?

The good opinion of our neighbors abroad is not to be purchased by economic favors alone. Moreover, it is not important to us solely as a means of securing military alliances. If we cannot do more than talk about freedom, justice, and the dignity of the individual, if we cannot exemplify it—legislate it, if you like—we can never win the belief in our way of life, and the respect and the voluntary cooperation in our aims which I believe essential to our survival in a threatening world. Xenophobia is a word the Greeks had for the fear of strangers. Such a fear and its attendant mistreatment and discrimination are luxuries we can no longer afford. This bill is concentrated and crystallized xenophobia in thin disguise.

One more point is significant here: One of the great weaknesses of totalitarian countries is their inability properly to understand the intentions and views of other nations. Our immigrants have always been a major source of strength to us in this respect, as in many others. Blind restriction or biased screening of those with first-hand knowledge of events abroad can cut us off from this valuable source of knowledge. It can imprison us in our own ignorance, as Hitler was imprisoned in his when he thought Nazi propaganda had rendered us too divided to fight, and as Stalin is imprisoned in his when he thinks Communist propaganda is effective here. Again we simply cannot afford what this bill would cost us in terms of our own self-interest.

In closing, Mr. President, I wish again to summarize the things this bill would do and to emphasize my genuine fears as to its consequences at home and abroad. It would—

First. Reduce immigration by a new and complex series of requirements which strict administration could make an almost complete bar. Not content with this, it would grant discretionary powers which could shut off immigration altogether.

Second. It would alter and intensify racial discrimination.

Third. It would grant frighteningly broad powers of search, seizure, and inquiry into habits, associations, and thoughts of persons in our country who are accused of no crime.

Fourth. It would introduce, by way of changing the status of naturalized citizens, a sort of second-class citizenship which would be wholly at variance with our traditions and the plain purpose of our Constitution.

Fifth. It would in these and other ways undermine the basic fabric of our civil liberties—now as to aliens and naturalized citizens; later, I am convinced, as to us all.

For these reasons, because I am against blind restriction and prejudice in immigration, because I fear the undermining of basic liberties at home, and because I deplore the wasting of our ideological appeal—our greatest strength—abroad, I oppose Senate bill 2550. I urge in all sincerity that the bill be recommitted for restudy and drastic revision.

Mr. President, in my opinion, the time has come for us to make a genuine and intelligent attempt in this field to codify decency. I regret to say that the bill which has been presented to us and which is urged upon us makes no attempt to codify decency, but, in fact, goes exactly in the opposite direction.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. LEHMAN. Mr. President, the charge has been made that those of us who are opposing the McCarran bill, who are trying to bring out in debate the salient points of opposition to the McCarran bill, are engaging in a filibuster or are proposing to engage in a filibuster. That is completely untrue. In the first place, Mr. President, this debate has been going on for only 4 days. Yet, the bill to which we are objecting has 302 pages, 13 chapters, 142 sections, 340 subsections, and 547 paragraphs. Each one of those paragraphs, with innumerable subparagraphs, affect the very lives of hundreds of thousands and even millions of people in this country and abroad. They affect our entire foreign policy. They affect our civil liberties. They affect our whole concept of immigration practice and law.

Is it a filibuster to wish to debate and discuss these sections and paragraphs in detail? To wish to explain to the Senate and to the country the meaning and significance of this most intricate piece of legislation to come before the Senate this session? I recall debates in this body lasting for weeks on end on subjects much less intricate and much less far-reaching than the present one.

It is indeed interesting that the proponents of this measure upon whom the burden of proof should rest have made no attempt to justify this bill. No explanation other than the relatively brief report filed by the committee has been made. No answer has been given to the scores and scores of questions which have been raised by the opponents of this measure. No explanation has been offered to the Senate or to the country. Personally, I do not think that there is any adequate explanation of some of these points. I think this bill is an abomination full of jokers and booby traps. I do not think the provisions complained of can be explained away.

Nevertheless, it seems to me that the Senate and the people of our country have an explanation coming to them. They are entitled to hear both sides of the argument.

Personally, I am sure that the Judiciary Committee, a majority of whose members approved this legislation, did not contemplate approving abuses which are, in my judgment, possible under the terms of this measure. I am sure that most of the provisions of this bill are intended to accomplish specific purposes, however loose, vague, and ill-chosen the language appears to be. It seems to me that if the possibilities that I and some of my colleagues see in this legislation are pointed out, the sponsors themselves would admit that the language is too loose, and too general, and permits of vesting far too much power in administrative officers.

But we are hearing about none of this from the sponsors of this measure. They are giving the country the silent treatment. They accuse us of filibustering.

Well, Mr. President, I am not a filibusterer. I hate filibustering. I have tried by every resource I know to urge upon the Senate the adoption of a rule to curb filibustering and to permit the reasonable invocation of cloture. I hope such a rule is adopted. I am 100 percent in favor of it, as I am sure the Senate knows.

I would not filibuster on any measure, but I would insist that there be a full and adequate debate on this extensive and far-reaching proposal—this revision of our entire body of immigration and nationality law.

The fact has been referred to that a considerable number of amendments have been introduced. That fact is undeniable. We do not, however, propose to filibuster by amendment, or in any other way. These amendments are vital changes in the pending bill. Whether they will be considered, and at what length they will be considered, will depend on the Senate itself. There is no disposition on our part to filibuster on the amendments or in any other way. We merely desire and intend to bring the facts to the attention of the Senate. We are speaking, and shall continue to speak, about the facts—about the pending bill in all its phases. We will be willing and ready to vote as soon as our case has been made on the motion to recommit as well as on other phases and aspects of the pending question.

As I recall, it was the distinguished chairman of the Judiciary Committee, in making his presentation on the pending bill, who spent most of his time in having the clerk of the Senate read excerpts from testimony taken on a different measure more than a year ago—as arguments in support of the pending bill.

The time of the Senate was taken in hearing excerpted remarks, torn out of context, by individuals whose organizations are, in fact, in many cases flatly and explicitly on record as opposed to major provisions of the pending bill. All this can be proved and will be proved. It must be proved so that the Senate may know the nature of the forces and groups opposed to this measure, the extent of their opposition, and the reasons for

their opposition. A great amount of material has already been inserted into the RECORD bearing on this point. I would now like to read a few of the statements and editorials which have been submitted to me and to others, a few of the communications from some of the important organizations I have personally received, and I would like to have, Mr. President, unanimous consent to insert others into the RECORD. I desire to read first an editorial which appeared in the New York Times of May 14, 1952. It is as follows:

THE ANTI-IMMIGRATION BILL

The new immigration and naturalization bill on which the Senate began debate yesterday represents the first thorough revision of our immigration statutes in a generation. It is an understatement to say that a complete overhaul of this body of law is badly needed. Yet the pending McCarran bill and its companion piece, the Walter bill (which has already passed the House) are so unsatisfactory that it would be far better for Congress to adopt no new immigration law at all this session than to accept either of these two measures unless they are thoroughly amended.

Senator McCarran said yesterday that the immigration and naturalization system which his bill represents is essential to the preservation of our way of life. He is entitled to his opinion; but we seriously doubt that most Americans believe that our way of life includes the racist, discriminatory, illiberal philosophy that the McCarran-Walter bills embody. The proposed measures ignore the great opportunity to revise and modernize our quota system, which is far too rigid and is based on 1920 population figures at that. The McCarran bill does make a valuable gesture toward removing racial discrimination by granting nominal quotas to Asiatics but it continues and extends the vicious principle of determining nationality of half Asiatics on the basis of race instead of on the normal basis of country of birth.

It adds new and entirely unnecessary restrictions on the admissibility of aliens. It contains new and arbitrary provisions in its naturalization and deportation sections. Some of its deportation provisions are almost savage in their effect; and the bill contains numerous clauses violative of the basic American concepts of fair play, right to hearing, judicial review and other bulwarks of our civil liberties.

As we have noted before, the Humphrey-Lehman bill—which was introduced in March but on which Mr. McCarran's Judiciary Committee has not held hearings—does practically everything the McCarran-Walter bills fail to do. If it is impossible to substitute the one measure for the other, then the Senate ought to at least take seriously the several score of proposed amendments to the McCarran bill designed to bring it into line with modern American thought. Failing that, the McCarran measure deserves to be recommitted in the hope that some of its worst features might be eliminated before it is brought to the floor again.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, three other letters which I have received, personally.

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

THE FEDERATION OF CHURCHES,
Rochester, N. Y., May 10, 1952.

DEAR SENATOR LEHMAN: I am grateful for your leadership and strategy on immigration. The McCarran bill would be disastrous. There is great support for what you seek to do—most of it at the moment latent, however, but we can develop it.

Faithfully,
HUGH CHAMBERLIN BURR.

SAN DIEGO COUNCIL OF CHURCHES,
San Diego, Calif., April 29, 1952.

Senator LEHMAN,
Senate Building,
Washington, D. C.

DEAR SENATOR LEHMAN: The San Diego Council of Churches, together with other groups of thinking people, is very much concerned with our immigration laws.

We have taken note of the fact that legislation is pending in Congress looking toward the revision of our immigration and naturalization laws. We believe it is of the utmost importance that legislation be enacted that will conform with our democratic tradition and with our heritage as a defender of human right.

In this connection our executive board unanimously passed a resolution urging support of S. 2343, the Humphrey-Lehman bill, as over against the more restrictive McCarran bill, S. 2550.

We sincerely hope you will use every effort to secure passage of this important legislation.

Respectfully yours,
WAYNE A. NEAL,
Executive Secretary.

NEW YORK SECTION, NATIONAL COUNCIL OF JEWISH WOMEN,
New York, N. Y., April 30, 1952.

Senator HERBERT LEHMAN,
Senate Office Building,
Washington, D. C.

DEAR SENATOR LEHMAN: The New York Section, National Council of Jewish Women, with a membership of 6,000 women in the borough of Manhattan, urges you to continue to work for the defeat of the McCarran immigration bill, unless drastically amended.

It is our considered opinion that in spite of the few improvements the McCarran bill (S. 2550) will bring to our existing laws, it will incorporate many harsh and un-American practices and render our immigration laws even worse than those of the present.

We are especially concerned about the provisions which add inflexible and sometimes trivial grounds for the deportation of aliens and naturalized citizens, without judicial review and without any statutes of limitation, and the restrictions against the immigration of colored peoples from the British West Indies.

We wish you to know that we are heartily in favor of your immigration bill S. 2842, which will continue our American tradition of liberal and humane immigration policies.

Yours respectfully,
LUCY KAUFMANN BROIDO,
(Mrs. Louis Broido),
President.

Mr. LEHMAN. This morning, Mr. President, the New York Herald Tribune published the following editorial:

THE TWO IMMIGRATION BILLS

Objections to the McCarran-Walter immigration bill come from so many quarters and go so deeply to fundamental questions of national policy that the Senate can do no less than to hear out all criticism fairly. To hear it in prolonged debate on upward of 200 amendments which opponents threaten to offer is the hard way of doing it. The orderly method, and the fairest, is to recommit it to the Judiciary Committee for new hearings, at which the substitute measure offered by Sentor HERBERT H. LEHMAN, Democrat, New York, would be considered together with the McCarran-Walter bill.

The Senate's duty to weigh, justly, every major criticism against this measure is compelling. Only once in a generation does the opportunity arise to shape a new immigration policy which will affect the lives of perhaps millions of persons in the future. That the task should fall in the present abnormal period of world tension and unrest is unfortunate; it makes all the heavier the responsibility on Congress to draft the soundest possible legislation. The McCarran-Walter bill has good and bad points, both in its general aims and in its multitude of particular sections. It makes a genuine effort to codify the bewildering miscellany of laws, proclamations, executive orders, regulations and treaty clauses amassed during the last 30 years and longer. It ends, in principle at least, the immigration ban against Orientals, which has been an international sore point for three decades.

At the same time, it retains the old quota system based on the national origins of the country's population in 1920; a system deliberately designed to favor the countries of western and northern Europe over those of central and eastern Europe. It avoids the opportunity to temper this unequal policy by providing for utilization of the unused quotas of favored countries for less-favored nations (such as Greece and Latvia) whose quotas have been mortgaged beyond the year 2,000.

As to particular provisions of the bill, its opponents fairly riddle it with criticism; some of it, undoubtedly, unfair. But the charge that the bill's provisions for immigration of foreign colonials in this hemisphere is discriminatory against the colored people in the Caribbean area does deserve close examination. And the Senate's best thought should be applied in weighing new provisions which would place the naturalized citizen in jeopardy of deportation for action he may have taken far in his past life, or might take in the future. Even if the justification is to give a broad control over outright subversives and criminals who gain citizenship, does this accord with fundamental American principles of equality in citizenship? This newspaper doesn't believe so. Opponents of the McCarran-Walter bill have asked searching questions on matters of basic national policy, and the answers require from the Senate an exercise of highest statesmanship.

Mr. President, I shall not read any further editorials at this time, but I shall place many editorials in the RECORD later, or will read them into the RECORD.

We have not received answers to our questions, Mr. President. Not a single question has been answered, even though we have asked for answers time and time again. I say, Mr. President, that the Senate cannot afford to proceed with a bill of this character until these justified questions have been answered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to 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.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 20) to confirm and

establish the titles of the States to lands beneath navigable waters within State boundaries and to the natural resources within such lands and waters, and to provide for the use and control of said lands and resources.

The message further announced that the House had passed a joint resolution (H. J. Res. 445) authorizing the President of the United States to proclaim the 7-day period beginning May 18, 1952, as Olympic Week, in which it requested the concurrence of the Senate.

TITLE TO CERTAIN SUBMERGED LANDS

Mr. O'MAHONEY. Mr. President, the House of Representatives has just notified the Senate that in today's session it adopted the conference report on Senate Joint Resolution 20 to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and to the natural resources within such lands and waters, and to provide for the use and control of said lands and resources. I desire to give notice that it will be my purpose to ask the Senate to consider the report tomorrow, as soon as the session convenes, as a privileged matter.

I give this notice so that all Members of the Senate who may desire to be present may be present. I have consulted with the Senator from Florida [Mr. HOLLAND], whose bill is embodied in whole in the conference report, and with the Senator from Louisiana [Mr. LONG] who supported that bill. It meets their convenience that the matter be taken up tomorrow.

May I add, Mr. President, that it will not be my intention to ask for a yea-and-nay vote, inasmuch as the joint resolution, which is reported in the conference report, is the one which the Senate passed by a substantial majority.

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

Mr. O'MAHONEY. I yield.

Mr. McMAHON. Do I correctly understand that the Senator is supporting the conference report?

Mr. O'MAHONEY. No. I signed the report because I felt it to be my duty to do so. I think the issue will have to be fought out upon a veto, which I confidently expect. I see no reason for going through false motions to debate the question, inasmuch as the joint resolution passed the Senate by a substantial vote, and I can see no good to come from delaying the Senate's consideration of the immigration bill, which is a very important measure.

Mr. McMAHON. Am I to understand that there is no purpose to debate the joint resolution again, and that any debate which may be had will come after a veto message, if we receive such a message.

Mr. O'MAHONEY. That is correct. I expect to vote to sustain a prospective veto, which I am confident will come.

Mr. LEHMAN. Mr. President, will the Senator from Wyoming yield for a question?

Mr. O'MAHONEY. I yield to the Senator from New York.

Mr. LEHMAN. I understand that under the rules of the Senate a conference report cannot be amended. It has to be either accepted or rejected in toto.

Mr. O'MAHONEY. That is correct.

Mr. LEHMAN. Do I correctly understand that Senators may express themselves with regard to the conference report?

Mr. O'MAHONEY. Yes.

Mr. LEHMAN. I expect again to express my disapproval of the action taken by the two Houses.

Mr. O'MAHONEY. No one will be estopped from so doing. There can be free and open debate on the question, and I understand that some Senators will want to make a remark or two. I am sure, however, that there will be no extended debate.

OLYMPIC WEEK

The PRESIDING OFFICER laid before the Senate the joint resolution (H. J. Res. 445) authorizing the President of the United States to proclaim the 7-day period beginning May 18, 1952, as Olympic Week, which was read twice by its title.

Mr. McCARRAN. Mr. President, I ask unanimous consent that the House joint resolution just messaged to the Senate be taken up for consideration out of order.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 445) authorizing the President of the United States to proclaim the 7-day period beginning May 18, 1952, as Olympic Week.

Mr. McCARRAN. Mr. President, last Monday the Committee on the Judiciary, having before it Senate Joint Resolution 152, recommended that it be reported favorably to the Senate. Its provisions are the same as those of the joint resolution which has passed the House and has been sent to the Senate, and is now before the Senate for consideration.

This joint resolution authorizes the President of the United States to proclaim the week beginning May 18, 1952, as Olympic Week. The purpose of the measure and the proclamation it authorizes is to publicize the appeal of the United States Olympic Association for voluntary contributions which will be used to send representatives of the United States to the 1952 Olympic Games, which will be held in Helsinki, Finland, from July 19 through August 3, 1952.

The joint resolution does not authorize the appropriation of any funds by the United States Government.

Mr. President, I hope that the joint resolution will be immediately passed by the Senate.

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

The joint resolution (H. J. Res. 445) was ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 152, Order of Business No. 1443 on the calendar, is indefinitely postponed.

AMERICA'S GREATEST DANGER: DOMESTIC LEGISLATION BY TREATY

Mr. BRICKER. Mr. President, at the beginning of my remarks I wish to introduce, for the purpose of the record, two editorials—one of them from the Columbus (Ohio) Citizen of February 10, 1952, and the other from the Canton Repository of the same date. I ask that they be printed in the RECORD at this point.

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

[From the Columbus (Ohio) Citizen of February 10, 1952]

BRICKER RAISES AN ISSUE

Senator BRICKER feels that the constitutional rights of Americans may not be as safe as we think. Modern concepts of treaty making and of executive agreements of our President with other nations might nullify our rights.

He has introduced a proposed constitutional amendment to forbid the making of any foreign treaties or executive agreements that would affect those rights.

Senator BRICKER pointed out that "freedom of speech, press, assembly, and religion are protected by means of a prohibition on the power of Congress. The Constitution defines Congress as a Senate and a House of Representatives. The treaty-making agency is not Congress but the President and the Senate."

Therefore, he feels it might be possible for a President and two-thirds of the Senate to make a treaty that would nullify the Constitution.

As Senator BRICKER pointed out, the framers of the Constitution 165 years ago could not guess the complexity and difficulty of international relations today.

He and the Senators who join him in sponsoring the resolution feel that the recent conduct of Presidents and the seeming policy of our State Department are cause for concern for our basic American freedoms.

Many Ohioans will agree.

The resolution raises many complicated questions. But, as Senator BRICKER said in introducing it: "No sponsor claims its language is perfect or in final form. One of the primary objectives * * * is to focus attention on a grave constitutional defect and to simulate discussion."

Certainly appraisal of the question of our basic freedoms is timely and desirable.

[From the Canton (Ohio) Repository of February 10, 1952]

SENATOR BRICKER'S VIGILANCE

Sponsorship by 54 Senators of Senator BRICKER'S proposed constitutional amendment to protect civil rights and United States sovereignty has struck a substantial blow for freedom.

Its immediate effect is to make certain that no treaty can be sneaked past the Senate unless it first has been certified by at least 54 of the Members of the present Senate.

Its long-range effect is to make probable that the same constitutional scrutiny which all domestic laws must undergo will be turned on all treaties.

Senator BRICKER'S proposal would bring that about. It would prohibit any treaty or executive agreement affecting the citizenship rights protected by the Constitution. No one under any circumstances could meddle with an American citizen's guaranties of free speech, free religion, a free press, protection from search and seizure, right of trial by jury, protection of private property, etc.

There will be some who will ridicule Senator BRICKER and protest that no one intends to meddle with the guaranties; that there is no clear and present danger. That may be so.

But the price of liberty is eternal vigilance. Somewhere between the airborne ideas of those who would surrender American sovereignty in the foolish hope of getting something in return and those who have quit hoping to get anything in return is a formula under which the United States can cooperate with its neighbors without surrendering any of its people's rights.

Senator BRICKER's proposal would define that middle ground.

Mr. BRICKER. Mr. President, I wish to refer briefly to an address made by Hon. John Foster Dulles at the regional meeting of the American Bar Association in Louisville, Ky., on April 11, 1952, in order to emphasize the importance of the matter about which I intend to speak. In the first paragraph of his address he said:

The treaty-making power is an extraordinary power, liable to abuse. Treaties make international law and also they make domestic law. Under our Constitution, treaties become the supreme law of the land. They are, indeed, more supreme than ordinary laws for congressional laws are invalid if they do not conform to the Constitution, whereas treaty law can override the Constitution. Treaties, for example, can take powers away from the Congress and give them to the President; they can take powers from the States and give them to the Federal Government or to some international body, and they can cut across the rights given the people by the constitutional Bill of Rights.

I read now from the second page of Mr. Dulles' address:

It is always tempting to look on treaties as an easy way to make high ideals come true. Actually it may do more harm than good for one nation to attempt by treaty to impose its moral standards on another people. Human rights should have their primary sanction in community will and when treaties ignore that, and try to substitute an alien will, the treaties themselves usually collapse through disrespect, dragging down the whole structure of international law, order, and justice.

From a subsequent paragraph I read the following:

At the Japanese Peace Conference I said, "80,000,000 people cannot be compelled from without to respect the human rights and fundamental freedoms of their fellows." On that account, we drew the Japanese Peace Treaty so as not to put the Japanese under international compulsion in these respects.

It was, ironically enough, the Soviet Union which demanded a human-rights clause in the treaty, obviously because such a clause would give them the right to intervene in the domestic affairs of Japan.

A little further on in his address Mr. Dulles said:

In the Senate debate on the Japanese Peace Treaty, Senator JOHN W. BRICKER strongly commended this handling of the human-rights matter. This was gratifying because he has taken a lead in studying the constitutional aspects of the problem and has made important proposals for a constitutional amendment which would prevent treaties from impinging on present constitutional rights of the Congress, the States, and the peoples. There is room for honest difference of opinion as to whether our Constitution needs to be amended as proposed, or whether the President and the Senate should retain their present powers for possible emergency use, at the same time insuring vigilance to the end that treaties will not undesirably and unnecessarily encroach on constitutional distributions of power. Whatever one's views on this matter, it is securely in the public interest that this whole problem should be thoroughly explored.

At this time I wish to express appreciation to the distinguished Senator from Nevada [Mr. MCCARRAN], chairman of the Committee on the Judiciary, for the appointment of a subcommittee to hold hearings next Wednesday on Senate Joint Resolution 130, which I have heretofore proposed.

Today I wish to speak upon the great danger which confronts us by way of domestic legislation by treaty.

During the past year, Mr. President, I have been waging an intensive campaign against the enactment of domestic legislation by United Nations treaties. The U. N. draft Covenant on Human Rights has been the primary target of my criticism. On February 7, 1952, I introduced for myself and 58 other Senators a proposed constitutional amendment—Senate Joint Resolution 130. This amendment is designed to prevent any treaty from undermining the sovereignty and the Constitution of the United States.

I wish to discuss, Mr. President, two recent publications which demonstrate the necessity for amending the Constitution. The first is a book by Judge Florence E. Allen entitled "The Treaty as an Instrument of Legislation." It is published by the Macmillan Co., 60 Fifth Avenue, New York 11, N. Y. Judge Allen is one of our outstanding judges. From 1922 to 1934 she was a judge on the Supreme Court of Ohio. During that time I had the privilege of appearing many times before that court. She was a judge who held the respect and confidence of the members of the bar who appeared before her. In 1934 she was appointed to the United States Circuit Court of Appeals for the Sixth Circuit, where she is now serving with great distinction. She holds a higher Federal judicial office than any other woman in the history of our country.

I also desire to call attention to an article by the Reverend Russell J. Clinchy, entitled "Human Rights and the United Nations." Dr. Clinchy's article was published by the Foundation for Economic Education, Inc., Irvington-on-Hudson, New York. Dr. Clinchy, formerly minister of the First Church of Christ, Congregational, Hartford, Conn., is now a member of the foundation staff.

Judge Allen's book and Dr. Clinchy's article should be read by every American who wishes to understand the danger of enacting domestic legislation by treaty. Judge Allen makes an objective appraisal of the revolutionary legal theories embodied in the draft Covenant on Human Rights and in various conventions of the International Labor Organization. Dr. Clinchy emphasizes the spiritual and moral issues raised by the draft covenant. Although Judge Allen and Dr. Clinchy analyze the draft covenant from different vantage points, both reach the same conclusion. Domestic legislation by treaty is a threat to American freedom and independence and to world peace.

Judge Allen believes, as I do, that the United States should continue to support the United Nations. She believes, as I do, that the United Nations can aid in establishing world peace and world justice. It is not the intelligent criticism of people like Judge Allen and Dr. Clinchy which undermines confidence in the U. N. The U. N. is destroying itself by seeking to regulate the purely domestic affairs of its members. Judge Allen reaches the following conclusion:

No more vital question for the independence of nations and therefore for the peace of the world exists than that arising out of this paragraph 7 of article 2, which withholds from the United Nations the right to intervene in the domestic affairs of any member state. For over a century this question threatened the peace of the world in the Western Hemisphere, almost involved the United States in war with Mexico during the administration of President Coolidge, and in fact has been the cause throughout the centuries of ceaseless revolts and unending resentment culminating often in armed conflict (p. 94).

On page 108 of her book, Judge Allen says:

This also makes it necessary that we educate public opinion in the United States to the importance of all treaties from the standpoint of whether they encroach directly and substantially upon the domestic jurisdiction and thus exceed their proper scope. Unless American public opinion understands this situation and demands of the United Nations and the specialized agencies measures to counteract it and to educate world public opinion as to the results of legislation by treaty, both widespread misunderstanding abroad and a reaction against international cooperation among Americans could well arise. This would endanger the peace of the world.

Dr. Clinchy expresses the same thought in this language:

This attempt through the United Nations Covenant on Human Rights repeats the ancient error of seeking to impose a code upon peoples before the common values and principles exist which make voluntary acceptance possible. The inevitable result can only be greater disunity, resentment, and violence—until the yoke of such a superstate is thrown off and the freedom to unite voluntarily with those of a common mind and spirit is restored (p. 36).

These are not "scare" words, Mr. President. They do not indicate any rebirth of so-called isolationism. They are based on the conviction that international cooperation must be the cornerstone of an effective American foreign policy.

There is no reason why the American people should be forced to choose between international cooperation and their own freedom and independence. However, if such a choice becomes inescapable, there is no doubt what the decision of the American people will be.

Our forefathers sparked the American Revolution by dumping tea into Boston's harbor. The tax involved was negligible. But there was a very great principle at stake which is no less powerful today than it was then. Does anyone seriously believe that a people whose ancestors

rebelled at paying a trifling stamp tax will permit every aspect of their daily lives to be regulated by the United Nations? Here is Judge Allen's answer:

Local self-government is not only embedded in American tradition, but it has proved itself essential to social progress. This consideration is especially pertinent with reference to the numerous conventions proposed for ratification by the ILO and other international agencies. History does not show that universality on these matters among races so diverse in language, religion, social custom, and economic condition is workable. It shows the exact contrary (p. 110).

Judge Allen describes as "not only worthy but essential" the aim of the United Nations and its specialized agencies in "raising national standards in the fields of food and agriculture, world health, and labor relations." I agree. After noting that advisory and educational efforts along these lines should be encouraged, Judge Allen observes:

The practical question is how to secure these desirable results without unwarranted domination and arbitrary interference with patterns of domestic life and legal systems long established. Where such attempts are embodied in international legislation they arouse discord and increase rather than decrease world tension. The inevitable resentment felt by some nations at what they consider the interference of ILO in their internal affairs would not seem to enhance the peace of the world (pp. 80, 81).

After an exhaustive analysis of the dangers inherent in the use of treaties as an instrument of domestic legislation, Judge Allen offers this remedy:

The root of the difficulty lies in the lack of demarcation between domestic and international legislation. A line must be drawn beyond which the international organizations know they cannot pass. The United Nations should draw the line in a resolution of the General Assembly and should facilitate a judgment on the question by the International Court. The United States should draw the line by amendment to the Federal Constitution (pp. 104, 105).

The constitutional amendment suggested by Judge Allen is similar to that proposed in Senate Joint Resolution 130 and in the amendment recently recommended by the house of delegates of the American Bar Association. I wish to thank publicly the distinguished chairman of the Senate Judiciary Committee Mr. McCARRAN, as I did a while ago, for appointing a subcommittee to consider and to hold early hearings on Senate Joint Resolution 130. In my judgment, hearings on this amendment will mark the beginning of the most momentous constitutional debate since the adoption of the Constitution itself. Involved in that debate will be the fundamental issues of American independence, the freedom of the American people, and world peace. Let me read, Mr. President, a part of the final paragraph of Judge Allen's book:

However, something more than warmhearted, unthinking support (of the United Nations) is required. At this crisis the world cries out for intelligent leadership, foresight, and criticism. The United States particularly, which makes internal law through the medium of treaty as well as statute, needs wise and cautious leadership, for the preservation of the American system is important not only to America but to the whole world. World peace will not be advanced if American life is regimented into an international mold. The mass production, the initiative, and the decisive swiftness of mobilization which enabled America to arm the world against Hitler are the product of our unique heritage. The inventive spirit was released here not only because the new wealth of a new continent invited exploration, but also because for the first time in history men were free to work for themselves. * * * If, in this hour, as Lincoln so truly said and as statesmen the world over today repeat, America is "the last best hope of earth," it is because she built here something new and different.

She built something that needs to be preserved (pp. 111, 112).

The women of America may well be proud of the fact that one of their sex has made an unexcelled analysis of one of the paramount issues of our time. I am sure that the people of Ohio take pride in the fact that they twice elected Judge Florence Allen to the Supreme Court of Ohio.

Mr. President, I ask that the preface of Judge Allen's book be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, the matter referred to will be printed in the RECORD, as requested.

(See exhibit 1.)

Mr. BRICKER. I hope that these seven pages will inspire in every freedom-loving American a desire to read Judge Allen's book in its entirety. It is a magnificent contribution toward clarifying complex issues of supreme importance. I also ask that the text of Senate Joint Resolution 130 be printed in the RECORD following the preface to Judge Allen's book.

The PRESIDING OFFICER. Without objection, the joint resolution will be printed in the RECORD as requested.

(See exhibit 2.)

Mr. BRICKER. Dr. Russell J. Clinchy explains in his article how the U. N. draft Covenant on Human Rights denies the concept of unalienable rights enunciated in the Declaration of Independence and embodied in the Constitution of the United States. On page 7 of his article, this statement appears:

The Soviet constitution is explicit in the expression of the belief that human rights are—and by right ought to be—the gift of the state. The members of the United Nations Commission on Human Rights seem to have operated on this same theory. What kind of a moral philosophy underlies such a concept? Surely it is not the faith that rights to life, liberty, and the pursuit of happiness are personal endowments from God. Persons who understand and believe in liberty know that their Government does not have, and cannot have, any legitimate power to grant or to abridge the freedom of man to be a person and to express the meanings of his personality, because such freedom exists solely in the nature of man.

Mr. President, I ask that Dr. Clinchy's article be printed in the RECORD following the material previously inserted. It is not very long. It will be found in the little booklet which I hold in my hand.

The PRESIDING OFFICER. Without objection, the article will be printed in the RECORD, as requested.

(See exhibit 3.)

Mr. BRICKER. Consider the consequences which would inevitably follow a denial of the concept that all men are endowed by their Creator with certain inalienable rights. Dr. Clinchy explains how article 13 of the draft covenant "could be used to destroy religion in every corner of the world." He explains how Hitler might have used the language of article 28 of the draft covenant "as the basis for the educational program of national socialism in Germany." Dr. Clinchy concludes that the Covenant on Human Rights "would become the sanction for the world-wide collectivization of man."

In most of the nations of the world, the idea that the individual possesses inherent and inalienable rights is treated with scorn and derision. The only rights which are recognized are those which the government from time to time chooses to grant. That philosophy must be manifested in any international bill of rights if it is to win the approval of the Communist, Socialist, Fascist, and feudal majority. Dr. Clinchy maintains that "no greater danger to the freedom of man has arisen since the days of the claim of the divine right of kings," and that "this danger is a greater threat to the citizens of the United States of America than the danger from any foreign military foe." My own study of the draft covenant over the past year leads me to the same conclusion.

Only last month, several thousand Britons and Americans signed a petition asking the U. N. Human Rights Commission to recognize "the right of incurable sufferers to euthanasia, or merciful death." I do not mean to imply, Mr. President, that representatives of the United States would vote to include such a provision in the Human Rights Covenant. Nevertheless, the proposal is entirely consistent with the covenant's basic legal philosophy. If the right to life is treated as a right granted by the state, it is not illogical for a treaty to authorize states to grant a so-called right to death.

Article 4 of the draft covenant on human rights reads as follows:

No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment. In particular, no one shall be subjected against his will to medical or scientific experimentation involving risk where such is not required by his state of physical or mental health.

The implication of article 4 is that a person may be subjected against his will to medical or scientific experimentation if it is required by his state of physical or mental health. Do we want to vest in any government, national or international, power to make such a decision?

Even the State Department's own propaganda proves that the concept of inalienable rights is not embodied in the U. N. Declaration of Human Rights. It is now seeking to translate the Declaration into a legally enforceable covenant. The December 1951 issue of UNESCO Features, edited and distributed by our State Department, announces that the universal Declaration of Human Rights

has been translated into simplified language for children. This is the simplified version of article 2 of the declaration used in Philippine schools which is reprinted in UNESCO Features:

Article 2. Your rights have nothing to do with your riches, family, religion, sex, color, or political beliefs.

Why should our children be taught that human rights have nothing to do with religion? Why should the State Department be permitted to use the taxpayer's dollars to disseminate such poisonous propaganda?

Here is another example of State Department propaganda designed to promote the United Nations' human rights activities. It is the August 18, 1951 issue of UNESCO World Review. This publication, I understand, is prepared by UNESCO, but edited and distributed in the United States by our own State Department. The August 18, 1951 issue of UNESCO World Review discusses the social security provisions of the Universal Declaration of Human Rights. Similar provisions have been incorporated in the draft covenant. This statement appears on page 8:

Once upon a time Manchurian women were obliged to plunge their new-born children into freezing water and then expose them nude to the forces of the wind.

I deny that any human being has ever been obliged to murder another human being.

Also on page 8 this statement is made:

It was not so very long ago, after all, that any individual who could not work because of age or sickness or any other reason, soon found himself and his family in terrible straits.

That is an outrageous lie. Millions of people, particularly in America, have been able to make personal provision for such contingencies.

The statement continues:

Of course, there often were some public and private charities that would help, but that is different. No matter how well-meaning a charity is, it often leaves a bad taste in the mouth of the recipient * * * a kind of feeling of resentment, of an offense to human dignity.

The implication, of course, is that private charities, being an offense to human dignity, should be abolished. There is no doubt that the economic and social provisions of the draft Covenant would supplant the Biblical concept of charity with political charity.

After discussing on page 9 the United Nations social-security program, this statement appears:

For Mr. Brown, of New York, for Monsieur Dupont, of Bordeaux, for Senor Garcia, of Ciudad Trujillo, sickness, or even death, should no longer splotch a tragic question mark over the future of their families.

No wonder Dr. Clinchy was moved to say:

Now, in the middle of the twentieth century, we are confronted with the astounding proposition that the states parties to the covenant somehow believe that the simple device of voting for this Covenant can relieve the individual of the responsibility for his survival and the gratification of his desires (p. 19).

As Dr. Clinchy points out in his article the American concept of freedom "is a religious concept which categorically denies to the state any characteristics of God." He then asks two questions which I urge the American people to give earnest and thoughtful consideration:

Will the Communist and Socialist nations accept that idea of human rights? Can the American representatives, or the American Congress, accept anything less than that?

Those are the questions which the Congress of the United States will have to answer at an early date, if not before the covenant comes before us for ratification.

Mr. McCARRAN. Mr. President, I wish at this time to associate myself with the remarks of the able Senator from Ohio [Mr. BRICKER]. I am very much concerned about his resolution, and I shall do everything in my power to bring it to the floor of the Senate. I hope that it may receive the sanction of the Senate, the sanction of Congress, and the sanction of the people.

It is time that the people of the United States hearken back to those principles which gave us our own individual human liberty here at home. We did it by keeping our Government close to the people. Mr. President, when we allow government of the people to be remote from the people we are putting ourselves twice and thrice, if you please, in jeopardy. I wish to join in the remarks of the Senator from Ohio to assure him of my wholehearted support.

Mr. BRICKER. Mr. President, I thank the Senator from Nevada and chairman of the Judiciary Committee. I assure him that I shall do my very best to present the matter to his committee with the full strength and support that it deserves.

EXHIBIT 1

PREFACE

World-wide demand after World War I that law be substituted for war called attention to the lack of substantial international law. By a cumbersome but more or less effectual method the lack of a legislative body was to some extent supplied. Multilateral treaties, such as the Locarno pact and the Kellogg-Briand Pact for the renunciation of war, have legislative character, and they constitute, as Judge Manley Hudson terms it, "conventional legislation." These and similar treaties possess legislative characteristics, as they declare rules of conduct for the signatory nations which are to be enforced for an indefinite period.

The device of legislating through treaty has come to be employed in increasing measure. Intricate problems, not only of international scope but of domestic character, such as local agriculture, labor, and management, education and family life, are involved in treaties which the nations are asked to approve. Almost no phase of human life escapes regulation by the treaties proposed.

When the United Nations was formed, it was contemplated that it should be a body of nations cooperating to establish world peace but that it should not be endowed with the authority to enact law. This was a power which no nation intended to yield to a world organization. Because of this, the United Nations possesses organs with certain limited executive powers, such as a Security Council and a Secretariat, and also a court; but it has no legislature. For the same reasons the League of Nations had organs with certain executive powers, a Council, and a Secretariat, and also a court; but it had no legislature. The Assembly of neither organization was given true legislative functions.

Since in the United States the treaty, when duly ratified and in force, under our Constitution becomes the supreme law of the land, the treaty process presents special problems for the United States. It is urgent to consider now some of the critical questions raised by the increasing use of the treaty as a substitute for domestic legislation. Certain of the proposed treaties, such as the draft Covenant on Human Rights and various conventions urged by the ILO for ratification, in some respects clearly encroach upon the domestic jurisdiction of the nations. This violates the spirit of article 2, paragraph 7, of the Charter of the United Nations and also makes an improper use of the treaty process, which should be employed only in matters of international concern. Certain of these treaties, if ratified and effective, for the nations which ratify may curtail national independence in the domestic field to such a degree that eventually the harmony and peace of the world will be affected.

Some of these proposed drafts, at least in part, if ratified will not be true treaties in the accepted sense of the term. They will not be treaties as the term was used by our forefathers who drafted and enacted the provision of the United States Constitution making treaties the supreme law of the land. Our forefathers would understand the need for treaties which curtail the sovereign powers of nations with reference to international affairs; for instance, treaties which abolish the right to make war. They would not have understood innumerable presently proposed treaties which deal with essentially domestic questions. These treaties do not deal with such matters as boundaries, international fishing rights, maritime questions, international trade in narcotics and international traffic in women and children, treaties of peace, cessions of property, and adjustments of postwar problems. These particular treaties, as later shown, require the individual ratifying country actually to change domestic laws and economic processes long established and developed by the particular genius of the particular state.

Treaties which deal with matters essentially domestic in character present harsh alternatives to governments asked to ratify them. To refuse to enact such treaties is to seem to be unwilling to cooperate in solving the world's problems. To ratify them may mean that the nation approving is yielding a portion of the independence of its domestic life.

Two possible safeguards, to some extent, might have cured this situation for the United States:

1. It is the rule in all but a very few other countries, and in important countries generally, that treaties take effect as municipal or domestic law only when implemented by legislation enacted by the full legislature. This is not the law in the United States and a few other countries. Since the United States Constitution makes the treaty the supreme law of the land, this safeguard does not exist for the United States. When a treaty is ratified by the United States and is in effect, it needs no enabling legislation by Congress to make it effective. This creates an inequality of international obligation between countries which in their constitutions have protection that the United States does not have. The fact that other nations have this safeguard has not so far created a critical situation, for the nations in general implement treaties which they ratify. Whether they will in the future implement treaties which affect domestic life as readily as they implemented treaties which were obviously of international scope is a question so far

unanswered. But if the United States were not bound by the supremacy clause and had the authority to pass enabling acts to put treaties into force, as is the case with the great majority of other nations, then Congress, where necessary or advisable, could refuse to enact the legislation. This, at present, cannot be done because the self-executing treaty automatically is law in the United States.

2. The International Court of Justice might construe article II, section 7 of the Charter of the United Nations, which withholds from the international organization power to interfere with the domestic jurisdiction of the nations. The court might define the scope and meaning of the phrase "domestic jurisdiction." It is conceivable that the International Court of Justice might hold that proposals framed as treaties which directly operate on permanent residents of a country, with reference to acts done wholly within that country, are not treaties, but are domestic legislation offered under the guise of treaties and are not within the power of the United Nations or any special agency, such as ILO, to enforce. Such a holding would constitute law and would protect the individual states.

But repeated efforts to have the International Court of Justice adjudicate the scope of article II, section 7, and determine what are international and what are domestic questions have been sidestepped by the organs of the United Nations. Some of the specialized agencies have even passed amendments to their constitutions which tend to discourage or delay access to the court. The Draft Covenant of Human Rights contains a similar provision suspending access to the court. Both of these possible safeguards at present are nonexistent.

This is a serious situation. The efficiency of the United Nations, which is our only functioning organization for world peace, may eventually be impaired. However, there are remedies which, if pursued, would solve the problem:

1. The United States Constitution could be amended to provide in substance that:

(a) Treaties which conflict with the United States Constitution are invalid.

(b) Any treaty which directly and substantially interferes with the domestic jurisdiction is invalid except where the subject matter presents a truly international problem which requires international action to handle it.

2. The United States could demand that specialized agencies be prohibited from intervening in the domestic affairs of member states. Specialized agencies should recognize this limitation on their functions.

3. The representatives of the United States both in the United Nations and in all specialized agencies could refuse to vote to submit for ratification proposed treaties or conventions which directly and substantially encroach upon domestic legislation.

Such conventions are defended upon the ground that universality is essential for the solution of world problems. But there are no wonder drugs for the healing of nations. True universality is the universality of principles—justice, ethics, human brotherhood. Recognition and practice of these principles by each country in its own unique field of experience results in diversity within unity. For example, in the realm of mathematics, whether a man uses an adding machine or counts on his fingers, the principles at work are the same. And each man is applying those principles in his own field, which for individual as for community is his priceless field of freedom, his freedom to learn by mistakes, his freedom to progress. That field alike for men and nations should be forever inviolable.

The hopeful attention of the world is centered on the United Nations. It was created by a heart-weary world which at every point needs friendship and counsel, not interference and trouble-making regulation. Surely it is essential, in order to establish world peace, not only to create world organization but also to establish justice and to maintain independence for every nation.

FLORENCE ELLINWOOD ALLEN.

EXHIBIT 2

SENATE JOINT RESOLUTION 130

The joint resolution, Senate Joint Resolution 130, proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements, introduced by Mr. BRICKER (for himself, Mr. FLANDERS, Mr. CAIN, Mr. BRIDGES, Mr. SALTONSTALL, Mr. MCCARTHY, Mr. SMITH of North Carolina, Mr. CAPEHART, Mr. ECTON, Mr. MARTIN, Mrs. SMITH of Maine, Mr. JOHNSON of Colorado, Mr. HENDRICKSON, Mr. WILLIAMS, Mr. STENNIS, Mr. BENNETT, Mr. JENNER, Mr. LANGER, Mr. MAYBANK, Mr. ROBERTSON, Mr. IVES, Mr. SCHOEPPEL, Mr. WELKER, Mr. GILLETTE, Mr. BUTLER of Maryland, Mr. WATKINS, Mr. BREWSTER, Mr. DWORSHAK, Mr. LODGE, Mr. CORDON, Mr. MCCLELLAN, Mr. CASE, Mr. FREAR, Mr. EASTLAND, Mr. NIXON, Mr. FERGUSON, Mr. TAFT, Mr. DIRKSEN, Mr. KNOWLAND, Mr. MUNDT, Mr. YOUNG, Mr. MALONE, Mr. DUFF, Mr. AIKEN, Mr. BUTLER of Nebraska, Mr. CARLSON, Mr. BYRD, Mr. HICKENLOOPER, Mr. TOBEY, Mr. THYE, Mr. SMITH of New Jersey, Mr. MORSE, Mr. O'CONOR, Mr. MCKELLAR, Mr. CHAVEZ, Mr. SEATON, and Mr. WILEY) follows:

"Resolved, etc., That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

" 'ARTICLE —

" 'SECTION 1. No treaty or executive agreement shall be made respecting the rights of citizens of the United States protected by this Constitution, or abridging or prohibiting the free exercise thereof.

" 'SEC. 2. No treaty or executive agreement shall vest in any international organization or in any foreign power any of the legislative, executive, or judicial powers vested by this Constitution in the Congress, the President, and in the courts of the United States, respectively.

" 'SEC. 3. No treaty or executive agreement shall alter or abridge the laws of the United States or the Constitution or laws of the several States unless, and then only to the extent that, Congress shall so provide by act or joint resolution.

" 'SEC. 4. Executive agreements shall not be made in lieu of treaties.

" 'Executive agreements shall, if not sooner terminated, expire automatically 1 year after the end of the term of office for which the President making the agreement shall have been elected, but the Congress may, at the request of any President, extend for the duration of the term of such President the life of any such agreement made or extended during the next preceding presidential term.

" 'The President shall publish all executive agreements except that those which in his judgment require secrecy shall be submitted to appropriate committees of the Congress in lieu of publication.

" 'SEC. 5. Congress shall have power to enforce this article by appropriate legislation.

" 'SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission.' "

EXHIBIT 3

HUMAN RIGHTS AND THE UNITED NATIONS

For many months the United Nations organization has been trying to enforce its decision in Korea. The results would seem to show quite clearly that this organization of national governments is incapable of forcing its ideas upon any unwilling nation—even a small one or a "backward" one. And any attempt of the United Nations to use coercion upon us in this country to accept a form and concept of government that are completely alien to our experience and tradition would also be readily resisted. Yet such a change is being undertaken through the indirect and little-understood method of domestic legislation by international treaties, and through the questionable manipulation of public opinion by those who fear an adverse decision on the part of the people.

This fact can be seen most clearly in an examination of the International Covenant on Human Rights which the United Nations will submit to the various member nations for ratification. If adopted, it will become the "over law" of the adopting nations. In the case of the United States, it will become the national law because the American Constitution provides that a treaty adopted by the Senate shall become the supreme law of the land and of the states.

Students of liberty, therefore, are presented with a mandate for the study of this Covenant on Human Rights; for by adopting it, we would change our form of government without the consent—or even the knowledge—of the people.

THE TERM DEFINED

Since we are here discussing human rights rather than political rights, let us attempt to define the term. Human rights are founded upon considerations of justice and morality; they are ordained by natural law. And while they may be defended by political law, no government brought them into existence; human rights existed before formalized government and are superior to it. Thus, no government can grant them, and no government can legitimately abolish them. The sole purpose of government should be to defend them.

In speaking of rights, we are here concerned with rights in the sense of relationships between individuals in society—rights of individuals which will be acknowledged, accepted, and defended by other individuals. More precisely, we are concerned about the morality of persons, because there alone can be found a firm foundation for any concept of rights and justice. In the final analysis, the laws of nature are comprehended—and the resulting laws of man are perfected and respected—only within the general framework of the moral standards of those individuals who find themselves living together in society.

America is a religious nation; the overwhelming majority of the people recognizes the concept of God. Our present form of government was devised by men whose understanding of natural law and moral philosophy made it obvious to them that all men are endowed by their Creator with equal rights to life, liberty, and the pursuit of happiness. While their idea was "that to secure these rights, governments are instituted among men," they rejected the Old World concept that rights of individuals are grants from government. As we study the proposed United Nations Covenant on Human Rights, let us note the moral philosophy of those who designed that document.

DIFFERING CONCEPTS

It is on record in the debates of the Commission on Human Rights that scores of compromises had to be made to secure the assent to the Covenant by nations which radically vary one from the other in their concepts of the purpose of human activity. These compromises have resulted in the grafting of qualifications onto each declaration of a right in such a way as to obscure or nullify the intended right.

The provisions of the United Nations Covenant on Human Rights follow the pattern of thought found in the constitutions of dictatorial governments. For purposes of comparison, consider this sample from the Russian Constitution:

"Art. 125. In conformity with the interests of the working people, and in order to strengthen the socialist system, the citizens of the U. S. S. R. are guaranteed by law: (a) freedom of speech; (b) freedom of the press; (c) freedom of assembly, including the holding of mass meetings; (d) freedom of street processions and demonstrations.

"These civil rights are ensured by placing at the disposal of the working people and their organizations printing presses, stocks of paper, public buildings, the streets, communications facilities and other material requisites for the exercise of these rights."

A SECOND GLANCE

At first glance this seems to be as complete as any devotee of freedom could wish. But the words say that the freedoms are granted, guaranteed, and insured by decree of the government. You can assemble and speak in a hall—but only in a hall which the state has decided to give. You can travel—but only in facilities supplied by the government. You can express your thoughts in a book or a newspaper—but only if the state consents to your using its printing presses and its paper.

The Soviet Constitution is explicit in the expression of the belief that human rights are—and by right ought to be—the gift of the state. The members of the United Nations Commission on Human Rights seem to have operated on this same theory. What kind of a moral philosophy underlies such a concept? Surely it is not the faith that rights to life, liberty, and the pursuit of happiness are personal endowments from God. Persons who understand and believe in liberty know that their government does not have, and cannot have, any legitimate power to grant or to abridge the freedom of man to be a person and to express the meanings of his personality, because such freedom exists solely in the nature of man.

The unique contribution of America is not dynamic expansion, the use of natural resources, technological ability, nor creative insight in art or literature. All nations and peoples of history have had more or less comparable experiences. The uniqueness lies in the precept upon which America was founded; persons possess freedom and natural rights at birth—before they become part of any government—and these rights are not merely part of the biological process but are implanted in the soul of man as a birthright. Inherent rights belong to the people, not to government, for the state has only functions which are granted to it in limited measure by the consent of free people. The American concept is that government cannot grant nor abridge these natural rights; it can only protect them. If this fundamental concept should be denied, or even diminished, the true meaning of the American Revolution would disappear.

FREEDOM OF RELIGION

The articles of the United Nations Covenant relating to the freedom of religion and of the press are most pertinent for our discussion. Article 13 of the Covenant states:

"(1) Everyone shall have the right to freedom of thought, conscience, and religion. * * * (2) Freedom to manifest one's religion or belief shall be subject only to such limitations as are pursuant to law and are reasonable and necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others." [1]

Study carefully the list of limitations. A person may manifest (it does not say practice) his religion, only if such manifestation is considered by the government not to be against the order, health, morals, or public safety of the community.

If a dictator wished to circumscribe or prohibit the practice of religion, what other shackles would he need than these? The charge made against Jesus of Nazareth before Pilate was that "He stirreth up the people." Under the Covenant on Human Rights could not Pilate have said that, in order to protect the public safety, he would have to deny Jesus the right to manifest His religion? Certainly he would have had a legal justification for doing so under this covenant.

Or what about public morals and order? Could not any dictator, totalitarian government, or church say that the teaching of any unpopular, minority religion was an offense against the morals and order of the community? In fact, that has been the custom of rulers throughout history when they wished to suppress the development of a new or unpopular religion. Which morals will be endangered? Obviously, the morals endorsed by the party in power. That is just the charge that was made against the early Christians in Rome by successive emperors. It was the charge made against the Jews by Hitler. It is literally true to say that the qualifying words used in this document, which purports to be a covenant on human rights, could be used to destroy religion in every corner of the world.

THE AMERICAN RELIGIOUS CONCEPT

In contrast, one of the early—and one of the best—expressions of the American concept of religious liberty is found in the Statute of Religious Freedom of Virginia as written by Thomas Jefferson in 1780:

"Be it enacted by the General Assembly, That no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinion in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

"* * * the rights hereby asserted are of the natural rights of mankind, and that if any act shall hereafter be passed to repeal the present, or to narrow its operation, such act will be an infringement of natural right."

This statute came into being because of an effort by certain persons in Virginia to restrict freedom of religion only to the practice of "the Christian religion in general." To this, because they believed it to be a restriction upon the freedom of religious expression, both Madison and Jefferson were opposed.

In 1785, James Madison had stated in his famous Memorial and Remonstrance Against Religious Assessments:

"The religion then of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right. * * * We maintain therefore that in matters of religion, no man's right is abridged by the institution of civil society, and that religion is wholly exempt from its cognizance."

It is clear that both Madison and Jefferson based their arguments for religious freedom upon the concept of natural law—that which is discernible to reason as originating in the nature of the world.

Their thesis has four parts:

1. No man shall be compelled to comply with any form of religion.

2. No man shall be molested nor made to suffer because of his religion.

3. The profession of religious conviction shall not diminish civil rights.

4. Any act which attempts to repeal or narrow the operation of these rights shall be considered as an infringement upon the natural rights of man.

These concepts are the tenets of the American belief and practice regarding the freedom of religion. But the restrictions outlined in the article relating to religion in the United Nations Covenant would supply the legal sanction for full and complete destruction of the freedom of religion now possessed and enjoyed by Americans.

The Covenant on Human Rights of the United Nations would give to government the power to limit the freedom of religion, under pretext of the protection of the public safety, order, health, and morals. This is a clear and present danger to the life and liberty of every American citizen, for the first amendment to our Constitution states: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

FREEDOM OF THE PRESS

The Covenant is just as destructive of freedom when it comes to its declarations concerning the status of the press.

This wording is found in article 14 of the Covenant:

"Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardles of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

"The right to seek, receive, and impart information and ideas carries with it special duties and responsibilities and may therefore be subject to certain penalities, liabilities and restrictions, but these shall be such only as are provided by law and are necessary for the protection of national security, public order, safety, health or morals, or of the rights, freedoms, or reputations of others."

Let us study the implications of these words as they relate to an actual incident. A short while ago all believers in the freedom of the press were shocked by the suppression of one of the great newspapers of the world, La Prensa of Buenos Aires. The dictator shut down the paper and ordered the arrest of the editor. But why? Because he had decided that the kind of material which was being printed should be subject to penalities and restriction for the protection of his concepts of national security, public order, and safety—not to mention his own reputation.

Such a study of the civil and political rights written into this covenant clearly indicates the inadequacy of the definition of their nature, and also presents the danger to their continued possession by American citizens through the restrictions placed upon these rights by the words of the covenant. It should be noted that in the first amendment to the American Constitution, the restrictions are placed only upon Congress.

If the American delegates to the United Nations, and to the Commission on Human Rights, are zealously devoted to the interpretation and the protection of these rights, and truly desire an extension of the same measure of these rights to other peoples in the world, they will demand that Articles 13

[1] The quotations from the covenant used throughout this article are from the "draft International Covenant on Human Rights" as revised at the seventh session of the United Nations Commission on Human Rights, April-May 1951. It was announced on February 5, 1952, that the General Assembly of the United Nations, meeting in Paris, adopted a resolution to divide the Covenant into two sections, each to be presented as a treaty. One would contain the political and civil provisions (arts. 1–18); the other would contain the social and economic provisions (arts. 19–73). This action is merely procedural and will have no bearing on the issues involved in this discussion.

and 14 of the covenant be rewritten in this manner:

The states parties hereby involved shall make no law prohibiting the free exercise of religion, nor abridging the freedom of speech, of the press, and of the right of the people peaceably to assemble and to petition for a redress of grievances.

No mandate to do any more, or any less, than this ever has been given, or ever could be given, to representatives of the American Government who take part in international discussions of the rights of worship, speech, and assembly. No other statement than this is needed to preserve the rights already possessed by Americans and protected by their Constitution. No other statement than this can ever extend these rights in their full and complete meaning to other peoples of the world.

ECONOMIC OBJECTIVES

Let us now consider the list of social and economic objectives which this United Nations covenant would elevate to the status of human rights. You may again be struck by the remarkable similarity of these ideas in the Covenant and the same ideas in certain totalitarian constitutions:

"ARTICLE 19

"The states parties to the present covenant,

"1. Bearing in mind the link between the rights and liberties recognized and defined above, and the economic, social, and cultural rights proclaimed in the Universal Declaration of Human Rights.

"2. Resolved to combat the scourges, such as famine, disease, poverty, the feeling of insecurity and ignorance, which take toll of or degrade men, and prevent the free development of their personality.

"3. Resolved to strive to insure that every human being shall obtain the food, clothing, shelter essential for his livelihood and well-being, and shall achieve an adequate standard of living and a continuous improvement of his living material and spiritual conditions.

"4. Undertake to take steps, individually and through international cooperation, to the maximum of their available resources with a view to achieving progressively the full realization of the rights recognized in this part of the present covenant.

"ARTICLE 20

"Work being at the basis of all human endeavor, the states parties to the Covenant recognize the right to work, that is to say, the fundamental right of everyone to the opportunity, if he so desires, to gain his living by work which he freely accepts.

"ARTICLE 21

"The states parties to the Covenant recognize the right of everyone to just and favorable conditions of work including: (a) safe and healthy working conditions; (b) minimum remuneration which provides all workers: (i) with fair wages and equal pay for equal work, and (ii) a decent living for themselves and their families; and (c) reasonable limitation of working hours and periodic holidays with pay.

"ARTICLE 22

"The states parties to the Covenant recognize the right of everyone to social security.

"ARTICLE 23

"The states parties to the Covenant recognize the right of everyone to adequate housing.

"ARTICLE 24

"The states parties to the Covenant recognize the right of everyone to an adequate standard of living and the continuous improvement of living conditions.

"ARTICLE 25

"The states parties to the Covenant recognize the right of everyone to the enjoyment of the highest standard of health obtainable. With a view to implementing and safeguarding this right each state party hereto undertakes to provide legislative measures to promote and protect health and, in particular: (i) to reduce infant mortality and provide for healthy development of the child; (ii) to improve nutrition, housing, sanitation, recreation, economic and working conditions, and other aspects of environmental hygiene; (iii) to control epidemic, endemic, and other diseases; (iv) to provide conditions which would assure the right of all to medical service and medical attention in the event of sickness.

"ARTICLE 26

"The states parties to the Covenant recognize that: (1) special protection should be accorded to maternity and motherhood; and (2) special measures of protection should be taken on behalf of children and young persons, and that in particular they should not be required to do work likely to hamper their normal development.

"ARTICLE 27

"The states parties to the Covenant recognize the right of everyone, in conformity with Article 16, to form and join local, national, and international trade unions of his choice for the protection of his economic and social interests.

"ARTICLE 28

"The states parties to the Covenant recognize:

"1. the right of everyone to education:

"2. that educational facilities shall be accessible to all in accordance with the principle of nondiscrimination enunciated in paragraph 1 of Article 1 of this Covenant;

"3. that primary education shall be compulsory and available free to all;

"4. that secondary education, in its different forms, including technical and professional secondary education, shall be generally available and shall be made progressively free;

"5. that higher education shall be equally accessible to all on the basis of merit and shall be made progressively free;

"6. that fundamental education for those persons who have not received or completed the whole period of their primary education shall be encouraged as far as possible;

"7. that education shall encourage the full development of the human personality, the strengthening of respect for human rights and fundamental freedoms and the suppression of all incitement to racial and other hatred. It shall promote understanding, tolerance and friendship among all nations, racial, ethnic or religious groups, and shall further the activities of the United Nations for the maintenance of peace and enable all persons to particiapte effectively in a free society;

"8. The obligations of States to establish a system of free and compulsory primary education shall not be deemed incompatible with the liberty of parents to choose for their children schools other than those established by the State which conform to minimum standards laid down by the State;

"9. In the exercise of any functions which the State assumes in the field of education it shall have respect for the liberty of parents to ensure the religious education of their children in conformity with their own convictions."

A LIST OF DESIRES

At least this can be said about the above declarations: They constitute almost the entire list of what might be called, The Desires of Mankind. But desires are never rights, nor are they in any sense essential freedoms. Food, clothing, and shelter were not demanded by our ancestors as grants of the universe nor as rights they could claim from their Creator. The only right they had was the right to be free. The only grant they received was the knowledge of reality. With only the possession of this right and this grant, men and women began the struggle of survival and of development, rising and falling in the strange alchemy of human life in the changing periods of history, but growing strong and creative in spirit in those eras when life was relatively unshackled and free. Now, in the middle of the twentieth century, we are confronted with the astounding proposition that the "States Parties to the Covenant" somehow believe that the simple device of voting for this Covenant can relieve the individual of the responsibility for his survival and the gratification of his desires.

THE AMERICAN IDEA

It might be easier to accept the Covenant on Human Rights as an honest effort toward human freedom and progress if section 3 of article 19 had been written in this form:

"The states parties to the Covenant shall make no law nor provision that will prevent any human being from making full personal effort to obtain the food, clothing, and shelter essential to his livelihood and well-being, to keep what he thus produces, to strive for an adequate standard of living and continuous improvement of his material and spiritual condition, and voluntarily to help others."

That would be a proposal in full keeping with the spirit and words of the American concept of human rights as set forth both in our Declaration of Independence and Bill of Rights. Those documents are based on the concept that each human being is endowed with the right to seek his own development to the fullest extent of his ability and ambition, within the limited natural resources of the environment in which he happens to be. This concept of freedom stems from a source above and beyond any man-made government under which a person happens to be born. It is a religious concept which categorically denies to the state any characteristics of God.

Will the Communist and Socialist nations accept that idea of human rights? Can the American representatives, or the American Congress, accept anythig less than that?

NOT FANTASY

Before we are tempted to say that all of the proposals suggested in these articles of the Covenant appear to be entirely in the realm of fantasy—comparable to the one which declares that governments should insure a continuous improvement of the spiritual condition of men—let us remember that such a program of life has been formulated and attempted in practice in varying degrees in the welfare states of the world. Social contracts have been enacted into law in those countries which state that each individual in the community is entitled to the privilege of receiving a share of all the social and economic benefits which the state can assemble through its coercive powers of taxation and confiscation.

Let us examine in more detail these so-called rights of the United Nations Covenant.

Article 20 states that the governments must recognize the right to work, which it defines as the fundamental right of everyone to the opportunity to gain his living by work which he freely accepts. There is obviously no objection to the possibility of work, since work is a necessity of life. What this article really means, however, is that a cooperating nation must accept the obligation to provide full employment within its borders, because everyone in the country has the right to a job. If it does not mean that the state is obligated to provide the job, it is a useless declaration. It is obvious that everyone, if he is alive and free, has the opportunity of going out to try to find employment; and if there is no position that suits him, to develop something at which he can be self-employed. The United Nations statement, however, is in a different category. It says that there is a state-declared right to work,

which means that the state must supply some job whenever any person applies for it.

INVITATION TO SLAVERY

Article 21 states that the parties to the Covenant also recognize the right of everyone to just and favorable conditions of work, with a minimum remuneration which will provide all workers with fair wages and equal pay; to a decent living for themselves and their families; to limitation of working hours and periodic holidays with pay. If this right is to come from the state, then the government must control the standards of all employment and set a minimum wage which becomes the fair wage which provides what those in political power decide is adequate for a decent living. That, of course, would plunge the government into every phase of the economy. According to Sir Stafford Cripps, who should know what he is talking about in this area: "No country in the world * * * has yet succeeded in carrying through a planned economy without the direction of labor."

Are we then to accept the governmental direction of labor as the meaning of "the right to work"? Is this a reasonable and desirable substitute for the American tradition of letting each man work as long and as hard as he likes at the task of his choice for as much return as others will voluntarily offer him for his product and services? How can the State promise a job to every applicant unless it controls all the means of production? If the State promises jobs, can it permit aggressive competition among workers for any one job? Can it permit private employers to compete for the services of the more efficient workers by offering higher wages? Is such a giant State cartel or monopoly suddenly to refute all history and become a blessing of efficiency and abundant production? Is this the kind of opportunity toward which responsible men would struggle? Is this to be the new goal for inhabitants of the land of the free?

HOUSING

Let us pursue these questions relative to the matter of housing. Article 23 says that the governments must recognize the right of everyone to adequate housing. This means that the state shall build adequate housing for each person who claims the need. Of course, a representative of the state will determine what is adequate. But visualize his problem by asking yourself if your own housing is adequate today. Adequate in terms of what? Your need for housing? Or your capacity to provide housing, in addition to satisfying more urgent needs for other things?

Will some public official do a better job than you can in determining the relative urgency of your various needs? Are you going to be happy some morning when you are informed that you shall spend so many days providing adequate housing for someone—quite probably someone unknown to you? Yet that is the inevitable consequence—whether done directly or indirectly—if the state takes cognizance and control of everyone's right to work and his right to adequate housing.

MEDICINE

The health and medical care of the community are dealt with in articles 25 and 26. A restudy of these articles will show that the Covenant fails to acknowledge that it is now the right and privilege of each person—by his own efforts or through voluntary cooperation with others—to provide such health, medical care, and good standards of living as he and his family can afford. Instead of that, it states that everyone has the right to the highest standard of health obtainable and that, therefore, each nation must undertake to provide by legislation measures to promote and protect health all through life. Article 25 states that each government must provide legislation which will reduce infant mortality and promote the healthy development of the child. It says it must improve nutrition, and also that it must provide conditions which will assure the right of all to medical service and medical attention in the event of any kind of sickness.

Those statements can be characterized either as political catch phrases or as social and legal contracts enacted into law upon which the citizen can lay claim. In Great Britain these provisions have been written into the law, and each individual citizen can claim his legal right to these benefits.

AN UNTENABLE STAND

What the people of Britain have not yet acknowledged—and what many of us in America do not seem to understand—is that the so-called middle way is untenable. Our welfare statists promise a limited amount of public housing, a minimum amount of medical care, a little of this or that state control—but no loss of freedom. They talk as though it were possible to be half Communist and half free. They ignore the fact that under such an arrangement the free areas of human activity are only tolerated by government. That is not freedom but communism of the variety of the new economic policy of Russia during the 1920's.

The middle-way theory moves inevitably from freedom into communism in this manner: The first public housing project justifies the second which, in turn, brings the third. This advance of government housing builds the case for an advance by government into other areas—for example, public feeding. And the further encroachment of Government into either of these activities builds the case for public clothing. For once there is acknowledged a need for a little government ownership or control—a little force to make people better than they are—then the door is opened for complete State ownership and control of all property and all persons.

If the people demand free medical care, then the doctors and hospitals have to be nationalized. If it is stated that everyone has the right to a house and to a job, then the construction industry and all the methods of employment must be controlled by the state. If to this should be added the items of food and clothing, then the state would have to move inevitably into all these areas of life and nationalize them because the legislation converting these desires into legal claims would demand the nationalization and the collectivization of the nation.

EDUCATION

But let us go a step further. In article 28, there is the statement that all persons have a right to education, and that all education—elementary, higher, and professional—shall be equal and accessible. There is a further statement that, while primary education must of necessity be free, all further education through the graduate schools shall be progressively free until it is entirely free. This means that the complete education of the child from infancy to maturity shall be at the cost of the community and under the control of government. And even our own Supreme Court has now acknowledged the fact that: "It is hardly lack of due process for the Government to regulate that which it subsidizes." [2]

But the statement regarding the political right of education goes even further. The article states that education shall encourage the full development of the human personality, the strengthening and respect for human rights and freedoms, and the suppression of all incitement to racial and other hatred. It shall promote understanding, tolerance, and friendship among all nations, racial, ethnic, or religious groups.

[2] *Wickard* v. *Filburn* (317 U. S. 111, p. 131, October, 1942).

A PERVERTED PHRASE

When one remembers the way in which the phrase in the American Constitution, "to provide for the general welfare," has been perverted to include the responsibility of the state to take over practically every form of social endeavor, one can understand how easily the seemingly humanitarian and enlightened motives of this paragraph in the Covenant could be construed to allow the state to indoctrinate its children with the mind, morals, and the mores of the dominant political power of any given time. In fact, it would have been possible for Adolph Hitler to have accepted these words as the basis for the educational program of national socialism in Germany. His party had control of the educational system of Germany. This educational system extended throughout the entire educational life of the child and young person. He also had a philosophy of national socialism with definitions describing what he thought the full development of the human personality should be, and what, in the Nazi concept, human rights and fundamental freedoms are. We should remember that in an area controlled by such a process as national socialism, or any similar philosophy of governmental direction, the question and definition of what human personality is, and what human rights and fundamental freedoms are, rest with the dominant political power.

The leaders of the collectivized, totalitarian governments always give their own definitions to words such as democracy, freedom, hatred, tolerance, and rights. Recall the Soviet definition given to such a term as "peace-loving people's democracies." This United Nations Covenant of educational rights would provide legal sanction for any dictator or any totalitarian government—any government at all to which the people had given control of education—to frame the definitions of the meanings of words, and then to control education and the educational system according to its will.

TWO CONCLUSIONS

There are two conclusions which must be drawn from a consideration of these articles relating to the social and economic life of the world.

One is that these phrases describe possible achievements of freedom rather than freedom itself. Freedom is the opportunity to act according to one's wisdom and conscience. The opportunity to act and to be creative is the right and obligation of a freeman. Medical care, or any other product of human action, is the result of man's right to be productive; it is not a right in itself. Education is not a human right; it is the process by which a free person achieves enlightenment. The freedom to learn—not the educational equipment and forms—is the fundamental human freedom. The Covenant actually endangers and imperils the existence of the fundamental freedoms by this tragic confusion of equating them with the results of freedom.

The second conclusion is that when the social results of the expression of freedom are declared to be legal rights, then the collectivization of the whole social order is thereby demanded in order that the state may attempt to produce and distribute these political claims. If Congress should declare that each baby has a right to a silver spoon, each father can lay claim to that right for his baby. On the basis of this Covenant, each nation becomes liable for the payment of these benefits to all who make their legal claims to them. The liability of any nation would be upheld by the international tribunals. The state, therefore, would have to attempt to produce and distribute these benefits and so would inevitably move to the control and nationalization of all forms of production. The change from private own-

ership and free enterprise to collectivism would be automatic.

The Covenant on Human Rights is such a program, and if adopted would become the sanction for the world-wide collectivisation of man.

NO COMMON VALUES

The members of the United Nations Commission on Human Rights seem to assume that a concept of human rights can be evolved without a common consent to the meanings of language, human existence, government, or the mores of individual societies.

Among the peoples of the world there is a veritable Babel of languages, many with entirely different definitions to the words denoting certain concepts, and many with no words which define convictions of life and values held by others. Phrases such as "right of recognition as a person" are impossible of definition in any but small areas of the world, and, because this definition partakes of the nature of religion and philosophy, it is tempered by the background of varicus historical cultures. Man is as he is in the Western World partly because of the history and culture of the Greek, Roman, and Christian civilizations. Eastern man is different because of the history and culture of the east. How can a phrase unite them? Try to discover a commonly accepted meaning of crime, conscience, or peace—words used quite often in the covenant. In the area of religion, the gamut runs all the way from natural humanism on one side to the incantations of the witch doctor on the other; from the activism of Christianity to the negativism of Buddhism. Among the peoples of the world, the philosophies of life and freedom vary from the extremes of nationalistic collectivism to individual freedom, much in the manner of two streams flowing in opposite directions, with many tributaries feeding into each. Economics is a hodgepodge of confusion with no possibility of a generally accepted definition of the economy as practiced in any one nation. Ethics is so confused that a common definition of it might be: That action which best suits the fulfillment of desire at the moment. Political systems of government range from totalitarian communism through tribalism, feudalism, absolute, and constitutional monarchism, fascism, socialism, democracy, and republicanism.

FORCED UNIFORMITY

The very inharmonious nature of the heterogeneous peoples, corralled together under the term "united," constitutes the fundamental peril to the rights of man—first, because there can be no voluntary agreement upon their meaning or validity; and second, because this lack of agreement would give the most powerful unit in the association the legal means to impose its definitions of these rights on everyone. No law nor concept has any real power or effect, no matter what it may be, unless there is such a general acceptance of it that no police force is necessary to bring about its acceptance by the vast majority. There is not the slightest possibility of any declaration made by any constituent body of the United Nations today receiving such dominant acceptance; and therefore the end result of any attempt to impose this code upon the nations could only be greater disunity and strife. Only a unifying faith in the dignity of man, with the inevitable diversities of expression of individuality, enables man to accept the assumptions of the good life. No imposed code can ever attain any measure of this.

A CASE HISTORY

The history of the Roman Empire should illustrate to us the impossibility of imposing a uniform structure of governmental control, and a mode of life, upon various forms of national units.

At first glance, it would appear as though the formation of that empire was a great success, indicating the possibility of creating a unified government across a diversity of peoples today. An imperial government, centered in Rome, set out to bring the world under one unity of control and command. Within two centuries it had imposed its rule upon the whole of the Western World, and the common system of government extended from the Rock of Gibraltar to Persia and from North Africa to Britain. Every form of culture, religion, and ethics known to the world at that time was encased within the borders of this empire.

It is true that this system developed a surface appearance of order, and the people achieved some material benefits. War between the units ceased for a time; highways, aqueducts, dams, and many other public works were constructed; a unitary code of Roman law ruled the world; Latin became the universal language of formal and official speech and writing.

But the fact of history is that this surface uniformity never went below the surface. Within another 200 years the great empire had crumbled. Yet the individuality of the conquered groups, which the empire had endeavored to stamp out, persisted. The centers of Athens, Jerusalem, Alexandria, Canterbury, and Constantinople were still individualistic producers of concepts. Only Carthage was nonexistent. It had been swept off the earth. An over-all pattern of supergovernment had been imposed upon a diversity of culture, religion, and forms of mores and governments. Because there was no unity beneath the uniformity, even an imperial power could not endure. But while the supergovernment, with power to enforce its dictates, could not exist, the individual areas of unity did exist. Only true unity within any society can exist without compulsion. And if compulsion is necessary, then the superstructure is an evil deception. Only those who will unite can unite.

A code of ethics, which the United Nations Covenant pretends to be, must follow, rather than precede, the existence of those common beliefs upon which society rests. For a code of ethics can only serve as a record of what is, rather than as a formulation of what should be imposed by a majority. There have probably been no greater disasters in the course of civilization than those which have arisen from the attempts of well-intentioned people to enforce ethical codes upon societies which had no common acceptance of the base of the codes. Athenian democracy could not even be forced upon the Spartans, a day's walk away. The attempt to do this sort of thing has always resulted in strife and conflict, as those who felt that their way of life was being coerced by an alien have rightly resisted in mind and spirit, as well as with the body.

AN ANCIENT ERROR

This attempt through the United Nations Covenant on Human Rights repeats the ancient error of seeking to impose a code upon peoples before the common values and principles exist which make voluntary acceptance possible. The inevitable result can only be greater disunity, resentment, and violence, until the yoke of such a superstate is thrown off and the freedom to unite voluntarily with those of a common mind and spirit is restored.

The Covenant offers no clear meaning of these human rights of which it speaks. There is no unequivocal definition of these rights which would protect their value; nor is there a recognition of the moral aspects of rights that inhere in the nature of man.

Society can, and in some instances should, restrict the freedom of action of the individual. But when the rules of society conform to the laws of nature or to the moral order of the universe—that is, when the government of man is in harmony with higher laws which no man can change—then the individual is essentially free. Any loss of that freedom is in reality the consequence of his failure to understand and abide by the higher law. This higher law insists that each one of us shall exercise his freedom in such a way that he will have no occasion to interfere with the equal freedom of others. In such a society, only the illiberal person who attempts to restrict the liberty of another would be punished.

But society can, and often does, impose rules which are not in harmony with the laws of nature, man-made rules that are designed to benefit some persons at the expense of others. These rules do not change the laws of nature, and they do not abolish the status of the rights of man to life and physical liberty, and to that freedom of mind and spirit which even shackles cannot deny.

THE AMERICAN CREED

This sense of innate freedom, ingrained in the very texture of the life of man, removes from any government the possibility or responsibility of making either grants or restrictions concerning his right to speak, to assemble with companions, or to worship according to his conscience. If ever it be accepted that man has to seek such rights from the government of the nation of which he is a citizen, he would find himself at the mercy of that government; for then the power to grant or deny such a right would also have been deposited with the state.

The American Constitution and Bill of Rights declare that the Government is without power to make any abridgment of these personal expressions of freedom. To this concept, American citizens have pledged allegiance. Congress did not invent the concepts of natural rights and freedoms, and Congress did not grant them. In fact, Jefferson acknowledged them before there was an American Congress, and others had announced them even before him, so they have nothing to do with Congress. That should rid us of the delusion that we need to look to Congress, or to any Parliament, or to the United Nations, for the announcement or validation of any of these rights.

TREATIES AND THE CONSTITUTION

Let us briefly examine the effect that the United Nations Covenant on Human Rights would have on our own body of law if our Senate should ratify it.

Article 6 of the Constitution of the United States declares in part: "* * * all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

This is a vital issue which merits thorough airing by the authorities in the field of international jurisprudence. But it is important to note here that if the Covenant on Human Rights should be adopted by the United States Senate as a treaty, its provisions would automatically become the fundamental law, not only of the Federal Government but also of each of our States, cities, counties, towns, and school districts, with all local laws being superseded.

There are certain factors concerning this process which should be recognized.

One is that this method could accomplish a change in the laws of the American Federal, State, and local governments which Congress and the State legislatures and the local units of government have all refused to make. For instance, a program of socialized medicine would become the supreme law of the land if the Senate should ever adopt this Covenant as a treaty. Surely it cannot be argued logically that the constitutional provision providing for agreements upon international relations should be used for the purpose of internal legislation. But that is exactly what this proposal would do to the American structure of government.

There is another important consideration. The tenth amendment to the Constitution reserves to the States all those powers of government not delegated by the Constitution to the Federal Government. But if this treaty should be adopted—becoming, in effect, a part of the Constitution itself under article 6—it would supersede the tenth amendment and would thus invalidate the original purpose of the Bill of Rights.

TRIAL BY JURY

Further, the sixth amendment to the Constitution states: "the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed." There is no such provision in the Covenant; if this treaty should become the supreme law of our land, there would be no guarantee to an American accused of any violation of the Covenant by any member of the United Nations that he would have either a trial by jury, or would be tried in the state and district in which the alleged crime was committed. This, of course, would violate traditional American concepts of criminal law.

The Declaration of Independence, in its listing of the grievances of the people against a sovereign whom they were about to repudiate, included that of "depriving us in many cases of the benefits of trial by jury: For transporting us beyond seas to be tried for pretended offenses." Are we now to deny the moral philosophy and ideals behind that basic American concept?

The Covenant states in article 52 that if one nation considers that the citizens of another nation are not obeying the provisions of the Covenant as adopted in treaty form, then those citizens, or the nation itself, can be brought to international trial before the International Committee on Human Rights. It is important to understand that this Committee on Human Rights will be a supranational authority of nine persons which will have the powers of final interpretation and decision on all complaints and trials relating to charges of infringements of the code of morals and action described in this Covenant.

THE PRICE OF FREEDOM

In the study of a document such as this Covenant, we are confronted by the paradox of representatives of the nations emotionally desiring that all the benefits and freedoms of the free peoples of the world should be extended immediately to all those who are bereft of them, while advocating means to this end that would destroy the very things they wish distributed. These people see the mass misery of several areas of mankind and wish they could see instead a picture of the mass betterment of mankind. But they do not see nor understand that these material advantages of freedom must be earned and bought with the price of personal achievement, else the recipients are subservient to the power which granted them.

The productivity of freedom in what is left of the free world today, which is the great prize that is so coveted by all the rest of humanity, was not a grant to our ancestors which they passed down to us as an inheritance. The price of liberty is personal effort, as well as eternal vigilance. It can never be a gift, even from one generation to another, any more than an education can be transmitted as a legacy from parents to children. The desire to be free is the natural heritage of all mankind. But each inheritor of the concept must develop the context of freedom himself.

THE MASS MIND

No one has better expressed this situation which confronts all believers in the rights of man than Ortega y Gasset, the Spanish philosopher, when he wrote in his book, The Revolt of the Masses:

"The very perfection with which the nineteenth century gave an organization to certain orders of existence has caused the masses benefited thereby to consider it, not as an organized, but as a natural system. Thus is explained and defined the absurd state of mind revealed by these masses; they are only concerned with their own well-being, and at the same time they remain alien to the cause of that well-being. As they do not see, beyond the benefits of civilization, marvels of invention and construction which can only be maintained by great effort and foresight, they imagine that their role is limited to demanding these benefits peremptorily, as if they were natural rights. In the disturbances caused by scarcity of food, the mob goes in search of bread, and the means it employs is generally to wreck the bakeries. This may serve as a symbol of the attitude adopted, on a greater and more complicated scale, by the masses of today toward the civilization by which they are supported."

THE PRICE OF PRODUCTION

We shall not see the problem presented by this Covenant until we understand this thesis: If the good things of life—which were achieved only through the travail of the souls and minds and bodies of those who dedicated themselves to such achievement—are demanded as benefits to be given upon demand, as rights, to those who have not earned them, then even the bakeries which produce bread will become abandoned in pursuit of a false hope. Bread is brought into existence by the toil and thought and persistence of those who understand its source, not by the crowds who demand bread and who give no concern and devote no effort to the wheat fields or the flour mills. Material goods and the resulting welfare are possessed by those who, knowing the value of those goods of life, know also that they belong only to those who earn and buy them with a great price of personal achievement, not to those who demand them as a grant without effort.

THE AMERICAN PRINCIPLE

The American Government was established on the principle that men are endowed with the right to be free persons, and that this natural right was ingrained into the very texture of the life of man before any form of community organization or government began. To that should be added its corollary: No state, nation, nor association of nations can legitimately make any abridgment of this inherent freedom. Upon this foundation of freedom, man is enabled to make contractual relations voluntarily through association with his fellow men.

This concept of human rights rests upon a valid heritage—the heritage of the Ten Commandments, the Golden Rule, the Declaration of Independence, and the Bill of Rights. Each of these expressions of moral philosophy, tested by time, presupposes the inherency of the natural rights of man as a gift of life itself, wherever and whenever it began. The stars need no human declaration of their reality, inviolability, and grandeur. In the nature of the universe, the rights of man to life and freedom are as one with the stars.

This moral concept, which makes the universe intelligible and rational, declares that no person can rationally be deprived of his life, liberty, or property—his expression of being a person—except through his own denial of the same rights to any other person.

THE ENEMY OF LIBERTY

Within 5 years after its founding, the United Nations—the announced purpose of which was that of being a limited authority to prevent war—is attempting to control the minds of men. No greater danger to the freedom of man has arisen since the days of the claim of the divine right of kings. This danger is a greater threat to the citizens of the United States of America than the danger from any foreign military foe, for it might be that this control, together with the abrogation of the Bill of Rights, would be thrust upon the American people, accomplishing by treaty that which the Constitution would prohibit being accomplished by legislation.

Only a new birth of the understanding of the true nature of our freedom can save us.

REVISION OF LAWS RELATING TO IMMIGRATION, NATURALIZATION, AND NATIONALITY

The Senate resumed the consideration of the bill (S. 2550) to revise the laws relating to immigration, naturalization, and nationality, and for other purposes.

Mr. LEHMAN. Mr. President——

The PRESIDING OFFICER. The Senator from New York is recognized.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McFARLAND. Mr. President, I ask unanimous consent that the further proceedings in connection with the call of the roll be dispensed with, and that the order for the call of the roll be rescinded.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, on behalf of myself and other Members of this body who have been opposing Senate bill 2550, I move that Senate bill 2550 be recommitted to the Committee on the Judiciary, with instructions that further hearings be held upon it, and that, at the same time, hearings be held upon the measure known as the Humphrey-Lehman bill, Senate bill 2842.

The PRESIDING OFFICER. The question is on the motion of the Senator from Minnesota to recommit the pending bill with instructions.

Mr. McFARLAND. Mr. President, I have been endeavoring to effect a unanimous-consent agreement as to a time to vote upon the motion to recommit. I ask unanimous consent that the Senate vote upon this motion tomorrow at the hour of 4:30 p. m.

Mr. McCARRAN. Mr. President, that is not the suggestion which the majority leader made to me; and I am going to object to it.

The PRESIDING OFFICER. The Chair did not understand the statement made by the Senator from Nevada.

Mr. McCARRAN. The suggestion made by the majority leader at this time is not in conformity with the suggestions he has been making to me during the afternoon; and I am going to object to it.

The PRESIDING OFFICER. Objection is heard.

Mr. McFARLAND. I ask unanimous consent that the Senate vote upon the motion at 4:30 p. m. on Monday, the time for debate intervening between now and then to be divided equally between proponents and opponents.

Mr. McCARRAN. Mr. President, I do not understand the majority leader. He has been coming to me and whispering, "1 o'clock on Tuesday," and now he makes another proposition. I agreed to the Tuesday proposition, and I have so told other Senators, who came to me for information as to when the vote might be taken on the motion. What is the majority leader doing? Is he on a fishing expedition, or something?

Mr. McFARLAND. That is exactly it. Objections have been made to every day I suggested, including Tuesday.

Mr. McCARRAN. Here is one "sucker" he is not going to catch.

The PRESIDING OFFICER. Is there objection?

Mr. McCARRAN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. McFARLAND. Mr. President, I ask unanimous consent that we vote upon the motion to recommit on Tuesday at 1 o'clock, and that the time, following the obtaining of a quorum, be divided equally between the proponents and opponents, to be controlled by the distinguished Senator from Minnesota [Mr. HUMPHREY] and the distinguished Senator from Nevada [Mr. McCARRAN].

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona?

Mr. MOODY. Reserving the right to object, the Senate has been on this bill all week, with very scant attendance, I think, considering the importance of the bill. Request has been made for a vote on Friday, or for a vote on Monday. It happens, Mr. President, for the first time in a good many weeks, that I have arrangements to be out of town on Tuesday. I cannot see why we cannot bring this question to a conclusion by a vote before Tuesday. May I ask the majority leader, or the distinguished chairman of the committee, Is there any reason why a vote on the motion cannot be had on Monday?

Mr. McCARRAN. Yes. A number of Senators have told me they expect to be absent on Monday. Others have told me they expect to be absent tomorrow and the following day. It is going to be almost impossible to find a day on which all will be present, though I should like to agree upon a day on which the greater number of Senators would probably be present.

Mr. MOODY. I would agree to that.

Mr. McCARRAN. From the best advice I can get, the day on which the largest number of Senators would probably be present would be Tuesday.

Mr. MOODY. I know a few other Senators who also expect to be absent on Tuesday. I do not see why we should prolong the discussions from day to day and possibly from week to week. I think we ought to go ahead with the vote on the bill at the earliest possible date; otherwise I shall have to object.

The PRESIDING OFFICER. Objection is heard. The question is on the motion to recommit.

Mr. HUMPHREY. Mr. President, I rise to address myself to the measure pending before the Senate. I regret that we are unable to obtain a unanimous-consent agreement on a time for voting upon the motion to recommit. At this time, Mr. President, in the light of the fact that no unanimous-consent agreement has been entered into, I withdraw my motion to recommit.

The PRESIDING OFFICER. The Senator from Minnesota withdraws his motion to recommit. The question is on the first amendment. Since there is no committee amendment, is there an amendment which has been offered and which it is desired to call up?

Mr. HUMPHREY. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. HUMPHREY. Mr. President, in the light of the inability of the Senate to enter into a unanimous-consent agreement, I desire to proceed to address myself to the pending business, and to explore in some detail the provisions of Senate bill 2550. I desire to say that I realize the complexity of this measure, I realize the different points of view which are held by the proponents and the opponents, and I realize that we are in the midst of one of the most crucial debates to occur in the Senate within recent years. The subject matter involved in Senate bill 2550 relates to the lives of people; it relates to their happiness, their security, and their freedom. I remind my colleagues that we are debating an issue and we are discussing a subject which has been of the very fabric and life of the American political system. The United States is known for the welcome it has extended to immigrants, it is a living testimonial to the value of immigration.

Every Member of this body is an immigrant, or if not an immigrant, the son or daughter of an immigrant, in one generation, two, three, four, five, or six generations past. The founding fathers of the Republic were immigrants, and I may say that in the beginning, this Nation surely would not have been likely to become what it is today had restrictive quotas and restrictive terms, such as those which are now being proposed, been applied to immigration. I should like to have these words at least sink into the RECORD, if not into the empty seats. I would hope that at some time we may give thought to the importance of a sensible, practical, humane, liberal immigration policy.

This is particularly desirable now, Mr. President, at a time when the world is weary from war and strife, at a time when millions upon millions of people have been torn from their homes, their native lands, at a time when they are looking to the United States of America not only for military leadership, not only for economic leadership, but, believe me, Mr. President, for moral leadership, for guidance by a country which is known for its compassion and its generosity and its humaneness.

I desire to emphasize throughout my remarks what made this country of ours great. It is not great merely because of its factories, its workshops, the deposits within its banks, and the vast assets of its life insurance companies. It is not great merely because of its production. The greatness of America is in the spirit of the Republic; and the spirit of the Republic is emphasized in the doctrine of human equality; it is emphasized in those inalienable rights of life, liberty, and the pursuit of happiness proclaimed in the Declaration of Independence and the Constitution. There is testimony written into the lives of millions and millions of people to the practicality and to the soundness of the spirit of compassion and humaneness which has governed us throughout the generations.

I feel very strongly about the spirit of liberality. I know that one can discuss this bill section by section, paragraph by paragraph, and subsection by subsection; but it still would not tell the story of what we mean when we talk about a fair, liberalized, modernized immigration law; nor would it be any proper indication of the importance of immigration and the importance of new blood, new ideas, the fusion of cultures into this great American melting pot.

It is these new persons, these souls that search for a refuge, an asylum, a home and freedom, to whom America is a symbol of liberty and freedom. America stands as the leading power in the world. The Senate needs to understand that, Mr. President. It builds and contributes to the building of armaments to strengthen our defenses. But the Senate will be remembered throughout history not solely for the expenditure of billions of dollars which it has approved for armaments, but also for what it has done in behalf of people for their happiness and their welfare.

I repeat, Mr. President, that the United States of America stands as a symbol to the people of the world, because in this Nation are people from every strain of humanity, from every race, from every nation. That is why we have built a wonderful Nation.

Mr. President, I take some justifiable pride in being the son of an immigrant mother. As the Senator from Rhode Island [Mr. PASTORE] said yesterday, any bill which contains within it discrimination, any bill which comes before the Congress which insinuates that some persons are not as good as other persons, and insinuates it by arithmetical proportions, by quotas, and by preferences, is a bill which I abhor and it is a measure which should be defeated.

We are talking about foreign policy as well as domestic policy. Basically we are talking about human policy. I have never been able to understand why some persons can justify this kind of legislation when we are told we are of one kind, whether Jew or Gentile; that we are all God's children, all equal under the eyes of God. Yet, Mr. President, we have before us a bill which says that we are not equal. We rewrite the Declaration of Independence in a very negative and unfortunate way by striking from it the doctrine of human equality and simply saying, "All men are created unequal by a law of the Congress of the United States."

I ask my colleagues to think this over, because this is a day when America has to put her best foot forward. This is a

day when words about peace and equality must be backed up by action and by deeds.

I submit that if this bill becomes public law we shall have told the peoples of the world that we consider some persons to be inferior; we consider some of them to be unworthy of American citizenship; we consider them to be unworthy of the protection of the law.

That is what is involved here, Mr. President. I shall not concentrate my attention upon all the aspects of the bill, upon all the subsections, the supersubsections, and the sub-subsections of it. I desire to concentrate a good deal of my time upon the philosophy which should take hold of the Senate. If we persist in telling other peoples that they are inferior, and supporting such a declaration by public law, America may well be consigned to ashes and sackcloth under the fire of bombs and under the terrible atrocities of people who are furious because they have been denied status and stature in the eyes of the citizens of the United States and the laws of this country.

Mr. LEHMAN. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. LEHMAN. The Senator from Minnesota knows that I am in complete agreement with the philosophy which he has so ably and well expressed. I do not believe the proponents of the McCarran bill would dare to claim that it does not contain provisions which discriminate against some of the peoples of Europe, against Italians, Greeks, and natives of Lithuania, Latvia, Estonia, and other countries which are now prevented from sending more than a small trickle of persons to the United States.

It has been represented that this bill does away with discrimination against orientals. As a matter of fact, is it not true that the bill, far from doing away with discrimination against orientals, in some degree really emphasizes and increases such discrimination? This bill very generously, very nobly, permits immigration of 100 persons from each one of the nations in the so-called Pacific triangle: 100, I believe, from China, 100 from Japan, 100 from India, 100 from Indonesia, 100 from each one of the other nations—a niggardly 100 persons—and then, for fear it may possibly be too liberal, an over-all limit of 2,000 is set for the entire so-called Pacific triangle extending west from India, east from Japan, and as far south, I believe, as Australia.

It is said, further, that a man born in England of an English father and an oriental mother, a man who has 50-percent-oriental blood in his veins, does not count as a native of England at all, even though he was born there and has lived there all his life, but when he seeks admission into this country he has to come under the oriental quota.

The bill goes further and provides for discrimination against Filipinos. Certainly the Filipinos have been our friends and have stood shoulder to shoulder with us. They have made the same sacrifices in war that we have made. They have been loyal to this Nation. But what does this very generous bill that claims to wipe out oriental discrimination do with reference to Filipinos? It provides that a Filipino born in England, or in Brazil, or in Argentina, or in Germany, if he has one-half oriental blood, must qualify not as a native of one of those countries, but must come under the niggardly, inexcusably small quota which is provided.

I again desire to emphasize that when 2,000 orientals are permitted entry from the great Pacific triangle extending over half the world, there is a complete misrepresentation on the part of the proponents of the bill. They claim that it is fair to orientals, but it is quite the opposite.

Mr. HUMPHREY. I thank the Senator from New York. His remarks are pathetically true. They tell the story of a new type of discrimination in this new immigration bill.

In other words, while the McCarran bill ends complete exclusion of orientals, it retains the discriminatory features of the present law by extending the principle now governing the admission of Chinese and Indians to all oriental peoples. If they are orientals or half-orientals, as the Senator from New York has pointed out, they come under the quota of the country from which their ancestors came. Thus, a child of a British father and an Indian mother—a woman from India, born in London—would qualify under the small Indian quota, while the other natives of London would qualify under the British quota. This is the kind of discrimination written into the bill. I would remind the Senate that we have debated here by the month what we should have done in China. I would say one of the worst things we ever did to China was the way we treated the Chinese people. One of the reasons for resentment against the white man in China is the way we treated the Chinese. I would remind the Senate that there are more people in the world of different colored skins—red men, yellow men, and black men—than there are white men.

Our trouble today is that we have got to be better than we want to be, because we are challenging another system. If our way of life is to win in the world, if the principles of freedom and democracy are to survive, they will survive because of persuasion, because of example, because of demonstration. We cannot expect to win by sheer power and brute force. That is the way of the totalitarian. Our theme and our program is one of doing deeds, one of good works, one of demonstrating the efficiency of the domestic way of life.

Here in the Senate we sell ourselves short. Just the fact that we are discussing this bill, the fact that there seems to be complacence on the part of proponents of this bill that they will win despite how much we discuss it, tells the vast majority of the population of this sick world today that we in America think other people are inferior. I shall not cast my vote in this body to antagonize, to irritate or to humiliate a billion and a half people in this world.

I wish the proponents of this bill would give us some moral justification for the proposed legislation. They cannot justify it on any moral principle. They cannot justify it on any principle of their faith. They cannot justify it from anything that has ever been written in Scripture or in Democratic philosophy, nor can they justify it on the basis of practical politics or practical human relations in the world in which we live.

The day of materialism and discrimination is over; and if we do not think so, Mr. President, let me say that the discriminators, exploiters, and imperialists will be destroyed, and they will be destroyed by the welling up of people in this world who are demanding their place in the sun. I do not want to be a party to the blackening of the name of America all over the world. That is exactly what we would do if we should continue to pursue the course upon which we seem bent at the present time. That is why I say this is a crucial debate. It is something more than a debate about whether a man has a hearing. It is something more than a debate about whether a grandfather or a grandmother can come into this country. That is important, to be sure. It is something more important than whether professors should be permitted to come in as quota or as nonquota immigrants, even though that is important, too.

But this is a debate about what the philosophy of the Government of the United States is going to be about people. If any of the accountants or geographers of this body, any of those who have studied in the field of sociology or the field of human relations, can tell me how a bill like this will build good will for America, I shall be interested to hear from them. I submit this bill will build ill will for America.

The great Wendell Willkie talked about the reservoir of good will of this Nation. Years ago he warned us that our reservoir of good will was running out. The very people in this body who vote against appropriations to keep on with our great program of international relations are now proposing—some of them—that we not only not give money to help people rebuild their homes abroad and to rebuild their strength—not only shall we not do that, but that we shall slap them in the face and say, "You are a second-class people, an inferior people."

Mr. President, I shall live long enough to see the validity of my remarks, unless we reject this legislative monstrosity that is before us.

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

Mr. HUMPHREY. I yield.

Mr. LEHMAN. I wish to ask a question about a matter which has troubled me very sorely. When the Filipinos were fighting nobly and bravely, and were dying by the scores of thousands under the United States flag on Bataan in 1942, we had passed a bill granting them the right to be naturalized, and abolishing race discrimination against them. What would those noble heroes have thought if they had known that in this year of 1952 we here in the Senate, the greatest deliberative body in the world, a body that should be an example of democratic opinion, should be considering and debating for the first time new discrimina-

tions against them? I shudder to think what those people, and others like them in the Orient, must be thinking about our action in even considering such a bill as this.

The Senator from Minnesota is so right in what he has said that, as I go into this bill more and more, I become alarmed, distressed, and disturbed at its implications. Just think what those people must be thinking today.

Mr. HUMPHREY. The Senator from New York is pointing out something which I am sure has gone almost unnoticed in this debate, namely, that Filipinos reside in what is known as the Asia Pacific triangle.

Mr. LEHMAN. Yes.

Mr. HUMPHREY. We are now debating proposed legislation to discriminate against them. One of the great records of American policy was our commitment to give Filipinos their freedom. We kept that commitment. It did us more good than all the guns that could be built. It set an example.

The second great accomplishment was giving them full equality, citizenship, and naturalization. Now what are we asked to do? At a time when we need to proceed methodically toward a world objective and goal, a better understanding, and more good will, we are starting to discriminate and establish practices and legislative proposals that will be viewed by those people as shocking, disgraceful, and unfair. We shall have to learn to put ourselves in the other fellow's shoes.

I wish we could understand that we cannot buy prestige for America. I wish we could understand we cannot simply force American philosophy, American ideals, and American programs upon other peoples. We have to do it by practical example. We have to do it by showing the way by the light of accomplishment.

I am well aware of the fact that the Senate Judiciary Committee has given long and serious study to the immigration policy of our country. In 1947 the Senate adopted a resolution which directed the Senate Committee on the Judiciary to make a full and complete investigation of our entire immigration system. Beginning with July 1948, a special Judiciary Subcommittee began extensive hearings and investigations. As a result of these studies and deliberations made by a staff of experts under the guidance first of the former Senator from West Virginia, Mr. Revercomb and the senior Senator from Nevada [Mr. McCARRAN], the bill now on the floor of the Senate, S. 2550, is presented to us for Senate debate and action.

I have discussed the manner in which this bill was born and how it was presented. I repeat that, of course, the hearings which are before us, to which so much reference has been made, are not hearings on Senate bill 2550. They are hearings on Senate bill 716, House bill 2379, and House bill 2816. However, in all candor and fairness, those hearings covered the general immigration problems and the policies of our Government pertaining to immigration. It was as a result of those hearings that Senate bill 2550 was reported from the subcommittee and was brought to the attention of the full committee. Of this discussion in the full committee the minority members have said that no section-by-section analysis or consideration was given to the bill.

I must say, however, that the bill represents an impressive body of work. Both the staff and the members of the Immigration Subcommittee deserve the thanks of the Senate for the hours and energies which they contributed to our understanding of immigration legislation. I surely want to thank them. If I had not taken the time to read what they had prepared, I would not have had the insight to enable me to stand here and fight the bill. At least now I have the opportunity to protest, and to protest with a sense of understanding and with an appreciation of the wickedness which is encompassed within this bill. With all this appreciation of the work which has been done, we must be careful that our gratitude does not mislead us into enacting policy legislation which would be detrimental to the best interests of the United States, and which would run counter to the democratic traditions of our Government.

I should like to have the proponents of the bill tell the junior Senator from Minnesota what traditions of our Government this bill supports. I should like to have them tell me how the bill adequately reflects the philosophy of the Constitution of this land or of the Declaration of Independence. I should like to have them reconcile the bill with the doctrines of Thomas Jefferson, or the words of Thomas Paine. I should like to have them apply the terms of the bill to those valiant heroes who came to our land during the Revolutionary War and provided leadership for our armies. How many of them would have been excluded?

As I stated earlier today in colloquy with the Senator from Michigan [Mr. MOODY], I should like to have the provisions of Senate bill 2550 applied as a measure of immigration policy to the early days of this country, when the States were colonies. How many people would have gotten in? How many would have come to Georgia? How many would have come to the Carolinas? How many would have come in with William Penn? How many would have come to New York?

The distinguished senior Senator from Nevada is a powerful Member of the Senate. He is chairman of a committee which has a great deal of influence on the individual Members of the Senate. His years of service have given him a seniority position in our councils which cannot be ignored. He is certain, however, that no Member of the Senate is prepared to relinquish to him, to the majority members of his committee, or to his staff the right to substitute their collective judgment for the judgment of the Senate. Those of us who have risen and who will continue to rise and express our opposition to the McCarran bill are doing so in full recognition of the contribution which the Immigration Subcommittee has made.

It cannot be repeated too often that the bill that we are considering here today is one of the most complex and intricate which we have ever been asked to act upon. Immigration legislation has over the years become highly technical and specialized, so much so that most lawyers who do not have any special familiarity with the field are unable to find their way through it. I do not believe the Congress ought lightly to act upon such complicated and controversial legislation without knowing what it is doing, without full and adequate debate, and without full and adequate hearings.

I submit, Mr. President, that Senate bill 2550 has not been explained by its proponents. I submit that there were not adequate hearings upon this particular detailed piece of legislation, and I submit, in all candor and with due respect for the Members of this body—and that respect is great—that the chairman of the committee and the proponents of the bill have not served the public interest by their failure to give us a section-by-section, paragraph-by-paragraph analysis of the bill in oral debate. Why not? Are they afraid of the debate? If one is cloaked in the armor of truth, if he has the facts on his side, he need not be afraid.

Furthermore, there is the fact that those of us who are opposing the bill have been told repeatedly that we do not even know what is in the pending immigration legislation. We have even been told that we have not read it. If that is the case, it seems to me that the proponents of the bill should welcome the opportunity to debate and argue. I welcome the opportunity to debate the bill with them. I welcome the opportunity to engage in the challenge of honest, deliberative discussion. It is only in that manner that we can find out who is right and who is wrong. It does not please me to see those of us who oppose the bill compelled repeatedly to take time on this floor. It ought not to please American public opinion or those who believe in the parliamentary processes of government to have a bill come before the Senate and to have its sponsors ignore those who are opposing it, and ignore the arguments which have been made not only by fellow Senators but by many thousands of people throughout the country. That does not smack to me of democracy. Democracy has as one of its main vehicles free and open discussion, honest give and take on differences of points of view.

Mr. President, let me set some other matters straight. First, let me say that I resent the efforts which have been made on the Senate floor by those who support the McCarran bill to intimidate those of us who oppose the bill by tarring us with the brush of fellow traveler or Communist sympathizer. Those may be good back-alley tactics, but they are not the kind of tactics which should be employed in the United States Senate. The patriotism of Members of this body and their loyalty to the Government should be unquestioned. We took an oath to uphold the Constitution. That was a very sacred oath for me to take, Mr. President. It was a wonderful and noble privilege for me to become a Member of

this body. I dislike to have anyone indicating in debate, in defense of an indefensible document that because a Communist newspaper is against the bill, those of us who oppose the bill are following the Communist line. That is a very serious accusation for anyone to make.

Mr. President, let me show you how serious it can be. The chairman of the Judiciary Committee is recorded in the CONGRESSIONAL RECORD as voting on a number of amendments on the troops-to-Europe issue and on the Mutual Security Act in a manner consistent with the policy of the Communist Party. It would have been inexcusable, inappropriate, and thoroughly unfair for me or any other Senator at that time to point out the similarity in program between those who opposed troops to Europe and the Mutual Security Act and the Marshall plan, on the one hand, and the Communist Party, on the other hand, and thus attempt to becloud their character and the sincerity of their position.

Let me make the record clear that every Member of this body has a right to his point of view and that I respect his point of view. I know that such a point of view is arrived at on the basis of a Member's sincere conviction. I shall never contest the loyalty or the patriotism of Members of the Senate, nor use the specious argument that, because the Commies are in favor of something, if a Senator is in favor of it he is also in favor of the Commies; or if the Commies are against something, if a Senator is also against it, it means that the Senator is following the party line. There has been too much of that kind of talk in this country. There has been too much made of the charge of guilt by association. It seems to spawn and grow even in the Senate.

Mr. President, I likewise consider it a gross miscarriage of justice, and not worthy of the historic dignity of this body in any way, to use such smear techniques in connection with the present debate.

In my judgment there is no justification for allowing the Communist Party or the Communist press to determine the action of the Senate. As I stated the other day, I have had very little time, in view of my desire to read intensively on immigration legislation, to keep up with the latest editorial policy of the Daily Worker.

I submit that we would allow the Communist Party or the Communist press to determine the action of the Senate if we voted against a measure merely because the Communists happened to be for it, for whatever their own devious reasons may be.

No Member of this body can claim a monopoly on anticommunism. In that regard I take a back seat to no one. In fact in the very near future I plan to present to the Senate evidence of a deliberate campaign of vilification and distortion which the Communist Party and the Communist press are now engaging in against me.

It is my hope that this debate can be carried on in a gentlemanly fashion with dignity and intelligence. Those of us who oppose the McCarran bill will attempt to carry on the debate in that fashion. If those who support the McCarran bill prefer to use invective and character assassination as a substitute for facts and reasons, I am confident that the Members of the Senate who eagerly await an explanation of the bill will come to see that our presentation against the McCarran bill is a justified one.

The chairman of the Judiciary Committee and his colleague, the senior Senator from South Dakota, have attempted to make much of the fact that those of us who oppose his bill did not appear before his committee at the time that the omnibus hearings were taking place. He, likewise, has made much of the fact that it took 2 months after the introduction of S. 2550 before we were in a position to present an alternative bill, the Humphrey-Lehman bill, S. 2842. Such an argument, Mr. President, is spurious and misleading. S. 2550 reached the calendar on January 29, 1952, at the very time that it was introduced as a bill from the Judiciary Committee. It got on the calendar at the same time that it was introduced. It was a bill of 302 pages. I consider it a yeoman feat that we were able to present our alternative proposals in the short space of 6 weeks. We were able to do so only because we had been working on immigration legislation for more than a year and only because we were able to make use of much of the staff results of the Senate Judiciary Committee. The McCarran bill is heavy laden with booby traps. Those booby traps had to be unearthed, understood, and brought into the open. We did so. In doing so, I believe, we have performed a service for the Senate. Had we not made our study and introduced our legislation, Members of the Senate would be, today, voting on a bill which they did not understand and which they would not be able to explain to their constituents.

Soon after the introduction of our omnibus bill we asked the Senate Judiciary Committee for hearings. We hoped that it would be possible for us to sit down around a table, explain our differences with the McCarran bill, and arrive at some better understanding of the issues. Our request for hearings was never granted. Not only were no hearings held on the Humphrey-Lehman bill introduced on March 12, but no hearings were held on S. 2343, the Lehman-Humphrey bill introduced on October 20, 1951. It is no excuse to say that hearings were held in 1948, 1949, or 1950, or that those hearings were held before one or two committees. We asked the chairman of the Judiciary Committee for an opportunity to be heard on our bills and we were denied that opportunity—that is the fact.

There is one final word I wish to say by way of introduction before setting forth in summary form our further objections to the McCarran bill. Let me say that my main objection I have already made. It is an objection to the philosophy of the bill and to what it would mean to us in our relationship with the rest of the world.

We have introduced a series of more than 100 amendments to the McCarran bill. We have made it clear that we plan to ask the Senate to recommit the bill to the committee. To these declarations of intention the senior Senator from South Dakota and the senior Senator from Nevada have loosely charged a filibuster by amendment. This charge surprises me, not only because of its inaccuracy, but, also, because of its more serious and dangerous implications. It is inaccurate, as Members of the Senate know, as evidenced by the fact that we were prepared to begin the debate on this bill last Friday and that the debate did not begin because of the request of the chairman of the Judiciary Committee. The charge is disturbing to me because I believe it is part of a pattern of hiding the facts in connection with the immigration bill. On Friday we were promised a section-by-section explanation of the McCarran bill. That has as yet not been forthcoming. It has been our hope that we could discuss this bill in its detail, but on Tuesday, when the chairman of the Judiciary Committee rose to defend his bill, he refused eight times the request of the distinguished junior Senator from New York that he yield for a question and twice the request of the junior Senator from Illinois and the senior Senator from Michigan that he yield for a question. Instead, he yielded extensively for inaccurate and misleading remarks by the senior Senator from South Dakota, who charged a filibuster.

In an attempt to obtain a discussion of the merits of this legislation we have introduced our amendments. Needless to say, they are manifold. Each of them sets forth an area of controversy between our position and that of the Senator from Nevada.

Instead of welcoming discussion as a way of ascertaining the facts, we have been charged with filibuster by amendment. We have been told that it is dangerous to tamper with amendments. Mr. President, I charge that it is dangerous to legislate by secrecy; that it is dangerous to legislate through misinformation and lack of information; and that it is dangerous to avoid healthy debate and discussion.

We are not attempting to avoid a vote. We are instead preparing for such a vote. We are educating ourselves, and we hope that we are thereby informing the Senate, and may I remind the Senate that among our forces there are four members of the Senate Judiciary Committee? May I also remind the Senate that the minority report from that committee likewise charges inadequate consideration by the committee. It points out that the bill did not receive a section-by-section discussion by the committee before final action. It points out that the bill was acted upon in committee before final reports were received from the State Department and the Justice Department. It calls for further and more detailed study.

Senate bill 2550 is being presented to us by the Senator from Nevada [Mr. McCARRAN] as an omnibus immigration bill codifying existing immigration law. It is, however, more than that. In my judgment, it is, in fact, not an immigra-

tion bill alone; but, more than that, it is an exclusion and deportation bill. Furthermore, it does more than codify the existing law. It seriously changes the existing law.

This has been brilliantly, elaborately, and expressly described by the Senator from New York [Mr. LEHMAN], the junior Senator from Connecticut [Mr. BENTON], the senior Senator from Connecticut [Mr. MCMAHON], the junior Senator from Rhode Island [Mr. PASTORE], and the junior Senator from Michigan [Mr. MOODY]. I repeat that the record of their debate is one which will go down in the annals of congressional debate as being of the finest. The research which was done, the preparation which was undertaken, and the delivery which was made indicate the careful thought and the sincere consideration which have been given to this legislative proposal.

I am in favor of some of the codification features of the McCarran bill. If the purpose of the pending bill, however, is only to codify, why have not we been given a simple, noncontroversial codification bill, which we could have gotten out of the way quickly, before tackling the second aspect of the bill that now is before us, namely, that of making major changes in our present immigration policy. In fact, if the distinguished senior Senator from Nevada would be willing to prepare at this very moment a pure codification bill with but one or two amendments designed to eliminate racial discrimination, I would immediately and readily join with him in asking the Senate to pass the bill without further delay.

However, the pending bill is more than a codification; it is a drastic rewriting of our immigration laws. It not only incorporates the statutory errors of 30 years ago, but it adds many more. We could fill volumes of the CONGRESSIONAL RECORD if we were to point out the changes which the McCarran bill would make in existing immigration legislation. My colleagues and I have already presented some of those changes to the Senate. We are prepared to present many more, Mr. President.

The omnibus bill is no small matter. It deals with the lives and destinies of thousands of human beings—citizens, alien residents, and persons who perhaps will be immigrants. It is for that reason that we must devote to the bill our utmost reasoning. It is for that reason that we plead for serious study of the bill. It is for that reason that we are prepared to suggest that the committee give the matter further study. This is the kind of legislation that may come up once in a generation. If we act hastily or without full knowledge of the entire background, there may not be a chance for many years to come to correct our mistakes.

The proponents of the McCarran bill urge its support on the ground that it removes racial discrimination in our immigration laws. That statement is but a half truth. The bill takes a very necessary step forward in removing some discriminatory provisions of our immigration laws, but it perpetuates and adds many others.

In recent moments, we have already discussed this point in colloquy between the Senator from New York [Mr. LEHMAN] and myself. The fact that provision for a new type of exclusion or of discrimination is incorporated in this bill indicates, I believe, that we have not removed racial discrimination from the immigration laws of the United States.

At the outset let me say that the McCarran bill apparently has a philosophy. Its philosophy is incorporated in Senate Report 1515, Eighty-first Congress, second session, The Immigration and Naturalization Systems of the United States, a report of the Committee on the Judiciary. This report is a lengthy volume of 925 pages, plus an index of 26 pages and a table of contents of 15 pages more. Chapter I of that report purports to discuss scientifically the question of race. I invite the attention of the Senate to the first few pages of that chapter. It is filled with anthropological inaccuracies and unscientific statements—theories which have been repudiated by modern science. At this point, I read a statement by Dr. T. D. Stewart, curator of physical anthropology for the Smithsonian Institution, commenting on chapter I. He made this statement pursuant to an official request from my office. His statement reads as follows:

> The material covered in the chapter referred to above is divisible into two parts: (1) race classification, and (2) demography. Since the demographic material is considered on a national rather than a racial basis and since I cannot qualify as a demographer, I will limit my opinion to the racial portion of this chapter.
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> What is said about race classification is innocuous, from the standpoint of racist ideas, largely because it is based on Blumenbach's writings of 1775. This means that all of the contributions to anthropology since our Nation was founded have been ignored. At that time the American continent was not fully explored, let alone the interiors of Asia and Africa. Obviously any classification of peoples as of that date would not be complete.
>
> Blumenbach's racial classification of 1775 is of historic interest and for this reason is usually mentioned in writings on race. The unmodified classifications is not widely used today. Thus the justification for going back to Blumenbach in the present instance—namely, because his classification "is quite commonly used in studies dealing with the subject of races and peoples"—is equivocal.
>
> Actually the continued use of this ancient classification is due to precedence. Folkmar in his Dictionary of Races and Peoples—Senate Document, No. 662, Sixty-first Congress, third session, 1911—says that he "deemed it reasonable to follow the classification employed by Blumenbach, which school geographies have made most familiar to Americans." Also in many ways the present statement seems to be an abbreviated version of Folkmar's. This resemblance appears especially in the names applied to the racial groups. On the other hand, minor errors, particular of a linguistic nature, have crept into the new text.
>
> In matter of philosophy the idea seems to be to clothe the whole subject of race in obscurity and to ignore advances in knowledge. However, anything of this sort has very little significance here anyway since the race concept is not used beyond chapter 2 and since the proposed new immigration bill "removes the last racial barrier, both to immigration and naturalization" (p. 608).

Note, Mr. President, the comment, "What is said about race classification is innocuous." Dr. Stewart, it will be noted, took at face value the statement made, in behalf of the proponents of the McCarran bill, that it "removes the last racial barrier, both to immigration and naturalization." Hence he believed that the race system analysis in the report has very little significance. Alas, Mr. President, that is not true.

The sponsors of Senate bill 2550 seem proud of their claim that their bill abolishes discrimination. Then they go right ahead and write a bill which on its face is discriminatory. It is a bill which says to the peoples of the world, whose friendship we need if we are to prevail in the struggle against Communist ideology, "After giving the matter our considered thought, we in the Senate have concluded that we were wrong when we said in our Declaration of Independence that 'all men are created equal' ".

Mr. President, I believe that Thomas Jefferson was right, and I believe that the Judiciary Committee is wrong. I will rest my case with the doctrine of the Declaration of Independence, rather than with the doctrine of the McCarran bill. I think many more people—both those who are students of democratic political institutions and those who are just practical, every-day people in a great democratic society—will agree with my position. I think they still believe in the Declaration of Independence. I do not think they wish to turn their backs on the great creed which is at the basis of our faith, namely, that all men are created equal.

However, Mr. President, if some persons have their way, we are about to turn our backs on that great creed and on the Preamble of our Declaration of Independence. I must say with equal candor, Mr. President, that before such persons have their way, they will have to fight for it. They will not take such a step without definite opposition. There will be very strong opposition to a bill such as the pending one. In many respects, the position taken in the pending bill is both erroneous and fallacious. Again I challenge them to prove the soundness of their position.

Of course, Mr. President, in boxing circles it is required that the opponents come out fighting. However, it seems that the proponents of this bill think that in the Senate it is possible to present a bill, refuse to explain it, and just ease it through.

Mr. President, some of us understand the pending bill, and we have been talking about it to many other persons. In addition, some of the editors, some of the churchmen, some of the great fraternal groups of America, some of the every-day people of our country—including Protestants, Catholics, and Jews—understand the pending bill, and they do not like it. Not only that, but they have made their voices heard, and they have notified their representatives in this body of their dislike of many of the provisions of the McCarran bill. I say it is an affront to the intelligence and to the decency of these groups to ignore their pleas and to ignore their objections.

I should like to have some member of the Judiciary Committee answer the eloquent speech of the Senator from Rhode Island [Mr. PASTORE] who brought out information which needs to be answered. The Senator from Rhode Island is a brilliant Senator. He has an incisive mind, and he has strong feelings. Yet he has not even been paid the compliment, nor has he been paid the tribute due a fellow Senator, of a reply to the charges which he leveled on the floor yesterday against this bill.

Mr. President, the people of the United States are not going to let happen the inequities and injustices which would be perpetrated by the McCarran bill. Because the American people are proud of their country, they are not going to permit such a bill as this to be written into public law, merely because the Senate of the United States is asleep on the job. They are not going to permit the Senate to legislate a policy which is a repudiation of the basic traditions of the United States.

Mr. President, there will be an accounting; do not worry about that. I wish to say to my fellow Democrats on this side that they had better reexamine the meaning of the Democratic Party before they start to support a bill such as this. I ask those who worship at the shrine of Abraham Lincoln, who believe in human equality, who believe in government of the people, by the people, and for the people, who believe in people, who believe in the common man, the common people, as Lincoln put it—I ask them to reexamine this bill before they adulterate their political program by voting for this measure.

Mr. President, some of our colleagues are sitting in Appropriation Committees hour after hour. That is why some of us on the Senate floor are making this fight, in order that our colleagues may read the RECORD and understand what this debate is about. These men have tremendous responsibilities. The present occupant of the chair [Mr. JOHNSON of Texas] a member of the Armed Services Committee, who took a very courageous stand in behalf of the Mutual Security Act—he, too, has been necessarily tied up in committee. A great variety of legislation comes before the Senate. It is not merely this bill which engages the attention of Senators. One of the reasons why those of us who feel so deeply about this measure are endeavoring to present the issues fully on the Senate floor is to enable our colleagues, who are busy with their work on committees, to read the RECORD and come to a realization of what is about to be done by the Senate, unless we stop it.

Mr. President, in debating this bill let us be frank and truthful with one another. It does not abolish racial discrimination. It discriminates against people living in Southern and Southeastern Europe. It discriminates against Negroes and it discriminates against orientals and part orientals. That is a fact. That is what the bill does; and I remind my colleagues that the people I have just mentioned are some of the people whom we need as friends.

Let me turn to section 202 (a) (5) of the McCarran bill. Our laws today classify aliens for purposes of immigration according to the country in which they were born. This is what the Senator from New York was referring to awhile ago. That principle will be continued under the McCarran bill for all people—except orientals. A person of oriental or part-oriental descent who comes from within an artifically designated area of the world called the Asia Pacific triangle—by the way, whoever thought up that one? What kind of new geographers do we have around the Senate? "The Asia Pacific triangle." We take the map of the globe and we cut it as we would cut a piece of pie, into a triangle, and we say to those in that triangle, where the majority of the population of the world is to be found, where our real problems are pressing for solution, where our sons are dying, where many people have already been snared and snatched into the Communist trap, "Now, we are going to treat you a little bit differently. We are going to try to relegate you to a sort of second-class status in the brotherhood of mankind. In other words, you are really not in the brotherhood: you are a sort of second cousin, just on the fringes." Mr. President, a person of oriental or part-oriental descent who comes from within an artificially designated area of the world called the Asia Pacific triangle does not qualify for admission to the United States on the basis of the country of his birth, but rather on the basis of his racial origin, and he is arbitrarily assigned to the minimum or near minimum quotas for those countries within that so-called Asia Pacific triangle. Thus a person born in London of a British father and an Indian mother, as I mentioned awhile ago, would not qualify for immigration on the British quota as any other London born child would. Because of his racial origin he would be assigned to the smaller Indian quota. Here the McCarran bill is telling this person, "You who may have 50 percent Indian blood in your veins are not as good as the other people in London. We don't like your mother's race. We want to be sure that we get as few as possible of your kind into our country." That is what we are saying.

Mr. President, can such a bill, incorporating a blood theory, be called a bill which abolishes racial discrimination in immigration? The last country which proposed a blood theory was Nazi Germany; and I hope that everyone knows what happened to her. I say to my fellow Americans it is about time we repudiated this fascistic nonsense, this false philosophy. The blood theory does not belong in this country. This kind of discrimination is foreign to everything for which America stands. It is bad enough to hear people talk about it; it is bad enough to have private groups say they are for it; but it is inexcusable for the Congress of the United States to legislate it and make it a public law.

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

Mr. HUMPHREY. I yield to the Senator from New York.

Mr. LEHMAN. I wonder whether the Senator from Minnesota realizes that, although we have been speaking thus far about an oriental born in England, or about persons of half oriental and half British blood, under the pending bill the same disability, the same discrimination would be practiced in every country in the world, not alone in England, Belgium, Holland, or Germany, but also in Canada, in Mexico, in Brazil, in the Argentine, in Peru, in Venezuela and in all other countries. As the Senator knows the people of those countries, amazingly have no quotas at all.

Mr. HUMPHREY. They are nonquota.

Mr. LEHMAN. They are nonquota. They can come in 50,000,000 strong if they want to, if they are otherwise qualified. The only persons who are discriminated against are the orientals.

Mr. HUMPHREY. That is correct. Let us consider countries like Peru or Chile. They, too, have been fortunate in having persons emigrate to their shores, though, of course, most of their citizens are native born. Most of the natives of the Western Hemisphere are nonquota under our law. They can come to the United States if they qualify under the standards of immigration. Those standards apply to all persons. But if a native of the Western Hemisphere who is of Chinese or Japanese or Filipino or any other oriental descent presents himself, he does not so qualify. He is charged to the quota of the country from which his ancestors came.

Mr. LEHMAN. His family may have been in another country five generations, as a matter of fact.

Mr. HUMPHREY. That is correct. If they are persons of oriental ancestry——

Mr. LEHMAN. Of one-half oriental blood.

Mr. HUMPHREY. How can that be determined?

Mr. LEHMAN. I do not know.

Mr. HUMPHREY. There may be some very shrewd doctors in this body, but no doctor has yet been able to determine a difference between the blood of a citizen of the Republic of India and the blood of a citizen of the State of Minnesota or of the State of New York or of the State of Nevada, or of any other State. I say, how is it determined? A quick look is taken. Who takes that look? The consul takes it before he decides one way or the other.

Let us reflect for a moment on the manner in which this provision would be enforced. I should like to have the doctors, the blood specialists, on the Judiciary Committee tell me how that provision is going to be enforced.

How do we know whether the applicant for immigration has one-half or three-eighths or one-eighth blood of an ancestor from a country within the Asia Pacific triangle? It will presumably be necessary for our consuls physically to examine every single applicant.

I suggest that the staff of the Judiciary Committee concentrate their attention on this classical medical problem. Let us assume that the persons examined do not have any birth certificates or family records. That is entirely probable. How do the technicians of the Judiciary Committee, how do the consuls

of the State Department, or the Immigration Office of the Justice Department, determine whether a man has one-eighth, two-eighths, three-eighths, or four-eighths of so-called oriental blood? When they work that out they will have made a discovery which will be one of the greatest contributions of the United States Senate to the cause of medical science.

It will presumably be necessary for our consuls physically to examine every single applicant. No matter how many blood tests a person may be given, his ancestry remains hidden. That is the $64 question in this bill. It is the secret within the McCarran bill, and it is something its proponents do not want to talk about. But I should like to get an answer.

No matter how many blood tests a person may take, one's ancestry remains hidden, for the blood of a white man and the blood of a dark man are the same. Thus, our consuls will be forced to judge by appearance. If they find something oriental about the applicant's appearance they will become suspicious and will then have to check on the origin of his parents, his grandparents, or perhaps even a few generations back. This, Mr. President, is not only disgraceful, it would be harmful to our position all over the world to have our consuls spending their time analyzing the pedigrees of prospective immigrants.

Thus, the sponsors of the McCarran bill who claim that their bill removes the last racial barrier in our immigration and naturalization laws next say they have a good reason for discriminating against orientals and part orientals. That is what they finally get around to saying, Mr. President. They say it in the alleged factual résumé which is on the desk of each Senator. I place quotation marks around and underscore the word "alleged."

It is said that if we did not discriminate against orientals our country would be flooded by them. This, Mr. President, is another bogey. It is sheer nonsense. I submit that it is not supported by any fact, past or present, and it is not even supported by theory. It is supported by an assertion, by a plain, outright statement, without any evidence whatsoever to give credence to the statement. That seems to be the technique of the proponents of the bill. It is a hit-and-run policy.

Let us take a look at the facts.

First, so far as quota countries are concerned our laws have established a numerical limitation on immigration. So this so-called flood of orientals could not come from those countries. They could only come, therefore, from the countries of the Western Hemisphere where there is no quota limitation. Let us examine that argument.

There are today about 900,000 people of oriental origin in Latin America. A good number were born outside the Western Hemisphere and hence cannot qualify for a nonquota status since nonquota status is granted only to those born in the Western Hemisphere. I do not know what proportion of the 900,000 people of oriental origin are natives of Latin America. Many of the proponents of S. 2550 say that two-thirds of them—600,000—would thus qualify and they say would pack their bags and move to the United States lock, stock, and barrel.

This is a strange argument for me to understand. Under our laws today without the enactment of the McCarran bill about 149,000,000 Latin Americans of white, Negro, and Indian stock could qualify for a nonimmigrant visa and theoretically could flood the country. Under the McCarran bill no change would be made in their eligibility and no steps would be taken to meet this alleged threat. The reason is that these Latin-American citizens are not flooding into the United States.

Many of them love their own countries, just as we love ours.

Mr. President, last night I had the opportunity of looking at the television for a little while. I saw a chap from Mexico who had just won the world's lightweight boxing championship from a citizen of the United States. The announcer said, "Are you not proud to be lightweight champion of the world?" The man replied, "I am champion of Mexico. I won it for Mexico."

That told me something. It told me that other people are proud of their countries. We are not the only people in the world who are proud of their homeland. Many other people love their countries just as we love ours. They are at home there, and they want to stay there. Those who wish to emigrate to the United States must meet all the requirements which our law prescribes concerning health, morals, literacy, and loyalty to the democratic form of government. Every one of them must furnish proof, in the form of affidavits, from relatives or friends in the United States, that he will not become a public charge.

That is why in spite of the fact that 150,000,000 people in Latin America are eligible for application for a nonquota immigration, less than 15,000 have been entering this country annually. In other words the ratio of immigration into the United States from Latin America has been less than 1 in 10,000 per year. If we apply that same ratio to the alleged 600,000 Latin Americans of Oriental stock who would be made eligible for nonquota immigration we would only have less than 60 persons a year entering the United States. If the United States cannot absorb 60 more persons a year within its borders then indeed we are a failing society. Mr. President, such an influx under no sense of the word and no matter how wild the imagination can be called a flood. It has been called that, but the statement has not been substantiated.

While we are on this question of racial discrimination let us look at another section of the McCarran bill—section 202 (c). This hits directly at the immigration of Negroes from the West Indies—without saying so. It provides that not more than 100 persons may enter annually from any one colony. This is a change from existing law. Under existing law we have been assigning colony immigration to the total quota available to the mother country. Within that quota, therefore, a native of Martinique, for example, has the same standing as a native of Paris. Under the McCarran bill this would be changed.

What we are doing here again, therefore, is to turn to the people of these islands in the Western Hemisphere, so important to us for bases during World War II, so important to our defense of the Panama Canal, and so vulnerable to Communist propaganda and subversive activities, and we are telling them, "We are discriminating against you. We think you are not as good as others in the Western Hemisphere and that you are not as good as Europeans. We are going to cut you down."

I think that is a very sad mistake. There would be no flood of these people into the United States, because they, too, must meet the same standards met by all other people throughout the world who wish to come to our country. The number that would come would be very limited, but at least they could come on the basis of equality of treatment, rather than under the very discriminatory formula, which is so evident in the McCarran bill.

Mr. President, I understand that the Senator from Texas [Mr. JOHNSON] wishes to call up a conference report. I therefore ask unanimous consent that I may yield to the Senator from Texas.

May I ask the Senator from Texas if at the conclusion of the consideration of the report it would be possible for the Senate to recess and resume tomorrow, when I might continue with my presentation?

Mr. JOHNSON of Texas. Mr. President, I may say that I appreciate the courtesy of the Senator from Minnesota in yielding for the purpose of my presenting a conference report on the pay bill for the Army, Navy, and Air Force. I am not informed as to the plans of the majority leader, but soon as the report is laid down, I will consult him and inform the Senator of his wishes.

Mr. HUMPHREY. Very well.

(At this point Mr. JOHNSON of Texas presented the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bill H. R. 5715, which appears elsewhere in the RECORD under the appropriate heading.)

THE QUOTA SYSTEM

Mr. HUMPHREY. The next subject I should like to discus is the subject of our quota system which is based on the principle of national origin. This principle in my judgment is likewise a basic discriminatory one, not consistent with the best interests of our country and not consistent with the democratic foundation stones of our society. It requires modification.

Our present quota system came into being in 1929. It has been in operation for 23 years. It has proven to be inadequate as witnessed by the fact that in 1948 it was necessary for us to enact the Displaced Persons Act to take care of the crying need of that chaotic period in world history.

The quota system has two aspects to it. It establishes an over-all ceiling on

ordinary immigration from outside the Western Hemisphere. I want to make it clear that I am in agreement with that provision. There are limits to the numbers of people that our country can absorb at any one time, and it is, therefore, essential that immigration take place in an orderly way within the limits of our absorptive capacity.

It is the second aspect of the quota system with which I take issue, however, that which discriminates as between people on the basis of their national origin.

Mr. President, I have the honor to represent a great State in the Senate. Our State drew its population from many parts of Europe. We are proud of that fact and at times call ourselves a United Nations in miniature. Our population includes people of Scandinavian, German, Slavic, Irish, Greek, French, and other origins. We are all equal in Minnesota—good Americans. We are good citizens regardless of where our parents, grandparents, or great grandparents came from. I like that principle. It is what made America great. It is what built our country. I do not approve of a law which violates that principle. The McCarran bill would perpetuate a system which violates that principle.

In 1924 it was decided that quota immigration would be limited to about 150,000 a year—approximately one-eighth of 1 percent of the 1924 population of the United States. Today the McCarran bill, by keeping the ceiling of 150,000, would fix immigration at one-tenth of 1 percent of our 1950 population. But our laws go further. They split up these 150,000 among the various countries of the world, in proportion to the number of Americans living in 1920 who could trace their origin to that country. As a result, by far the largest block of quota members goes to Great Britain at the expense of practically all the other countries, but most particularly at the expense of the countries of southern and eastern Europe.

As a result today some of the country quotas like that of Norway, Denmark, Italy, and Greece become heavily oversubscribed while other countries like Great Britain do not even use half of the quota numbers allotted to them. Since under our laws all unused numbers are declared forfeited, although theoretically 150,000 numbers are made available every year, only 40,000 to 80,000 are actually used.

Mr. President, if we decide that we can allow 150,000 or any other number on which we can agree to come into this country as quota immigrants, we ought to stick by that figure. I am not happy about any law which would discriminate within the 150,000 against the Danish, the Norwegians, the Finnish, the Polish, the Czechoslovakians, the Hungarians, or the Rumanians. We have many such people in my State, Mr. President. Those immigrants are, in fact, discriminated against under existing law and under the McCarran bill. Let me show how. Under the quota system any Englishman can today enter the United States as an immigrant, because the 66,000 British quota numbers are not used to any signficant extent. A Danish citizen, however, who might want to come over to the United States to join his family and become an American citizen will have to wait 6 years because the Danish quota is oversubscribed for that period of time. We could use a great many more good Danes. The Norwegian quota is oversubscribed for 7 years. We could use some more good Norwegians in this country. The Finnish quota is oversubscribed for 6 years. We could use more of the good people of Finland, whose courage is second to none. And so on down the line. Each quota is oversubscribed.

Unused quota numbers are being forfeited at the rate of over 70,000 per year. This is particularly tragic to Italy, Greece, and Germany where an adjustment of the population situation would help solve the economic problems upon which communism feeds.

Think how wonderful it would be if we opened our doors to a few thousand more people of German extraction. I have been in Germany, and I know that the problem of the expellee or refugee is one of the most serious political and economic problems in Germany. I can testify that there are no finer citizens in the world today than people from Germany. They have proved themselves in this country. They are the best of farmers and mechanics. They are great artisans. They are skilled workers and fine managers. It seems to me that it is a ridiculous policy to close the doors to those people who would like to come to the United States. The same thing can be said of the Greeks, the Italians, the Danes, the Finns, and the Rumanians.

Members of the Senate are well aware of the so-called ethnic German problem in Western Germany. These ethnic Germans do not qualify for the German quota because they were not born in Germany. They must qualify under the rather heavily oversubscribed quota of Poland, Czechoslovakia, Hungary, and Rumania.

I can see no logical reason why the unused quota numbers should not be made available to people who are on the waiting list for oversubscribed quotas. Our standards for admission ought to be based on qualifications of health, morality, adherence to principles of democratic government, and evidence of economic support. America needs compassion for human suffering and the desire to reunite families.

I do not want to seem sentimental, but it is about time for us to begin thinking about compassion for human suffering, and the desire to reunite families.

Our system of admission should not be based on race or on nationality. As one who traces his ancestry to the Anglo-Saxons, I say I do not approve of legislation which provides a decided and exclusive preference for Anglo-Saxons. Perhaps I should correct that statement. My ancestry was Anglo-Saxon on my father's side. My father's ancestors arrived in 1689 in Dudley, Mass. On my mother's side it was Norwegian. My mother was 7 years old when she came to this country from Norway.

The problem of absorbing immigrants from whatever their culture may be is not a serious one so long as our quota immigration is limited to one-tenth of 1 percent as under S. 2550, or one-sixth of 1 percent as under S. 2842. These figures mean that within 30 years, in one whole generation, the maximum immigration of people from all nationalities cannot be more than 3 to 5 percent of our present population. There is no doubt but that our culture is strong enough to absorb that number over a period of 30 years.

I agree with what the Senator from Rhode Island [Mr. PASTORE] had to say in his brilliant speech on the floor of the Senate yesterday. I know the depth of the sincerity which moved him, and the feeling he had for his people and his background. He pointed out the inadequacy and the inequity of the McCarran bill.

The quota system, based upon the census of 1920, discriminates against the people of Italy, as it does against the people of Greece, Austria, Hungary, Rumania, Bulgaria, and countries in the south and southeast of Europe.

Mr. President, earlier today the Chancelor of Austria, Dr. Figl, visited the Senate. It was my privilege to meet him in Vienna. He is a man of courage, a man of vision, a man of great patriotism and a defender of his people and his country. He has been a stalwart champion of our fight for freedom in the world.

I should like to remind the authors of the pending bill that their bill does not treat Austria too well. There are many Austrians who would like to come to the United States. We have some Austrians in my State, and they are wonderful people. They are good citizens. There is room in America for their kind of people. There is room in America for people who qualify under the standards of morality and health, economic well-being and devotion to democratic principles. There is plenty of room for them. We will need such people, Mr. President. No matter how one may look at it, a leavening of such immigrants is good for business, it is good for the strength of the Republic, it is good for production, and it is good for the health of our political economy.

America is not poorer because of the more than 300,000 displaced persons who came into our country. We are richer. America is not any poorer because she permitted from ten to fifteen thousand orphaned children from Europe to come to her shores. We are richer, and we are happier. Some people who never had children got a little family music in their homes. It is good for them. They are enjoying it. They are all the happier.

Mr. President, our country will not become weakened, nor will it become despairing, because foreign peoples come to its shores. The only time that America really found itself in trouble was when we started to close down our gates, when we removed the welcome mat, when we put out the lights in the Goddess of Liberty statue, and when we started to worship the stock market, the ticker tape, and all the other speculative ap-

paratus. That was the time when we started to worship false values. We were all in it. We ended up in 1929 with our own people sick and unemployed. From 1929 to 1933 the United States was in a period of immorality and in a period of depression the like of which it has never experienced. From that time on we took a little different attitude. We began to think of people. We began to think about government in its relationship to people.

Mr. President, I am sorry to say that that trend is now being reversed. I am sorry to say that that noble period in American history, which historians will record as a wonderful, humane period, from 1933 on up and through World War II, is now being reversed. This bill is a cardinal example of the reversal of the trend, or a reversal of the period. We had better take another look, Mr. President. We had better not let it happen.

It is strange to me that those who prefer a bill giving a decided and exclusive preference to Anglo-Saxons do, in fact, not pay due deference to one of the finest Anglo-Saxon contributions to our world's civilization, namely, the Anglo-Saxon system of justice. Under Anglo-Saxon law restraints are imposed on the exercise of arbitrary authority by the executive and the power of judicial review is given to the courts. That is what we mean by due process of law. Mr. President, I regret to say that this fine tradition is seriously impaired in the McCarran bill, where a man's fate as to entry, deportation, or naturalization will depend on "the opinion of the Attorney General" rather than a judicial proceeding under due process of law.

An immigration visa is one of the highest privileges which our country can bestow on an alien. Our visa rules should be examined and applied carefully. We must keep out undesirable aliens and encourage the entry of those who have a contribution to make to our society. Let us now analyze how some of the provisions of the McCarran bill abuse this standard.

Let us first look at sections 212 (a) (9) and (10) of the bill on pages 50 and 51. I agree wholeheartedly with the provision in subsection (9) barring persons from the United States who have committed crimes involving moral turpitude. I ask the Members of the Senate, however, to look carefully at subsection (10) which goes beyond that test of moral turpitude and would exclude persons who have been convicted of crimes not involving moral turpitude.

It seems clear from a reading of subsection (10) that the Senate Judiciary Committee did not intend to exclude from entry into the United States persons convicted of purely political offenses. That section, however, would, in fact, exclude such persons. It states that persons convicted of two crimes not involving moral turpitude would be excluded so long as the aggregate possible sentence for the crimes was more than 5 years.

In my judgment, as I mentioned in the colloquy with the Senator from Michigan [Mr. MOODY], Cardinal Mindszenty, that great churchman, would thus be excluded from entry into the United States. Let us see how this provision works.

It is well known that when the Communists wish to try a political opponent they do not want to make a martyr out of him. They will do their best to show the public that he is a man of low moral character and a petty crook. To accomplish that they frequently tack on to the political charges other charges that have nothing to do with politics. The case of Cardinal Mindszenty is a good one in point. That distinguished churchman was tried on 4 charges. Two of them were purely political and would, therefore, not disqualify him under section 212 (a) (10) from entering the United States. The charges were the charge of treason and the charge of heading an organization to overthrow the Hungarian Government. That is what the Communist Government of Hungary charged against Cardinal Mindszenty. Those were the political charges.

However, there were two other charges. The other charges against Cardinal Mindszenty were, first, the "crime" of neglecting to report foreign exchange and, second, the "crime" of speculation. Neither of these "crimes," Mr. President, involved moral turpitude. Of course, there was no proof that he was guilty of any of the crimes charged against him. I wonder if the authors of the McCarran bill know that Cardinal Mindszenty was convicted by the Communist government of Hungary on all four charges, including the two nonpolitical charges. He would, therefore, be barred from this country under S. 2550, the McCarran bill. This is the bill which is supposed to protect American institutions from Communists. Believe me, Mr. President, it would not protect America from Communists, but would keep from coming into this country men of ability, background, experience, and stature, such men as Cardinal Mindszenty.

This example can be repeated a thousand times, Mr. President, because any courageous political leader, any man who is willing to fight the forces of oppression behind the iron curtain, will have the police state gestapo after him, and will be charged not only with political crimes, but also with crimes of a different nature. As a result, he will be sentenced to jail, if not liquidated; and in the former case he will be sentenced not only for the alleged political crimes, but also for the alleged other crimes. Under the provisions of the McCarran bill, if the sum total of his terms of imprisonment is 5 years or more, he cannot be admitted to the United States.

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

The PRESIDING OFFICER (Mr. JOHNSON of Texas in the chair). Does the Senator from Minnesota yield to the Senator from New York?

Mr. HUMPHREY. I yield.

Mr. President, the cases to which I was referring a moment ago are those relating to potential immigrants. We must remember that many persons who seek to enter the United States have been the victims of the cruel and inequitable treatment of th Communist police state, with its courts and G-U and Gestapo, and that therefore thousands upon thousands of such persons have received jail sentences for telling the Communists that they do not like the Communists' miserable rule. Likewise jail sentences have been imposed on persons for refusing to abide by the dictatorial decrees of the leaders of the Fascist states and their block captains and their gauleiters, or whatever they are called.

Mr. President, we need in our country people who are courageous enough to take such stands; we need in the United States of America people who will stand up and resist tyranny or dictatorship, from whatever source it may flow. The authors of the McCarran bill, however, do not seem to be aware of the tactics of the totalitarians when they really wish to punish a valiant, courageous, freedom-loving person. I repeat that in such cases the totalitarians not only subject their victims to Communist brutality but charge them with political crimes: and, then, in order to make sure that the public throughout the world will realize that they are alleged to be guilty of something worse than crimes against the police state, the Communist leaders charge them with all sorts of other alleged crimes. It is conviction of the latter which would bar such persons from entering our country as immigrants.

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

Mr. HUMPHREY. I yield.

Mr. LEHMAN. Earlier in the colloquy I referred to the case of a Jew who, during the Nazi regime, might have refrained from reporting a change of address. That action would then have made him liable to arrest and conviction, and as a result he would be barred from entry into the United States, under the provisions of the pending bill.

Mr. HUMPHREY. That is correct.

Mr. LEHMAN. Such a person might have failed to register, for instance, because he was afraid that if he did register he would be seized and sent to a concentration camp, and ultimately placed in a gas chamber. Certainly no moral turpitude is involved in either of those so-called crimes.

On the other hand, there is no doubt that in either case, if a person had been convicted and sentenced to jail in a country activated by totalitarian considerations, and having a philosophy and standards entirely different from our own, the conviction for such an alleged misdemeanor would, under the provisions of the McCarran bill, constitute grounds other than the ground of moral turpitude, for his exclusion from entry into the United States.

I gave as another example of that situation that of a Catholic priest who was teaching religion to a child, contrary to prescribed regulations, for instance, possibly in Czechoslovakia or in Hungary. Conviction of such an alleged crime would constitute a ground for the exclusion of the Catholic priest from admission as an immigrant to the United States, even though not the slightest moral turpitude was involved.

Mr. HUMPHREY. The Senator from New York is entirely correct. His knowledge of these matters is so extensive that he can bring up case after case and example after example in regard to how the pending bill would apply to refugees.

Mr. President, as another example showing how the pending bill would apply to a refugee from one of the totalitarian states, I have mentioned the case of a person convicted of violating the many oppressive and restrictive laws of the police state. We know that wthin the Soviet orbit a man can be convicted of a crime for changing his job without permission, or for being late to work, or for failing to meet his production quota, or for moving from one city to another without permission. Such a man, Mr. President, might well prove to be a welcome addition to the United States. Under the terms of the McCarran bill, however, that man would have been convicted of crime and would be barred from entering the United States.

Mr. President, I realize why the sponsors of the pending bill do not wish to debate it. They are unwilling to debate the bill because many glaring inaccuracies and inequities are to be found in page after page of the bill.

The Humphrey-Lehman bill, Senate bill 2842, and an amendment which we have submitted to the so-called McCarran bill—and that amendment now lies at the desk—would correct such injustices by permitting the Attorney General to waive section 212 (a) (10) in cases in which there are special and extenuating circumstances, and in which the admission of the alien could not reasonably harm this country. Our provision would make the law sufficiently flexible to bar from the United States the undesirable alien, but at the same time admit to our shores the innocent victim of Communist oppression.

This is just another illustration of the need for more careful study of the McCarran bill before we rush headlong and enact its provisions.

There is another exclusion provision which in my judgment aims at the wrong man. It is the one that is carried over from the Internal Security Act of 1950. Under section 212 (a) (28) (C) (vi) of Senate bill 2550, we would bar from admission the members of predecessors and successors of Communist and other totalitarian associations. We all agree that Communists and other totalitarians should be barred; there is no argument about that. We are prepared to offer conclusive testimony to the effect that our bill does bar those undesirables. However, this provision of the pending bill is a hodgepodge which in my judgment has not been clearly thought through.

Let me point out one of the advantages of a section-by-section analysis of a bill: It goes a long way toward making impossible the enactment of bad legislation. When a bad bill is jammed through on the floor of either House of the Congress, generally such action occurs as the result of a failure in the committee to make a careful analysis of each of the sections of the bill.

Let me indicate, Mr. President, some of the implications of section 212 (a) (28) (C) (vi), as it now stands. Let us consider, for instance, the Christian Democratic Party of Eastern Germany, which was organized in 1945 by sincere believers in democracy and by fervent opponents of communism. Today the leaders of that party have fled from Eastern Germany and that organization has become a puppet in the Communist-dominated national front. Under the terms of the McCarran bill these heroic anti-Communist leaders would be barred from entry into the United States because they belonged to an organization which was the predecessor of a Communist association.

What happened in that case is simply that the Christian Democratic Party of Eastern Germany, once the Communists took over, was made a Communist-front organization. The true Christian Democratic leaders who fled Eastern Germany entered Western Germany as refugees. However, the McCarran bill would bar them from entry into United States, for the reason that the organization to which those persons used to belong has now turned Communist. Mr. President, a provision of that sort is really carrying things to an extreme. Nevertheless, that is what is to be found time after time after time in this bill.

I am of the opinion that the authors of the McCarran bill are so worried lest a Communist enter the United States, that they are even attempting to bar the persons who would stop the Communists or who would expose the Communists.

What I have said about the Christian Democratic Party of Eastern Germany can also be said about the Polish Peasants Party, the Social Democratic parties, and all the other parties in Eastern Europe that the Communists have taken over by force and violence.

Remember, Mr. President, that every single one of these parties has today become by force a Communist-front party; and the former leaders of those parties, who went to other countries of the world as refugees, would be barred from becoming immigrants to the United States or citizens of the United States, because of their former association with such parties, all of which are predecessors of Communist associations or parties. It is unjust and unfair and unwise to bar the anti-Communist leaders of those associations who fought Communists and left only after they were defeated by them.

Much of the same reasoning can apply to organizations here in the United States. I understand that a distinguished Member of the Senate, a leading figure in the Republican Party, was at one time associated with an organization active in the field of foreign affairs which has been accused of being Communist influenced and dominated. Assuming the Communists, in fact, took over that organization completely and our colleague had immediately resigned, would he be the kind of a person that we would want to bar from entry into the United States?

There is yet another provision in the bill to which we object. It relates to the relatives of American citizens including the parents of citizens of the United States.

Members of the Senate know that our laws contain necessary literacy requirements for immigrants. That is a good provision. Our laws, however, do make an exception for parents and grandparents of citizens and alien residents as well as for victims of religious persecution. Now let us look at section 212 (a) (25) of the McCarran bill. That section eliminates the very humane exception to the literacy requirements. Mr. President, I have thought long and hard. I ask what harm can be done if an American citizen brings into the United States his old mother even if she cannot read? I cannot believe that the authors of S. 2550 have given this problem any thought.

This aspect of the McCarran bill was discussed again by the Senator from Rhode Island [Mr. PASTORE], and I believe it was discussed by the Senator from Michigan [Mr. MOODY]. I want the authors of the McCarran bill to tell me why a 75-year-old mother of a Greek immigrant, for example—and I am thinking of a particular case, a mother who, for all practical purposes, can neither read nor write, and who would be termed an illiterate—why should this dear old mother not be given the privilege of passing the last few days of her life in the comfort of the home of her son, who has made a great success in America, and who is an outstanding citizen in his community? What harm would that do to the United States? The McCarran bill, it is said, would protect us from evil forces. Its sponsors would protect us from evil forces such as Grandma. They would protect us from having old parents coming into the United States to enjoy the comfort of home, even though sons and daughters may be here, pleading for their mothers and fathers to come. I submit that this bill is inhumane, and I further submit that it has not been given proper thought. That is exactly why it should be recommitted to the Committee on the Judiciary, where it can be worked over.

Mr. President, enjoyable as it is to me to make these remarks on this problem which is very close to my heart, I must say that I think we would make a great deal more progress if those who have strayed from the paths of immigration righteousness would return to the fold and would listen to some of the lessons. We are talking to those who are already convinced. This is a sad comment. It is unfortunate, but I may say it is not at all unusual.

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

Mr. HUMPHREY. I yield.

Mr. LEHMAN. I should like to draw the attention of the Senator to the fact that not a single proponent of this bill, not a single member of the majority of the Judiciary Committee which reported this bill, has said a single word in defense of the bill since the debate began 4 or 5 days ago. I think that is a noteworthy circumstance and that it should have the attention of Members of the Senate and of the people of the United States.

Mr. HUMPHREY. I am happy that the Senator from New York has brought this to our attention.

Mr. President, I have called this bill a deportation bill and exclusion bill because of its many provisions tightening the deportation and exclusion laws. I want to make it clear that the Humphrey-Lehman bill and those of us who oppose the McCarran bill are thoroughly in favor of deporting and excluding undesirable aliens. We are, however, not in favor of a slipshod bill which unnecessarily hurts the innocent at the same time as it affects the guilty. An example of such a slipshod provision is section 241 (a) (4) on page 109. This section provides for the deportation of aliens who are at any time convicted of any criminal offense if the Attorney General concludes that the alien is undesirable. I ask what does "convicted of any criminal offense" mean? A man convicted for a traffic violation is guilty of a criminal offense. Under the terms of the McCarran bill once an alien has been convicted of such a violation his whole future is at stake. If he has a wife and children—and let us remember that the wife and the children may be American citizens—their future is at stake, too. Their future will depend on whether the Attorney General will or will not conclude that the alien is undesirable.

Mr. President, the Senator from Minnesota will now make a motion, so that we can get some action in this body. I move that this bill, S. 2550, be recommitted, and I include in that motion instructions to the Judiciary Committee to hold hearings on Senate bill 2550 as well as to hold hearings on the Humphrey-Lehman bill, known as Senate bill 2842.

The PRESIDING OFFICER. The question is on the motion of the Senator from Minnesota to recommit the bill, with instructions.

Mr. McFARLAND. Mr. President, we would have to have a quorum call before the motion could be voted upon. I thought the Senator from Minnesota wanted to quit until tomorrow.

Mr. HUMPHREY. The Senator from Minnesota did, but apparently, in order that I might be able to quit, I found it necessary to move to recommit the bill, figuring that by so doing we would get some action.

Mr. McFARLAND. I think the Senator misunderstood, when I asked him whether he wanted to quit.

Mr. HUMPHREY. I surely do want to do that.

Mr. McFARLAND. I thought the Senator wanted to quit, and that was why I asked him about it. Will the Senator want the floor when the Senate reconvenes?

Mr. HUMPHREY. I shall be happy to take my chance on getting the floor when the Senate reconvenes. It will be my desire to continue, for the sake of continuity of the RECORD, but I do not ask any special privileges in the matter.

Mr. McFARLAND. In order to make certain that Senator will obtain the floor, he might, if he desired, submit a unanimous-consent request.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that, at the opening of the Senate session tomorrow, I be permitted to conclude my remarks on the pending bill.

The PRESIDING OFFICER. Is there objection?

Mr. CASE. Reserving the right to object——

Mr. LEHMAN. Mr. President, will the Senator from Arizona yield for a question?

Mr. McFARLAND. I yield.

Mr. LEHMAN. Some mention has been made of the possibility that the Senate might meet tomorrow at 10 o'clock. I desire to expedite the consideration of the pending bill. In order to show our good faith, the Senator from Minnesota, several hours ago, moved to recommit the bill. We were willing to vote on the motion to recommit, either today, tomorrow, Monday, or Tuesday. There was objection as to each one of those days. I desire to make it very clear that that was not the fault of the majority leader. Nevertheless, the fact remains that we were estopped from voting on the motion on any of the days we suggested. Under the circumstances, and in view of the great amount of work which the opponents of the bill have to do, by reason of an accumulation, and because of the further fact that not a single proponent of the bill, not a single member of the majority of the committee has said one word or been willing to be counted or willing to argue, I hope that the Senator from Arizona will move to adjourn or recess until the usual hour of noon tomorrow.

Mr. McFARLAND. While I had given notice that the Senate might convene tomorrow at 10 o'clock a. m., I do not want to rush anyone. The Senator from Wyoming [Mr. O'MAHONEY] has indicated his desire to take up the conference report on the so-called tidelands joint resolution. The Senator from Texas [Mr. JOHNSON] has a rubber bill which he would like to have considered. For that reason I thought it might be desirable to meet earlier tomorrow.

Mr. LEHMAN. I do not want to press my point. I should like to point out, however, as I have on a number of occasions, that we have been willing to proceed. We have been willing to have a vote on the motion to recommit, today, tomorrow, Monday, or Tuesday, but in each case there has been objection. I thought that under those circumstances it would be proper to meet at the usual hour of noon. But I do not want to press that point.

If the distinguished majority leader feels that it is in the interest of transacting the business of the Senate to meet at an earlier hour, I shall certainly interpose no objection, but I hope that in that event we may have more Members on the floor than the usual four or five opponents of the bill. We have pointed out with great vigor and great logic the weaknesses of the bill, but not one of the proponents of the bill, not one of the majority who reported the bill, have done us the courtesy of appearing on the floor to listen to the debate.

Mr. HUMPHREY. Mr. President, I should like to say that my time tomorrow will be very limited. I shall not consume more than 20 minutes in further discussion of the bill, at least as to this particular part of the bill.

I deeply regret that we were unable to get a unanimous agreement. Had we been able to do so we would have had a little more ease of operation. The majority leader knows very well what the parliamentary situation is. If we are not here to protect our rights on the floor, anything can happen. I want assurance that we can proceed to a day certain as to a time to vote. Then the debate can go on without any fear as to what may transpire.

Mr. McFARLAND. I appreciate the Senator's position, and I share it. We were not able to accomplish what we desired to accomplish. I have found in my experience that we have to do the best we can.

Mr. HUMPHREY. I know the majority leader tried hard to get an agreement, and I would ask him to try again tomorrow.

Mr. CASE. Mr. President, it seems to me it would be desirable to have some good reason on the record why the Senate should meet at 10 o'clock a. m. The Senator from Minnesota [Mr. HUMPHREY] was apparently willing to conclude his remarks this afternoon. It now develops that he will take about 20 minutes tomorrow. I do not see any point in meeting at 10 o'clock tomorrow unless we are going ahead with the business of the Senate, the consideration of the rubber bill and the consideration of the conference report on the so-called tidelands matter. If we are going to meet at 10 o'clock in order to enable the Senator from Minnesota to conclude the remarks which he is willing to make tonight——

Mr. McFARLAND. I am sure the Senator from Minnesota would not have had time to finish his speech this evening. There is a conference at 6:30, and I thought this would be an appropriate time to quit for the day, because the Senator from Minnesota has been on his feet for some time. He indicated that it would take him until approximately 7 o'clock to finish his speech.

Mr. CASE. Perhaps I misunderstood. I understood that the Senator from Minnesota was ready to close his remarks and proceed to vote at this time.

Mr. HUMPHREY. I may say to the Senator from South Dakota that my desire, as expressed by the majority leader, was to draw my speech to a reasonable conclusion. It would be better ordinarily to quit at 5 o'clock, like normal people would, but since we were going to recess this afternoon I stated that I would be glad to conclude tomorrow. I desire to cooperate with the majority leader. I personally feel we will get along very well by meeting at the noon hour. There are two committee meetings tomorrow which I shall have to attend, which will make it rather difficult for me to be in attendance at the opening of the Senate session tomorrow.

Mr. CASE. Mr. President, may we have an understanding with respect to the program tomorrow? If we meet at 10 o'clock and the Senator from Minnesota concludes his remarks shortly thereafter, within the first half-hour or so, are we then to take up the conference report on the so-called tidelands resolution?

Mr. McFARLAND. I do not think it will take very long to complete the consideration of the conference report. The Senator from Wyoming [Mr. O'MAHONEY] indicated that he did not desire to discuss it. Unless some other Senator desires to discuss it, it will not take very long. I thought that probably some Senators would want to speak on the conference report, and for that reason I was allowing a little extra time. We are approaching the time of the year when I think it is very important to push along as rapidly as we can and dispose of conference reports which have to be acted upon. Later in the afternoon, on Fridays, Senators have a way of leaving. I would rather they would not, but they simply do leave. If the absence of a quorum is suggested we cannot obtain a quorum.

I shall not insist on meeting at 10 o'clock; if Senators do not want to start at 10 o'clock I am willing to make it 12 o'clock.

Mr. CASE. Mr. President, I should like to have it thoroughly understood that I have no objection to meeting at 10 o'clock if we can get down to business. I certainly share the thought of the majority leader that we should get down to business, and I am trying to determine whether we will get down to business if we meet at 10 o'clock.

Mr. HUMPHREY. Mr. President, the way to get down to business is to have every Senator present who can be present. This place looks like an apartment house which has just been vacated.

Mr. McFARLAND. Did the Senator say "justly vacated"?

Mr. HUMPHREY. Just recently vacated; not justly so. If the Senator from Arizona wants the Senate to meet at 12 o'clock, I shall complete my statement at that time.

I can assure the distinguished majority leader that at any hour he desires to have the Senate meet, I shall be present to participate in whatever the Sepate has on its smorgasbord menu.

ARMED FORCES PAY RAISE ACT—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 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. I ask unanimous consent for the immediate consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The report was read.

(For conference report, see CONGRESSIONAL RECORD of May 12, 1952, p. 5253.)

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

Mr. CASE. Mr. President, reserving the right to object, is this a unanimous report from the conference committee?

Mr. JOHNSON of Texas. It is.

Mr. CASE. I might also ask the Senator, who is chairman of the conference committee, to state the essential difference between the conference report and the bill as passed by the Senate.

Mr. JOHNSON of Texas. First, I wish to say that I was not chairman of the conference committee; I was a member of it. I have submitted the report in the absence of the Senator from Georgia [Mr. RUSSELL].

The bill as passed by the House would have cost $850,000,000. That cost was arrived at by applying the 10 percent increase in pay to all men and women in the services, and a 10 percent increase in the quarters and subsistence allowances.

The bill as passed by the Senate provided for a 3 percent pay increase and a graduated increase in the quarters and subsistence allowance. The cost of the Senate bill would have been $470,000,000.

The conferees agreed on a bill which would cost $484,000,000, or $14,000,000 in excess of the amount provided in the original Senate bill, but $366,000,000 less than the amount contained in the House bill.

The conference report provides that basic pay shall be increased 4 percent, and that the quarters and subsistence allowances shall be increased 14 percent.

Mr. CASE. As I understood the Senator, the conference report does not deal with either the question of flight pay or of combat pay, since those items are contained in another bill. Is that correct?

Mr. JOHNSON of Texas. No. The Senate bill, as it was considered by the conference, provided for combat pay, but the House wanted to hold hearings so far as combat pay was concerned. There is a statement on the part of the House managers with reference to their plans with respect to combat pay.

Mr. CASE. In other words, that item was dropped from the bill, pending hearings by the House?

Mr. JOHNSON of Texas. That is correct.

Mr. CASE. Mr. President, I withdraw my reservation.

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

Mr. JOHNSON of Texas. I yield.

Mr. HUMPHREY. I did not hear the statement by the Senator from Texas in regard to combat pay. May I ask him what happened to that item?

Mr. JOHNSON of Texas. It was dropped from the bill. The House managers plan to hold hearings on the question of combat pay. They feel it should be covered in a separate bill.

The Senate subcommittee, under the chairmanship of the Senator from Wyoming [Mr. HUNT], has been holding rather lengthy hearings on the entire subject of incentive and hazard pay. Some Senators interested in the subject have testified before the committee. I may say that the committee has come to no decision. The Senator from Wyoming is at present absent from the city, but the committee discussed the matter somewhat at length this morning. Some members of the committee are of the opinion that we should ask the Department of Defense to name immediately a civilian commission, somewhat similar to the Hook Commission that set up the pay scales, in order to have a thorough study made of the question of incentive pay. I do not know that the committee will take that action. I cannot speak for the Senator from Wyoming and the other members of the committee, but, judging from the sentiment expressed this morning, I think as soon as the Senator from Wyoming returns, the committee will meet to consider the question, and will come to some resolution.

Mr. HUMPHREY. That sounds very good. I had felt that we in the Senate were voting on the question of hazard and incentive pay without having all the facts at our command. As a matter of fact, I felt a little bad about one of the votes I cast on that subject. I felt that perhaps I was not being fair to those in the service. I had hoped we would get around to doing something a little more systematic. The Senator from Texas now assures us that the question is under consideration in the committee.

Mr. JOHNSON of Texas. It was discussed this morning.

Mr. LEHMAN. Mr. President, I was not in the Chamber at the beginning of this colloquy. Am I to understand that no action has been taken on the question of incentive pay?

Mr. JOHNSON of Texas. That is correct. Hearings have been held.

Mr. LEHMAN. It will be a subject of further consideration?

Mr. JOHNSON of Texas. That is correct.

Mr. CASE. Can the Senator from Texas advise us of the status of the flight-pay problem.

Mr. JOHNSON of Texas. As the Senator from South Dakota knows, flight pay is authorized under existing law. Several amendments have been offered from time to time on the floor of the Senate to reduce that pay.

The Senator from Georgia [Mr. RUSSELL], who is chairman of the Committee on Armed Services, the last time the matter was discussed on the floor of the Senate, asked that the Armed Services Committee be given additional time to explore that subject further. A task force was appointed from the Armed Services Committee. Hearings have been held morning and afternoon for several days, but those hearings were recessed when the Senator from Wyoming was forced to leave the city.

It is my understanding, from a discussion with the committee this morning, that as soon as the Senator from Wyoming returns, the committee will make certain recommendations to the Senate. I believe that earlier in the day the Senator from Mississippi [Mr. STENNIS] and the Senator from Massachusetts [Mr. SALTONSTALL] asked the Senate to grant additional time for reporting the committee's recommendations to the Senate.

I know that the Senator from Massachusetts [Mr. SALTONSTALL] contemplates suggesting that a civilian commission be established to make a study of the entire incentive-pay question. I think the Senator from Wyoming is in agreement with him, although I do not know that the other members of the task force agree.

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

Mr. JOHNSON of Texas. I yield.

Mr. CASE. Last night it was my privilege to attend the annual dinner of the Civil Air Patrol. In talking with some of the boys who were there I found that there was considerable uneasiness among those who are thinking in terms of procurement of personnel for pilot training, with respect to the unsettling effect of the debate over the question of flight pay. While it is true that existing law does provide for it, the fact that the question has been raised has caused some doubts in the minds of prospective cadet pilots as to what the future is in aviation. I think the sooner the question can be resolved the better it will be for the morale of the service.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement on this subject by Gen. Carl Spaatz which appeared in Newsweek magazine of April 28, 1952; also an editorial from the Atlanta Constitution of April 19, 1952, dealing with the same subject.

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

[From Newsweek magazine of April 28, 1952]

PROBLEM OF FLYING PERSONNEL

(By Gen. Carl Spaatz, USAF, retired)

The reluctance of a considerable number of Air Force Reserve officers to continue their flying training—ultimate destination Korea—has called the Nation's attention to a deplorable and, indeed, a dangerous situation. While the conduct of the recalcitrants must be censured, still there is much to be said on their side. They are victims of the shortsighted and vacillating air policy which has been in effect since the end of the Second World War.

In most cases these men served long and well in the war and then accepted Reserve status. They settled into civilian life, married, had children, and took on the attendant financial responsibilities. They didn't volunteer. They were ordered back against their will. They quite naturally didn't welcome return to service. Yet they were needed because there had been no adequate air training for youngsters who, at the end of the war, were eager to step into their older brothers' flying boots.

During the war, the Air Force had no trouble obtaining all the flying personnel necessary for its stupendous air program. In fact, so many young men wanted to be fliers that some of those accepted for aviation training had to be transferred to the infantry.

Immediately after the war, the Air Force was virtually demobilized. A few hesitant starts toward a 70-group program didn't get very far. Then just before Korea, the Air Force was reduced to a 48-group goal and had to curtail its training program accordingly. With the outbreak of the Korean war, flying schools were greatly augmented and expanded. But the training of a flier is a long process, and the schools couldn't turn out new pilots fast enough to supply the demand arising from the new emergency.

More alarming, the supply of volunteers started drying up. Not only did the Air Force run out of reserves willing to resume their flying careers but it started to have trouble finding new recruits willing to be trained.

It is self-evident that our air power will be strong and virile only if continuing demands for flying personnel are met by succeeding generations of the Nation's youth. Age and experience are valuable, but an Air Force manned exclusively by veterans will in a comparatively short time be no Air Force at all.

Ever since the air services were established they have been volunteer services. A man who does not want to fly is a handicap rather than an aid to a flying organization. The suggestion has been made that flying personnel should be drafted. This simply won't work. How do you teach a man to fly who doesn't want to learn? It is impossible.

Until recently, American boys were ambitious to get into the air. A whole generation of air-minded teenagers, too young for service, were rather abruptly brushed off during and immediately after the last war. They have been largely lost to the Air Force. Their eagerness might have been put to use had we embarked on an air-development program in 1946.

Instead, it relied on a GI training program conducted at great expense. To just what use these aging veterans could have been put in an emergency is anyone's guess. In most cases, by the time the emergency arose they would be too old to be trained or used for aerial combat duty. Total air power would have been much better served had the same money been spent on the younger generation.

I believe that the teenage group still has the air spirit but it must be given an opportunity to learn about the airplane. In an effort to provide this opportunity, the Civil Air Patrol has enrolled 45,000 American boys in the 15- to 18-age group. They are being guided and trained by 12,000 senior members of the CAP, most of them Air Force Reserve officers or men and women who own their own airplanes. This program should be expanded. The Government should help fixed-base operators capable of giving more youngsters flying instruction.

Unless our Air Force training schools can be kept filled with men who want to fly our air power will dwindle away regardless of how many and how excellent airplanes our industry builds.

[From the Atlanta Constitution of April 19, 1952]

WHAT HAS HAPPENED TO THE AIR FORCE?

This year, for the first time, the Air Force will get less than 25 percent of the graduating class from West Point because less than that number, out of those physically qualified, were willing to volunteer for flying duty.

The Air Reserve Officers Corps program this year is producing only 1,800 from our colleges who are interested in flying training and only 750 of these are qualified.

At several air bases over the country recalled reservist flying officers have staged a sit-down strike, risking court-martial and disgrace rather than again take to the air. This is evidence that the morale problem among recalled World War II fliers is a serious one indeed.

What is wrong with the Air Force? What has happened to the spirit which motivated the thousands of daring young Americans who covered themselves with glory in a global strategy of victory during World War II?

Well, in the first place, most of these World War II heroes are older. Combat flying is largely a young man's game. Flying modern military aircraft requires feats of skill and coordination which become progressively more difficult after a man is 30.

World War II and the fracas in Korea prove that physical perfection must accompany a desire for the dangers and risks involved in flying unless the pilot is to destroy his own life, that of others, and his valuable equipment through faulty judgment.

You cannot draft a man into flying. If he doesn't want to fly, he is a hazard to himself and to all who must fly with him.

Ground force men will argue their dangers and risks are as great, and great are they indeed. However, most of the balky pilots have said they would volunteer for ground duties in any branch of the service. And studies have proved flying officers have 12 years less life expectancy than ground force officers.

Secretary Finletter and Air Force General Vandenberg told Congress this week that they will not be able to maintain the pilot and crew strength we must have if the incentive of flying pay is discontinued. They point out that a flying officer, after he is married, is under considerable pressure to seek less hazardous duty. He can counter such pressure only by pointing to his higher pay level. They blame this situation for the strike by reservists, most of whom are now married and have children. They blame lower flight pay also for the difficulty of attracting young graduates of West Point and from our colleges for pilot training.

Whether this argument is accepted or not, we must have pilots to man the planes for America's defenses. They must be physically superior and intelligent young men. If we fail to get them because of economy measures, we are endangering the safety of this Nation. In that there is no economy.

The Air Force knows through experience that the best combat flyers are those without ties and obligations. Exceptions are men like Gabreski, Schilling, and other career flyers who know no other life. What they lack in youth is made up in experience and the confidence which comes with it.

The greatest tragedy of all is that the Air Force was so gutted of strength by an economy-minded Congress during the years after World War II that we simply did not train the pilots to man the ships for today's needs. Came the emergency, and we had to pull back the World War II men for another war, as we pulled out World War II aircraft for them to fly.

What has happened need not have occurred. Our failure to provide a flying training program which would have provided the new crews we need has its counterpart in our failure to provide the ground force men through a realistic acceptance of UMT. The big brunt of the war in Korea has fallen on the reservists who gave up their careers a second time to fight another war.

Must we repeat this folly again and again? Do our young men of 1952 have less daring and courage than those of the 1940's? Do they have less of an obligation in the defense of their country?

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

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

EXTENSION OF RUBBER ACT OF 1948

Mr. JOHNSON of Texas. Mr. President, before the Senate proceeds to the consideration of executive business, I should like to announce that the Senate Armed Services Committee, by unanimouse vote, reported House bill 6787, a bill to extend the Rubber Act of 1948, Public Law 469, Eightieth Congress, as amended, and for other purposes. This bill was reported by the House Armed Services Committee unanimously, and was passed by the House of Representatives unanimously. The House bill would extend the Rubber Act of 1948 for

a period of 2 years. The Senate committee heard testimony and prepared amendments to the House bill, to provide for the extension of the Rubber Act for but 1 year. The present act will expire on June 30 of this year.

It will be necessary for the bill to go to conference, in order to determine whether the House bill shall prevail, or whether the Senate bill shall prevail. Therefore, after discussions with the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Massachusetts [Mr. SALTONSTALL] as minority members of the committee, it was agreed that we would ask consent to call up this bill at the earliest possible date.

As I have stated, the bill was passed by the House unanimously. It was approved unanimously by the Senate Armed Services Committee. I am hopeful it will pass the Senate unanimously. At such time as it may be possible to obtain consent, either tomorrow or in the near future, it will be my purpose to call up this bill for consideration.

EXECUTIVE SESSION

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

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

EXECUTIVE MESSAGES REFERRED

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

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

John Gregory Bruce, of Kentucky, to be a judge of the Tax Court of the United States, vice J. Russell Leech, deceased.

By Mr. JOHNSON of Texas, from the Committee on Armed Services:

Fred Korth, of Texas, to be Assistant Secretary of the Army, vice Karl R. Bendetsen.

By Mr. STENNIS, from the Committee on Armed Services:

Brig. Gen. William Lillard Barriger, and sundry other officers, for temporary appointment in the Army of the United States;

James Henry Aldredge, Jr., and sundry other cadets, midshipmen, and a student, for appointment in the Regular Air Force;

Marguerite C. Casey, and sundry other persons, for appointment in the Army Nurse Corps, Regular Army of the United States; and

Rear Adm. Walter S. DeLany, United States Navy, to have the grade, rank, pay, and allowances of a vice admiral while serving as commander, Eastern Sea Frontier, and commander, Atlantic Reserve Fleet.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

FEDERAL COMMUNICATIONS COMMISSION

The Chief Clerk read the nomination of Rosel H. Hyde, of Idaho, to be a member of the Federal Communications Commission.

Mr. CASE. Mr. President, the nomination of Mr. Rosel H. Hyde, of Idaho, for reappointment to the Federal Communications Commission automatically suggests that Mr. Hyde has been one of the principal negotiators of the so-called North American Regional Broadcasting Agreement, otherwise known as NARBA, which has been pending for a long time before the Senate Committee on Foreign Relations. A great many people in the United States are interested in the fate of that agreement, and feel it ought to be ratified.

Can the distinguished majority leader, or any other Member of the Senate, give any information as to whether the confirmation of Mr. Hyde will have any effect on that agreement, or is there anything that will have any effect on it, so that we can get some action on NARBA?

Mr. McFARLAND. Mr. President, I agree with the distinguished acting minority leader that there should be action upon the agreement. I have tried to suggest to the chairman of the committee that we should have action, and I hope we may have it. However, I cannot see how the confirmation or failure of confirmation of Commissioner Hyde would have any effect on the agreement.

I wish to say to the Senator from South Dakota that I think Mr. Hyde is a very competent member of the Commission, and has done outstanding work. I believe it would be a mistake not to confirm his nomination immediately, because he cannot have anything to do with what the Senate does about the agreement.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Arizona yield?

Mr. McFARLAND. I yield.

Mr. JOHNSON of Texas. I should like to say to the Senator from South Dakota that it is my understanding that Mr. Hyde spent many weeks of work in connection with the agreement referred to, but now it is a matter for the Senate to consider; it is out of Mr. Hyde's hands. If anyone is to blame for delay, it is the Senate, not Mr. Hyde.

Mr. CASE. Mr. President, I believe it would be a fitting tribute to Mr. Hyde's work, in recognition of what he has done, if the majority leader, or those in control of the legislative program, would bring NARBA before the Senate. I should like to ask the distinguished majority leader if it is his intention, as a part of the legislative program, to have the North American Regional Broadcasting Agreement laid before the Senate before the adjournment of this session.

Mr. McFARLAND. Like the distinguished Senator from South Dakota, I am very much interested in the agreement, but it is in committee. I am not a member of the committee which has it under consideration. I do not have a vote in that committee. So, I cannot give the Senator assurance as to what may be done.

Mr. CASE. But certainly the Senator has great persuasive powers.

Mr. McFARLAND. I thank the distinguished Senator for his compliment. I will do my best.

Mr. CASE. I favor the confirmation of the nomination of Mr. Hyde, but it seems to me that an appropriate tribute to his work would be to give the Senate a chance to consider the agreement which he worked so hard to negotiate.

The distinguished Senator from Arizona probably knows far better than I the importance of having some action on the agreement. I certainly do not wish to delay the confirmation of Mr. Hyde's nomination. I am for him, but I believe a proper tribute to his work would be to bring up for consideration by the Senate the agreement Mr. Hyde worked so hard to negotiate. Let us have some action on it.

The PRESIDING OFFICER. The question is, will the Senate advise and consent to this nomination?

The nomination was confirmed.

UNITED STATES COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the United States Coast Guard.

The PRESIDING OFFICER. Without objection, the nominations in the Coast Guard are confirmed en bloc.

Without objection, the President will be immediately notified of all nominations confirmed this day.

RECESS

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 3 minutes p. m.) the Senate took a recess until tomorrow, Friday, May 16, 1952, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 15 (legislative day of May 12), 1952:

IN THE AIR FORCE

For appointment to major general in the Air National Guard of the United States, United States Air Force, to date from April 17, 1952:

Maj. Gen. Samuel Ernest Vandiver, Jr., [redacted], Georgia Air National Guard, adjutant general, State of Georgia, under the provisions of section 38 of the National Defense Act, as amended.

IN THE NAVY

John F. Hardesty, midshipman (Naval Academy), to be ensign in the Navy.

Jack V. Munson, midshipman (Naval Academy), to be ensign in the Navy in lieu of second lieutenant in the Marine Corps, as previously nominated and confirmed.

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the Navy:

Thomas L. Davis
Joseph A. English, Jr.
Robert M. Harp
Richard K. Smith
Douglas A. Williams

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the Navy in lieu of ensigns in the Navy, as previously nominated and confirmed, to correct names:

Paul T. Armitstead	Bert J. Mallinger
Earl L. DeWispelaere	Frederic M. Philips
Robert LeR. Foster	Roland H. Watson
Andrews E. Groves	Robert L. Wessman
Edwin F. Kellermann	

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the Navy in lieu of ensigns in the Supply Corps in the Navy, as previously nominated and confirmed:

Mebus Bartling	Daniel "M" Jones
Daniel T. Davis	Thornton McK. Long
Jack R. Fuller	Millard M. Parker

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the Supply Corps in the Navy in lieu of ensigns in the Navy, as previously nominated and confirmed:

Donald C. Agnew	Theodore A. Johnston
Charles T. Baglow	David R. Lambert
Townsend E. Blanchard	Richard F. Mills
	William R. Niesen
Jerrel T. Doyle	William L. Noel
John E. Enander	Henry M. Poss
Kenneth F. Farmer	Robert Z. Rose
John J. Fuller II	Louis T. Sovey, Jr.
Richard A. Holmes	Willard L. VanErt
Henry V. Ingram	Richard D. Warren
David D. Johnson	

Van A. Silver (Naval Reserve Officers' Training Corps) to be ensign in the Civil Engineer Corps in the Navy.

Thor H. Andersen (Naval Reserve Officers' Training Corps) to be ensign in the Civil Engineer Corps in lieu of ensign in the Navy, as previously nominated and confirmed, and to correct name.

The following-named (Naval Reserve Officers' Training Corps) to the ensigns in the Civil Engineer Corps in the Navy in lieu of ensigns in the Navy, as previously nominated and confirmed:

Ivy H. Atkins, Jr.	Roger L. Cason
Walter S. Bortko	Richard D. Coughlin
Neal F. Current	Malcolm T. Mooney
Warren H. Dillenbeck	Thomas H. Nielsen
Joseph C. Dodd	John E. Omer
Richard M. Dufour	Robert F. Osborne
John M. Guernsey	William Scott, Jr.
Robert R. Jay	Edward F. Sullivan
William G. Lillis	Lowell T. Thorpe
Richard M. Longmire	Dan S. Tucker
William B. McMillin, Jr.	David C. Zimmerman

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the Medical Service Corps in the Navy:

John A. Baldwin, Jr
Roy P. Roman
Earle R. Walwick

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the Medical Service Corps in the Navy in lieu of ensign in the Navy, as previously nominated and confirmed:

Martin Colodzin
Frederick J. Orrik
Alfred R. Pursell

The following-named (Naval Reserve Officers' Training Corps) to be second lieutenants in the Marine Corps:

Barry P. Barnes
Melvin E. Dell
Bobby R. Hall

The following-named (civilian college graduates) to be lieutenants (junior grade) in the Chaplain Corps in the Navy:

Edson E. Campbell
Stacy L. Roberts, Jr.

The following-named (civilian college graduates) to the grades indicated in the Dental Corps in the Navy:

LIEUTENANT

George E. Yancey

LIEUTENANT (JUNIOR GRADE)

Edward C. Penick

The following-named (civilian college graduates) to be lieutenants (junior grade) in the Dental Corps in the Navy in lieu of lieutenants in the Dental Corps in the Navy, as previously nominated and confirmed:

William A. Monroe, Jr.
Merlin E. Naylor
William A. Peterson

The following-named to be ensigns in the Nurse Corps in the Navy:

Helen M. Bartanen	Viola J. Parker
Rachel A. Fine	Ann B. Strank
Elizabeth J. Force	Mary A. L. Watkins
Eloise J. Freeman	

The following-named (civilian college graduates) for permanent appointment to the grade of second lieutenant in the Marine Corps:

Henry C. Bergmann	John S. Gray
Leon D. Carr	William D. Kearney
William D. Clingempeel	Gary E. Pittman
	George H. Ripley
John L. Cobb	John F. Roche III
Edwin H. Ewing	John A. Scott
Thomas S. Felvey	David R. White

The following-named officers to the grade indicated in the line (Aviation) in the Navy:

ENSIGNS

Richard B. Campbell
Jerome K. Walterskirchen

The following-named officers to the grade indicated in the Civil Engineer Corps in the Navy:

LIEUTENANTS (JUNIOR GRADE)

Norman J. Magneson
William E. Nims

The following-named officer to the grade indicated in the Nurse Corps in the Navy:

LIEUTENANT (JUNIOR GRADE)

Mary V. Gearing

The following-named officer to be lieutenant in the Nurse Corps in the Navy in lieu of lieutenant commander in the Nurse Corps in the Navy, as previously nominated and confirmed:

Reinelda E. Vickey

The following-named officer of the Marine Corps for permanent appointment to the grade of captain for limited duty:

Samuel F. Leader

CONFIRMATIONS

Executive nominations confirmed by the Senate May 15 (legislative day of May 12), 1952:

FEDERAL COMMUNICATIONS COMMISSION

Rosel H. Hyde, of Idaho, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1952.

UNITED STATES COAST GUARD

To be lieutenants

Carroll T. Newman
Raymond G. Fisher
Walton D. Alley

To be lieutenants (junior grade)

Walter B. Alvey
Preston M. Bannister, Jr.
John C. Dowling

To be ensigns

William Albert Adler
Raymond Herman Baetsen, Jr.
James Morgan Barrett, Jr.
William Samuel Black
Robert Cornelius Branham
Robert Marshall Brockway
Richard Bryant Brooks
John Henry Byrd, Jr.
Robert Alfred Carlston
William Howard Clark, Jr.
Charles Russell Conley
Daniel Mathew Conway
John David Costello
Richard Scott Creter
Peter James DeLaat, Jr.
Bruce Warren Dewing
John George Drews
Francis Chalmers Duvall, Jr.
Calvin Buddy Early
Herbert William Eley
John Frederick Ellis
Charles Russell Fink
John Ireland Finn
David Matthew Glancy
William John Glass
Clarence Richard Gillett
Robert Vernon Hackney
Melvin Ward Hallock
John Robert Leo Hihn
Robert Shepard Inglis, Jr.
John Kenneth Irish, Jr.
Patrick Michael Jacobsen
Edmond Janczyk
Charles Edward Jurgelewicz
Ronald Keith Kaijala
James Riordan Kelly
Ralph Sabin Kelley, Jr.
Vincent Ettorie Keyes
Gerald Oliver Lesperance
David Joy Linde
Olin Arnold Lively
John Frank Lobkovich
Frederick Milton Long
Robert Samuel Lucas
Herbert Gorden Lyons
Paul Joseph Masley
William Grady McCauley
David Chester McClary
David Foreman McIntosh, Jr.
Robert Gerald Moore
Peter Alvin Morrill
James Stephen Murphy
John Todd Murphy, Jr.
James Joseph O'Connor, Jr.
Glen Nelson Parsons
Robert Dale Peters
Robert Turner Platt, Jr.
Donald Guy Ross
Carlton Eugene Russell
Leon Duane Santman
Richard Shea
Gilbert Parker Sherburne
Joseph Norbert Shrader
Robert Blake Sims
John Carrol Spracklin
Joseph Stech
John Datesman Steinbacher
George Edward Stickle, Jr.
Edward Gustav Taylor
Milan Aved Telian
Donald Charles Thompson
James Edward Thompson
Willie Wade Thurmond, Jr.
Eugene Gerald Verrett
Siegurd Ernst Waldheim
Donald Gilbert Wolf
Kenneth Gustave Wiman

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 15, 1952

The House met at 11 o'clock a. m.

Rev. Father Paul C. O'Connor, S. J., Hooper Bay, Alaska, offered the following prayer:

Almighty and eternal God, look down with favor upon our country and upon

our legislators. We look to You knowing that without Your help our strongest efforts will end in utter frustration. Give our rulers that discernment needed to untangle the bewildering web of so many national and international issues. Let this enlightment be followed by a determination to carry a just purpose to a godly conclusion no matter what be the cost. Through Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

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

On May 7, 1952:

H. R. 3540. An act to provide for boundary adjustments of the Badlands National Monument, in the State of South Dakota, and for other purposes.

On May 8, 1952:

H. R. 1969. An act for the relief of Mrs. Edith Abrahamovic;

H. R. 2355. An act for the relief of Nobuko Hiramoto;

H. R. 5609. An act to amend section 1716 of title 18, United States Code, to permit the transmission of poisons in the mails to persons or concerns having scientific use therefor, and for other purposes;

H. R. 5698. An act to amend the act of September 25, 1950, so as to provide that the liability of the town of Mills, Wyo., to furnish sewerage service under such act shall not extend to future construction by the United States;

H. R. 5922. An act for the relief of Karin Riccardo;

H. R. 5931. An act for the relief of Holly Prindle Goodman;

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

H. R. 6805. An act to increase the salary of the Administrator of Rent Control for the District of Columbia.

On May 9, 1952:

H. R. 3136. An act for the relief of May Quan Wong (also known as Quan Shee Wong);

H. R. 3271. An act for the relief of Toshiaki Shimada;

H. R. 5936. An act for the relief of Kunio Itoh;

H. R. 6012. An act for the relief of Gylda Raydel Wagner; and

H. R. 6480. An act for the relief of Elaine Irving Hedley.

On May 12, 1952:

H. R. 1968. An act for the relief of Senta Ziegler; and

H. R. 2676. An act for the relief of Andrijana Bradicic.

On May 13, 1952:

H. R. 586. An act to authorize the Secretary of the Interior to sell certain land on the Chena River to the Tanana Valley Sportsmen's Association of Fairbanks, Alaska;

H. R. 755. An act for the relief of Dr. Eleftheria Paidoussi;

H. R. 836. An act for the relief of Harumi China Cairns;

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

H. R. 3524. An act for the relief of Jan Yee Young;

H. R. 3593. An act for the relief of Lydia Daisy Jessie Greene;

H. R. 3830. An act to authorize the construction and equipment of a geomagnetic station for the Department of Commerce;

H. R. 4199. An act to authorize the transfer of certain lands of the Blue Ridge Parkway from the jurisdiction of the Secretary of the Interior to the jurisdiction of the Secretary of Agriculture;

H. R. 4220. An act for the relief of Hazel Sau Fong Hee;

H. R. 4337. An act to authorize certain land and other property transactions;

H. R. 4397. An act for the relief of Minglan Hammerlind;

H. R. 4535. An act for the relief of Nigel C. S. Salter-Mathieson;

H. R. 4764. An act granting the consent and approval of Congress to the participation of certain Provinces of the Dominion of Canada in the Northeastern Interstate Forest Fire Protection Compact, and for other purposes;

H. R. 4772. An act for the relief of Patricia Ann Harris;

H. R. 4788. An act for the relief of Yoko Takeuchi;

H. R. 4911. An act for the relief of Lieselotte Maria Kuebler;

H. R. 5187. An act for the relief of Rodney Drew Lawrence;

H. R. 5437. An act for the relief of Motoko Sakurada;

H. R. 5590. An act for the relief of Marc Stefen Alexenko;

H. R. 5652. An act to authorize the construction of a dam and dike to prevent the flow of tidal waters into North Slough, Coos County, Oreg.;

H. R. 6055. An act for the relief of Anne de Baillet-Latour;

H. R. 6088. An act for the relief of Hisako Suzuki;

H. R. 6172. An act for the relief of Manami Tago; and

H. R. 6561. An act for the relief of Monika Waltraud Fecht.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

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

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 302) entitled "An act to amend section 32 (a) (2) of the Trading With the Enemy Act"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McCARRAN, Mr. O'CONOR, Mr. SMITH of North Carolina, Mr. LANGER, and Mr. JENNER to be the conferees on the part of the Senate.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. LANGER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 52–20.

LEAVE OF ABSENCE

Mr. McCORMACK. Mr. Speaker, due to an accident which occurred on May 12, 1952, while on official business inspecting the U. S. S. *Joseph P. Kennedy, Jr.*, a Navy destroyer, our colleague, the gentleman from Massachusetts [Mr. KENNEDY] was injured.

I ask unanimous consent that he be given an indefinite leave of absence.

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

There was no objection.

VETERANS LEGISLATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that I may have until midnight Friday, May 16, to file a report from the Committee on Veterans' Affairs on H. R. 7656.

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

There was no objection.

OLYMPIC WEEK

Mr. CELLER. Mr. Speaker, having arranged with the minority side and others interested, I ask unanimous consent for the immediate consideration of House Joint Resolution 445, authorizing the President of the United States to proclaim the 7-day period beginning May 18, 1952, as Olympic Week.

The Clerk read the title of the House joint resolution.

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

There was no objection.

The Clerk read the House joint resolution, as follows:

Whereas the XVth Olympic games of the modern era will be held at Helsinki, Finland, from July 19 through August 3, 1952; and

Whereas these games will afford an opportunity of bringing together young men and young women, representing more than 70 nations, of many races, creeds, and stations in life and possessing various habits and customs, all bound by the universal appeal of friendly athletic competition, governed by rules of sportsmanship dedicated to the principle that the important thing is for each and every participant to do his very best to win in a manner that will reflect credit upon himself or herself, and the country represented; and

Whereas the peoples of the world in these trying times require above all else occasions for friendship and understanding, and among the most telling things which influence the opinions of people of other countries are the acts of individuals and not those of governments; and

Whereas experiences afforded by the Olympic games make a unique contribution to common understanding and mutual respect among all peoples; and

Whereas previous Olympic games have proved that competitors and spectators alike have been imbued with the Olympic ideals of friendship, chivalry, and comradeship and impressed with the fact that accomplishment is reward in itself; and

Whereas the United States Olympic Association, in accordance with the provisions of its Federal charter, is presently engaged in selecting individuals and teams to represent the United States in the games at Helsinki and making arrangements for their equipment, transportation, feeding, housing, and competition; and

Whereas the United States Olympic Association, an organization not for pecuniary profit or gain, its activities being wholly sup-

ported by the public, is now making an appeal for the sum of $850,000, necessary to equip, transport, feed, house, and present in competition over 400 amateur athletes from all classes of our society and all parts of our country to represent the United States in the 1952 Olympic games: Therefore be it

Resolved, etc., That the President of the United States is authorized and requested to issue a proclamation designating the 7-day period beginning May 18, 1952, as Olympic Week and urging all citizens of our country to contribute as generously as possible to insure that the United States will be fully and adequately represented in the XVth Olympic games.

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

A BILL AUTHORIZING CANCELING STAMPS ON LETTERS USING WORDS, "REGISTER NOW—THEN VOTE"

Mr. REES of Kansas. 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 Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, the Junior Chamber of Commerce of Wichita, Kans., recently started a project designed to encourage citizens to register and to vote. They have done a very effective job with respect to publicizing the need for all citizens to exercise their voting franchise.

One of the effective means this organization has suggested is to provide for the use of a special canceling stamp at the Wichita Post Office using the words, "Register now—Then vote," and to be placed on outgoing mail. It appears legislative action is necessary in order that such proposal may be carried out.

In my opinion this is a very worthwhile project and one which should be extended nationally. I am today introducing legislation which will authorize the Postmaster General to grant permission to use special canceling stamps or postmarking dies where the purpose is to urge citizens to register and vote in general elections.

This authority is in addition to present authority for similar authorizations for two other purposes, as follows:

First, where the event to be advertised is for some national purpose for which Congress had made an appropriation; second, where the event to be advertised is of general public interest and importance and is to endure for a definite period of time and is not to be conducted for private gain or profit.

Certainly this proposal is of general public interest and importance.

No cost will be attached to the Post Office Department. The procedure will be invoked only where it has the approval of the Postmaster General and where some public-spirited organization will provide the special canceling stamps or postmarking dies.

In my judgment this use of a special canceling stamp is equally meritorious along with the other purposes already authorized by law and to which I have just referred.

I think it is conceded we should do everything possible to encourage our citizens to vote. Here is a proposal to do that very thing with no cost to the Government. A large vote at general elections should demonstrate to the world the value which we as freemen place upon the right to express our views on Government policies in this great country of ours.

CALL OF THE HOUSE

The SPEAKER. The Chair suggests the absence of a quorum. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 70]

Aandahl	Garmatz	O'Brien, N. Y.
Albert	Gore	O'Toole
Allen, Calif.	Granger	Perkins
Anderson, Calif.	Hall, Edwin Arthur	Potter
Anfuso	Hand	Powell
Bakewell	Harden	Ramsay
Baring	Harrison, Va.	Redden
Bates, Ky.	Harrison, Wyo.	Rhodes
Belcher	Hedrick	Riley
Bender	Heffernan	Roberts
Blatnik	Herter	Robeson
Bolling	Hoeven	Roosevelt
Bonner	Hoffman, Mich.	Sabath
Boykin	Hunter	Scott, Hugh D., Jr.
Buckley	Jackson, Wash.	Sheehan
Buffett	Jarman	Shelley
Burnside	Johnson	Sheppard
Carlyle	Jonas	Smith, Miss.
Carrigg	Jones, Mo.	Stigler
Celler	Kelly, N. Y.	Stockman
Cole, Kans.	Kennedy	Sutton
Coudert	Kerr	Tackett
Cox	Lanham	Taylor
Crosser	Lesinski	Van Pelt
Davis, Ga.	Lovre	Velde
Dawson	McIntire	Watts
Dingell	Mason	Welch
Doyle	Morris	Werdel
Durham	Morrison	Wheeler
Eaton	Morton	Wickersham
Engle	Moulder	Williams, Miss.
Evins	Multer	Wilson, Ind.
Forand	Mumma	Wood, Ga.
Fugate	Murphy	Woodruff
Fulton		

The SPEAKER. On this roll call 326 Members have answered to their names, a quorum.

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

SPECIAL ORDER GRANTED

Mr. JENSEN (at the request of Mr. H. CARL ANDERSEN) was given permission to address the House for 30 minutes on Tuesday next, following any special orders heretofore entered.

URGENT DEFICIENCIES BILL

Mr. CANNON, from the Committee on Appropriations, reported the bill (H. R. 7860) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes (Rept. No. 1929), which was read a first and second time and, together with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. TABER reserved all points of order on the bill.

TITLES OF STATES TO LANDS BENEATH NAVIGABLE WATERS

Mr. WALTER. Mr. Speaker, I call up the conference report on the resolution (S. J. Res. 20) to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and to the natural resources within such lands and waters, and to provide for the use and control of said lands and resources, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1850)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 20) to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and to the natural resources within such lands and waters, and to provide for the use and control of said lands and resources, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment and the Senate agree to the same.

FRANCIS E. WALTER,
J. FRANK WILSON,
LOUIS E. GRAHAM,
CLIFFORD P. CASE,
Managers on the Part of the House.

JOSEPH C. O'MAHONEY,
RUSSELL B. LONG,
HUGH BUTLER,
GUY CORDON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 20) to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and to the natural resources within such lands and waters, and to provide for the use and control of said lands and resources, submit the following explanation of the effect of the action agreed upon in conference and recommended in the accompanying conference report:

The House amendment substituted the language of the bill H. R. 4484, as agreed to by the House, for the language of the Senate resolution.

The first title of the House amendment was in substance the same as the corresponding part of the Senate resolution except that the former provided for definitions of such matter relating to the area in the Continental Shelf outside State boundaries. Since title III was deleted by the conference, they are superfluous. Those definitions are contained in title I, section 2, subsections (f), (g), (l), (k), and (l) of the House amendment.

Title II of the House amendment was substantially identical with Title II of the Senate resolution with the exception that in the latter sections 8 and 9 corresponded similarly to sections 17 and 19 of title III of the House amendment. Section 8 of the Senate resolution and its counterpart in the House amendment, section 17, merely provide that the act shall not affect any of the issues between the United States and the States relating to the ownership or control of the subsoil and seabed of the Continental Shelf lying beyond the lands beneath navigable waters as defined in the bill. Section 9 of the Senate resolution and its counterpart, section 19 of the House amendment, provide for the usual separability clause.

The conference agreement provides in title I for the definitions of various terms which are employed in title II.

Title II of the conference agreement is substantially identical with title II in the Senate resolution and the House amendment. Title II recognizes, confirms, vests, and establishes in the States title to the submerged lands beneath navigable waters within their boundaries and of the natural resources within such lands and waters. The areas affected by this title include all the submerged lands seaward from the coast line for a distance of 3 miles or to the original boundary of any State in any case where such boundary at the time the State entered the Union extended more than 3 miles seaward.

Title II does not affect any of the Federal constitutional powers of regulation and control over the submerged lands and navigable waters within State boundaries. These powers, such as those over commerce, navigation, flood control, national defense, and international affairs, are fully protected. Title II also gives to the Federal Government the preferred right to purchase, whenever necessary for national defense, all or any portion of the natural resources produced from these submerged lands.

The conference report does not affect any of the areas of the Continental Shelf adjacent to the United States which are outside of such State boundaries.

FRANCIS E. WALTER,
J. FRANK WILSON,
LOUIS E. GRAHAM,
CLIFFORD P. CASE,
Managers on the Part of the House.

Mr. WALTER. Mr. Speaker, the conference report contains the exact language that was contained in the bill as it passed the House, with the exception of section 3. Section 3 dealt with the control over the Continental Shelf. During the course of the consideration of the two bills and incidentally, the Senate bill is identical with sections 1 and 2 of the House bill—it became apparent that the questions involved in the Contiental Shelf were of such importance that separate legislation was necessary in order to deal properly with the problem presented by the control over that particular part of the submerged lands.

In that connection it is important for the membership to understand that sections 1 and 2 of the conference report, and of the Senate and House bills, confirmed to the States titles to their territory which everyone up to a few years ago believed were in the States.

The third section, as I stated before, has to do with the Continental Shelf in which submerged lands over 90 percent of the development is now taking place.

Under the decision of the Supreme Court until and unless the Congress does something about the control over the Continental Shelf the entire control of that area of the submerged lands is in the United States.

Mr. Speaker, I now yield 5 minutes to the gentleman from Mississippi [Mr. RANKIN].

TAKING OVER THE TIDELANDS BY JUDICIAL FIAT ONE OF THE MOST DANGEROUS STEPS EVER TAKEN

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks and include extraneous matter.

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

There was no objection.

Mr. RANKIN. Mr. Speaker, this is one of the most important questions that has come before this House since I have been a Member of Congress. These so-called tidelands are the lands under the waters along the States which they border, and have always been considered the property of the various States. This insidious movement to take over these tidelands by judicial fiat has dangerous implications for practically every State in this Union, especially the ones that border on the ocean, the Gulf, the Great Lakes, or on our navigable streams.

If the Government can take over this land they can take over the control of the water and tell you whether or not you can go boat riding or fishing there at any time.

Besides, as was pointed out recently in an unanswerable argument published in one of the leading papers of the Middle West—I believe the Kansas City Star—if the Government can take over the oil under these tidelands, it can take over the oil and the coal and other minerals under the lands of every State in the Union. In other words, we have been talking about communism, the taking over of all lands, as was done in Russia, and has been done in Poland, and all the other Communist countries. Here is an attempts to set aside laws the people of the United States have recognized for more than 150 years, by a court decision, and to make it possible to take over not only the tidelands, not only the area along the border of every State that touches navigable water, but also the oil, coal, and other minerals under every State in the Union.

This is merely an insidious movement that has the most dangerous implications. For that reason, I trust that when the roll is called there will not be a dissenting vote.

If we permit the courts to come along and wipe out our constitutional rights, the constitutional rights of the various States, without consulting the Congress, which means the will of the American people, then we are going down a dangerous path that may mean the end of what we know as American independence, American freedom, so far as our own lands and our own properties in the various States are concerned.

To me, it is one of the most dangerous schemes that has ever been promulgated. I trust that when the roll is called there will not be a dissenting vote against this conference report.

Mr. WALTER. Mr. Speaker, I yield such time as he may desire to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I hope this conference report is adopted. I expect to vote for it.

I want to make this further statement: The day before yesterday we debated the rule for the Puerto Rican Constitution. The concurrent resolution is here providing for approval or disapproval by the Congress under the law enacted by the Eighty-first Congress. Because of that fact, and while my apprehensions, concern, and misgivings about this proposed constitution are not less, but have increased, I do think the rule should be adopted when we consider the matter as contemplated by action of the Eighty-first Congress.

Mr. WALTER. Mr. Speaker, I yield 8 minutes to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Speaker, I think it is very important that we realize exactly what we are doing. It is extremely important that we should not be confused. In the first instance, the report that we are considering today deals with lands underneath the ocean which are seaward from the low water mark. Tidelands are the lands over which the tide ebbs and flows. When the offshore cases were brought to the Supreme Court, there had never been any determination as to who owned the lands underneath the ocean seaward of low tide. The litigation was prompted by the fact that in the last 20 years, oil had been discovered under the bed of the ocean seaward of the low tide, and consequently the question was who owned that land underneath the ocean. The cases which went to the Supreme Court went there under this particular circumstance, namely: That the issue involved in the cases in the United States against Texas and against California and against Louisiana, both in the bill of complaint and in the oral argument by the then Attorney General, Mr. Clark, stated that there is no point at issue with reference to inland navigable waters, bays or lakes. There had been previous decisions, one of them the Illinois Central Railroad, One Hundred and Forty-sixth United States Reports, page 387, which specifically stated that the State of Illinois owns the bed of Lake Michigan in front of the city of Chicago. The United States has not challenged the correctness of this decision.

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

Mr. FEIGHAN. I yield.

Mrs. BOLTON. What is the extent out from shore in the tideless waters of the Great Lakes?

Mr. FEIGHAN. I will go into the question of the Great Lakes right now, if I have the time. The waters of the Great Lakes are in an entirely different situation. They are considered inland waters. According to international treaty, the Great Lakes are divided in the center of the lakes, and there is no 3-mile belt, and the Supreme Court in that Illinois decision, decided that the States adjoining the Great Lakes owned the land underlying the Lakes.

I think it is important that we realize that there has been confusion, which has been created in the minds of many people, that these Supreme Court decisions would permit the United States to take over any inland waters. That is actually contrary to the arguments in the Supreme Court, and the decisions of the Supreme Court.

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

Mr. FEIGHAN. I yield.

Mr. WALTER. Of course, nobody ever believed that the United States would take the position with respect to the lands immediately adjacent to the States. What the gentleman says is true as of now, but who knows what will happen tomorrow? We are playing safe in the language of this bill by guaranteeing the States their boundaries out into the Great Lakes, as they were at the time the several States became a part of the United States, and that is the same principle underlying the bill which was enacted by the House.

Mr. FEIGHAN. When the original 13 States joined the Union, they gave up their allegiance to the crown and any external sovereignty that they had. They exchanged that external sovereignty for State sovereignty. By the same token, even the State of Texas, which later came into the Union, and which was first an independent Republic, had external sovereignty. By joining the Union, it gave up its external sovereignty, and joined on an equal footing with every other State.

Mr. WALTER. Of course, when the Republic of Texas became a part of the United States, the United States guaranteed the boundaries of that Republic, and those boundaries extended out into the waters, which have now become the matter in this controversy, and when the Attorney General of the United States testified before the Committee on the Judiciary, he was asked about that treaty and his reply was, "That is an unfortunate treaty."

Mr. FEIGHAN. That has not been determined, and the United States recognizes in international affairs only the 3-mile belt.

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

Mr. FEIGHAN. I yield.

Mr. MANSFIELD. Is it not true that the Supreme Court on three different occasions has ruled that the tidelands, as such, are not in question, and that outside of the tidelands it is a matter of Federal jurisdiction?

Mr. FEIGHAN. Absolutely, the tidelands have never been under consideration by the Supreme Court because the tidelands are that body of land underneath the ebb and flow of the tide. That is in the same category as the inland navigable waters, bays, and lakes.

Mr. MANSFIELD. There is no question about State sovereignty over all inland waters.

Mr. FEIGHAN. None whatever.

Mr. MANSFIELD. But the States, for example, have attempted to claim submerged lands. The Legislature of Texas passed a law which said that the sovereignty of Texas was out 67½ miles into the Gulf. The State of Louisiana passed legislation claiming the State line went out 100 miles. That is getting us into problems that are very grave. As far as looking into the future is concerned, we have got to act on what we are facing now. This is not a good bill.

Mr. FEIGHAN. The United States recognizes the international boundary only 3 miles out from shore.

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

Mr. FEIGHAN. I yield.

Mr. RANKIN. The boundary of the State of Mississippi crosses the Mississippi Sound and takes in Ship Island, Cat Island, and other islands. Would that decision cut the State of Mississippi in two?

Mr. FEIGHAN. No; it would not. It is easy to determine exactly what submerged lands are seaward of inland waters, and that is done in Mississippi as well as in other States. The Mississippi Sound has been held to be inland water. Consequently the 3-mile belt in the Gulf of Mexico runs outside of Ship Island, Cat Island, Horn Island, and the other islands along the Mississippi coast.

Mr. RANKIN. I fear this is just the beginning of an attempt on the part of the United States Government to take over all resources under these lands. If they can take over the oil, then they can take over the coal, the iron ore, and everything else that is under the soil.

Mr. FEIGHAN. The conclusion of the gentleman from Mississippi is based on an entirely false premise, because it was definitely stated by the Supreme Court decision that such could not and would not be the case.

The Congress under article IV of the Constitution has the power to appropriate territory and property. The Supreme Court held that the submerged lands seaward from low tide belonged to the United States; that means to the 48 States.

Under the provisions of this report, three States, California, Texas, and Louisiana, will benefit most. This appropriates or donates for the benefit of those coastal States which have off-shore deposits—some already known and many unknown. We are giving that which belongs to the 48 States to those particular States that border on the ocean.

Mr. RANKIN. This proposition applies to the Great Lakes, too. Do not misunderstand it.

Mr. FEIGHAN. It does not, very definitely. Its language is broad enough, of course, but the lands under the Great Lakes are not involved in the off-shore controversy.

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

Mr. FEIGHAN. I yield.

Mr. MANSFIELD. The gentleman is correct because after all, as far as these lands are concerned, in the case of California that question was settled definitely and there is no question at all as to what sovereignty exists as far as these lands off the coasts of these States are concerned.

Mr. WALTER. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, I had thought that this matter was debated to a final conclusion some weeks ago and that the House had taken the position not only at that time but at previous times that the boundary of the United States and the boundaries of the several States were indeed coextensive. If the boundaries of the United States are any larger than the boundaries of the States, then I do not know how the United States was formed.

The Original States had boundaries extending seaward in nearly every case, and when they joined together into what is called the United States, the United States was established by the consent of the several States, and certainly the United States could not be any larger than the perimeter of those States of which the United States was composed. Our Constitution then made provision that new States were to be admitted on an equal footing with the Original Thirteen. We now have 48 States—all on an equal footing, the boundaries of the United States today is still the external perimeter of the States—no more and no less.

I hope this conference report will be agreed to, and agreed to promptly and overwhelmingly, in this House of Representatives and thereby settle the issue so far as it can be settled at this time.

Mr. WALTER. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Speaker, it is my sad duty to announce to the Members of the House the death of one of the most distinguished men who ever served in this body—the late illustrious gentleman from New York, Hon. John Joseph Fitzgerald, who passed away the day before yesterday at the age of 80.

John J. Fitzgerald was born in Brooklyn, N. Y., on March 10, 1872. He attended the public schools and was graduated from Manhattan College in 1891. He studied law at New York Law School and was admitted to the bar in 1893. He was elected to the fifty-sixth and to the nine succeeding Congresses, and served from March 4, 1899, until December 31, 1917, when he resigned to resume the practice of law and form the well known firm of Fitzgerald, Stapleton & Mahon. While in Congress he represented part of the congressional district that I am now privileged to represent and during his long tenure of office here in the House enjoyed the reputation of being a faithful public servant who conscientiously devoted himself to the highest principles of statesmanship. He was an indefatigable worker and rendered valuable service. Judge Fitzgerald made a very profound impression upon the legislative history of our Nation. He was chairman of the full House Committee on Appropriations during World War I.

After resumption of his brilliant legal career and in 1932 John Fitzgerald was elected judge of the county court of Kings County and served on that bench with honor and distinction until his retirement. It was my great privilege to know him intimately. As assistant district attorney of Kings County I represented the people of the State of New

York in over a hundred cases before his court. He was a fine and fair jurist who prescribed a standard of equity and justice applicable to all persons alike. In his court, every defendant was assured of a fair trial.

He was a staunch Democrat throughout his lifetime, was a credit to his party and a delegate to many Democratic National Conventions. At a number of such conventions he served with distinction as parliamentarian.

Through the years of our friendship and association, I learned the kindness of his spirit and the warmth of his heart. He had a keen sense of humor.

John Fitzgerald was a devoted husband, a good father, and a loyal friend. To his widow and family I extend my deepest sympathy in their bereavement. I am sure that God will comfort them in their great sorrow.

Mr. WALTER. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. YORTY].

Mr. YORTY. Mr. Speaker, I want to take just a few minutes to clear up a misconception that exists about the case of United States against California. I hope you will not permit anyone to tell you that the United States is not trying to take over the land underlying the bays along the coast of the State of California. The United States is trying to take over land underlying certain bays along the coast of California by the clever device of defining out of existence bays which have been known as bays ever since they were first discovered and ever since the State of California was founded.

Let me explain the status of the California case. The Supreme Court having decided that the Federal Government is entitled to paramount rights in the land underlying the marginal sea, and having admitted in its decision that the States have what the Court described as a qualified right in lands underlying inland waters, the question arose then as to where the inland waters are; where they end and where the marginal sea begins. This question is still unsettled so nobody knows yet exactly what the Federal Government got by the decision.

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

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

Mr. FEIGHAN. Is that not the question that has been under dispute and referred to a special master to determine what bays and other waters along the coast of California constitute inland waters.

Mr. YORTY. That question indicates the uncertainty which exists concerning the situation in the California case. The situation is this: In order to get the lands underlying the waters in certain bays along the coast of California, the Federal Government is contending in the Supreme Court that the Supreme Court instead of this Congress should first define and then decide where the inland waters are. No legislative act now fixes the seaward limits of our inland waters. These limits should be fixed by legislation and not by the judiciary. But the Federal Government is before a special master right now contending, for instance, that Santa Monica Bay along the coast of southern California is not a bay. That is the way the United States intends to take over the lands underlying our bays; simply by denying that they are legally bays. The Federal Government contends that unless a bay is less than 10 miles wide and conforms to a certain mathematical formula it is not a bay. This is the whole diabolical scheme through which they are endeavoring to take over the lands underlying our bays.

Let me point out in the case of Santa Monica Bay, which, I repeat, the Federal Government now contends is not a bay, that in 1939 the United States attorney for southern California by direction of the Attorney General of the United States intervened in a gambling ship case in the California State courts and contended that Santa Monica Bay was a bay; that, therefore, the gambling ship in question was within the jurisdiction of the State of California; and that California had a right to stop it from operating. The same United States Department of Justice is now contending before the master appointed by the Supreme Court that Santa Monica Bay is not a bay. This seems to prove that the Justice Department is not objectively following the law in the case. They are, on the contrary, following rules of sheer expediency in trying to influence the determination of where inland waters are. They are employing expediency; trying to distort the law in an effort to have it determined that any place there is oil is not inland waters. In this way they are hypocritically attempting to seize lands underlying bays while denying their intent to do so.

Mr. Speaker, I want to compliment the committee for the excellent job it has done and particularly the distinguished chairman of the subcommittee, the gentleman from Pennsylvania [Mr. WALTER], to whom the State of California is very grateful.

Mr. GRAHAM. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. MCDONOUGH].

Mr. MCDONOUGH. Mr. Speaker, I favor the adoption of this conference report. It is of vital interest to California because much of the revenue of the city of Long Beach and Los Angeles comes from city owned oil lands. The title and ownership of these lands have been clouded by a previous Supreme Court decision and this legislation will confirm and establish the title to California and all other States on the Atlantic, Pacific and Gulf Coast when the original bill on this subject passed the House—H. R. 4484—last July, I made the following statement:

> Today California is a focal point in the controversy over the issue of State's rights in which the Federal Government has laid claim upon the tidelands which extend along the coast of California for 1,200 miles.
>
> The tenth amendment to the Constitution provided that "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."
>
> Under this provision for more than a century in California and other States of the Nation, the rights of the States and their people to the ownership and full enjoyment of all lands beneath navigable waters within their boundaries were recognized by the Federal Government.
>
> By such lands beneath navigable waters is meant the land under every navigable river, stream, and lake throughout the Nation, as well as the waters of all bays, ports, harbors, and channels along their ocean coast lines, out to the limits of the State boundaries. This includes, as well, all natural resources within this area.
>
> The boundary of the State of California, as provided in the State constitution, extends 3 miles into the Pacific Ocean and includes all islands along and adjacent to its coast. Sole ownership of this area by the State has always been recognized by the Federal Government and all of its departments and agencies until a little over a decade ago. As late as September 22, 1933, in answer to a letter addressed to him by an applicant for a leasing permit from the Federal Government, Secretary of the Interior Harold L. Ickes gave the following written reply to the applicant: "Title to the soil under the ocean within the 3-mile limit is in the State of California and the land may not be appropriated except by authority of the State."
>
> About 3 years later, however, Secretary of the Interior Ickes changed his mind and decided to seek to establish ownership and control in the United States over these lands. Efforts were made unsuccessfully to have the Congress declare these lands the property of the Federal Government.
>
> When Congress failed to declare the tidelands the property of the Federal Government, proceedings were instituted in the Supreme Court, and a decision rendered which declined to hold that the United States was the owner of the tidelands, but stated that California was not the owner of these lands.
>
> The title to the tidelands in California and in the other States has remained in controversy to the present with the subsequent confusion.
>
> In California our great harbors are clouded by the Supreme Court decision. Our world-renowned public beaches and shoreline recreational developments are at a standstill until the State's ownership of tidelands is reaffirmed. One city alone, Long Beach, finds many of its important community projects paralyzed until this matter is cleared up.
>
> Thousands of homes and pieces of land owned by thousands of persons are up in the air while the issue of whether or not the Federal Government is to be empowered to take at will, and without compensation, such lands as it needs or wants is still to be decided.
>
> To illustrate what this means to real estate in California, the California tidelands in dispute include the land under San Francisco's ferry building and the land under San Diego's civic center and municipal airport. Half of Los Angeles Harbor and much of Long Beach Harbor are of uncertain status.
>
> In the claims of the Federal Government for title to the tidelands, much has been made of the oil deposits under the tideland area in California and the need for Federal control for the preservation of natural resources. The facts, however, show that oil deposits are actually found under 15 miles of California's coast line, and half of the estimated oil supply in those pools has already been extracted.
>
> The State of California is the guardian of all the rich natural resources so important to our national economy and security, and shares equal concern with the Federal Government for the development and protection of these resources.
>
> The 1,200-mile coast-line tidelands area of California is one of the State's greatest natural resources. Hundreds of millions of dollars have been spent by the State and its citizens on harbors, fisheries, pleasure resorts, and other uses essential to the orderly development of the State. The cities and

counties of California have additional plans for the use of the tidelands. But if the tidelands question is not settled these plans are retarded, and if title should be awarded to the Federal Government, the people of California would be subordinated to the Federal Government in these matters.

I believe that equity calls for the confirmation of the title to these lands to the State, and I have introduced H. R. 1364 which would confirm and establish the titles of the States to lands and resources in and beneath navigable waters within State boundaries and to provide for the use and control of said lands and resources.

This bill along with other bills introduced relating to this subject were recently considered by the House Judiciary Committee which has reported out a bill similar to that which I introduced, H. R. 4484. This bill will shortly be considered by the House and it is my hope that favorable action will be taken by the Congress.

In the report of the committee on H. R. 4484, it states that all agree that only the Congress can resolve the long-standing controversy between the States of the Union and the deparaments of the Federal Government over the ownership and control of submerged lands. The longer this controversy continues, the more vexatious and confused it becomes. Interminable litigation has arisen between the States and the Federal Government, and others. Much-needed improvements on these lands and the development of strategic natural resources within them has been seriously retarded.

The purposes of H. R. 4484 as reported by the Judiciary Committee are to define tidelands areas, to confirm and establish the rights and claims of the 48 States, asserted and exercised by them throughout our country's history, to the lands beneath navigable waters within State boundaries and the resources within such lands and waters, and to provide for the leasing by the Secretary of the Interior of the areas of the Continental Shelf lying outside of the State boundaries.

With the passage of H. R. 4484, the right of the State of California to the tidelands area would be established and end the controversy which has been blocking development of the tidelands since 1938.

I urge the House to vote favorably on this conference report.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RADWAN] be permitted to extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. RADWAN. Mr. Speaker, I voted against this particular legislation when it passed the House last year. I have given this matter further attention and study, and the more attention and study I give it, the more determined I am to continue my opposition to what I consider an attempt for a big oil grab.

The Supreme Court has made a decision on the very question before this House and decided that any resources coming from submerged ocean lands belong to the Federal Government—to all 48 States—and not merely to three or any number of States that have boundaries which may lie near the water line in question. Since that time and in less than 3 years, the Federal Government has collected approximately $40,000,000 in royalties which went into the Federal treasury instead of into the treasuries of the three States—Texas, California, and Louisiana. These same $40,000,000 would have to be made up in taxes by all of the people of the United States were it not for that particular Supreme Court decision.

I sincerely submit that my vote is consistent with my other votes for lower taxes and with my votes for economy. More than that, I am just as eager to cast a vote against a "big oil grab" as I would be against an unwarranted and illegal steel seizure by big government. That, to me, is my guiding principle. I have opposed and will continue to oppose bigness when that bigness is to the detriment of the general welfare of all the people of this country.

I appreciate and respect the opinions of those gentlemen who favor this legislation on States'rights principles. There is merit to the argument based upon principle. That same merit existed when these three cases were argued in the Supreme Court. However, in that decision, the merits of the arguments on both sides of the question were resolved and a final decision by the highest court in the land was that this property and the benefits accruing therefrom belong to the Government of the United States of America. This was a final adjudication. Now some special interests have been powerful enough to bring to the Congress this legislation which would destroy and nullify the Supreme Court decision which declared these assets to be the property of all the people. This legislative attempt, to me, in its very essence, seems to be unconstitutional because it violates at least the spirit and the intent of our constitutional division of Government into the three branches—executive, legislative and judicial.

I must admit that the question before the Supreme Court was very close and that perhaps the decision could have gone the other way, but whether we are lawyers or laymen, we, in the legislature, cannot assume the prerogative denied to us by the Constitution of questioning or overriding a final adjudication of our Supreme Court. The question had the benefit of nine legal minds and should be respected by the legislative branch of Government. Since I have been a Member of Congress, I have had occasion to criticize the Chief Executive for not giving full faith to the laws of the land. In harmony with such positions of criticism, I want to make sure that I discharge my responsibility to my oath of office by giving full faith and credit to a final adjudication by the United States Supreme Court. If another Supreme Court at some future date should decide differently, I will likewise respect this different decision.

Mr. GRAHAM. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Speaker, I hope this House will as unanimously as is possible approve this conference report, for it will prevent the Government by artifice and device from seizing and taking possession of millions of acres of potential oil-bearing lands and other lands regardless of whether or not there is any oil in the consideration thereof. This is an opportunity, in my judgment, for this House to put up a stopgap and I hope it will be permanent, against the further encroachment of big government.

It is an attempt by the Government to take from the States the tidelands which have been recognized as their property for over 150 years. I hope the House will approve the report of the conference committee before us by a tremendous majority.

Mr. GRAHAM. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, when this bill was before the House as H. R. 4484, I set forth my reasons for voting against the bill. This statement appears in the CONGRESSIONAL RECORD, volume 97, part 7, page 9175.

Briefly summarized, I regarded the question of Federal versus State ownership of the lands beneath coastal waters seaward from the low-water mark as an involved and difficult legal question which had been decided by the Supreme Court of the United States. Without expressing my own opinion on this legal question, and recognizing fully that the Supreme Court has sometimes erred in the past, I argued that there must be a finality to legal controversies; and that under our constitutional system the Supreme Court was the last word in this field. I did not believe the Congress should undertake to set itself up as a supersupreme court to review legal decisions, however erroneous they might be.

If, therefore, the title to the resources in question had been quieted in all the people of the United States, I was unable to justify a grant for the exclusive benefit of the inhabitants of the States adjacent to such areas.

Since casting my vote on H. R. 4484 almost a year ago, it has come to my attention that Federal officials have been seeking to employ the Supreme Court decisions involving the so-called tidelands to extend Federal jurisdiction and encroach upon the rights of the State and local governments in many ways and that other encroachments seem to be planned for the future.

My decision on H. R. 4484 was based upon purely logical grounds, and my understanding of constitutional functions and responsibilities. My decision did not imply that as a matter of policy I favored encroachment by the Federal Government at the expense of the States.

Dual sovereignty is the unique but little appreciated feature of the American Federal system, which, together with other constitutional checks and balances, protects our citizens from tyranny. The vesting of governmental powers in two separate and distinct political entities which operate on the same geographical area and the same human beings is a governmental device which, so far as I know, has no precedent or equivalent in human history. I think it is essential to the freedom and self-government the people of the United States have enjoyed that this system of dual sovereignty be preserved and maintained in full vigor.

I was deeply impressed by the penetrating discussion of this unique feature

of our governmental system provided by the late Justice Cardozo in *Schechter Poultry Corp.* v. *U. S.* (295 U. S. 495, p. 554). This classic expression of the philosophy of the American constitutional system should not only be read but understood by every American. We Members of the United States Congress should have it continually in our minds. It reads as follows:

> There is a view of causation that would obliterate the distinction between what is national and what is local in the activities of commerce. Motion at the outer rim is communicated perceptibly, though minutely, to recording instruments at the center. A society such as ours "is an elastic medium which transmits all tremors throughout its territory; the only question is of their size." Per Learned Hand, J., in the court below. The law is not indifferent to considerations of degree. Activities local in their immediacy do not become interstate and national because of distant repercussions. What is near and what is distant may at times be uncertain. *Cf. Chicago Board of Trade* v. *Olsen* (262 U. S. 1). There is no penumbra of uncertainty obscuring judgment here. To find immediacy or directness here is to find it almost everywhere. If centripetal forces are to be isolated to the exclusion of the forces that oppose and counteract them, there will be an end to our Federal system.

I did not believe that I should change my vote on the tidelands oil legislation. The reasoning which impelled my original decision is just as cogent today as it was a year ago. But I do wish to serve notice on any ambitious, empire-building bureaucrats that efforts on their part to employ the tidelands decisions of the Supreme Court as a means of breaking down the sovereignty of States for the aggrandizement of the Federal Government will be met with the most effective and relentless resistance of which I am capable.

Although Members of the Congress are officials of the Federal Government, they should consistently and continuously seek to protect State and local governments from the usurpations of the huge and ambitious bureaucratic monster we have permitted to grow so rapidly in our Nation's Capital. I have sometimes been critical of the inactivity and apparent indifference of officials in State and local governments when demands have arisen for new and unusual public services. I have been extremely critical of those who continually turn to Washington for hand-outs when frequently the services they seek could be better performed and at lower cost in their own localities. State and local governments and the people, in my opinion, have not been as jealous as they should have been of the power and authority of the local governments and have not resisted vigorously enough the appealing, sugar-coated blandishments of the Washington Santa Claus.

The equilibrium between the Federal and the State sovereignties must be maintained. As I viewed it, that question was not presented in the bill before the Congress. When it is presented, my vote and my efforts will be directed toward the maintenance of the political system so wisely conceived by our founding fathers.

Mr. GRAHAM. Mr. Speaker, I yield such time as he may desire, to the gentleman from California [Mr. SCUDDER].

Mr. SCUDDER. Mr. Speaker, I believe that the conference committee has done a splendid piece of work in bringing back Senate Joint Resolution 20, a compromise measure for the establishment of States' rights to the tidelands of our country. I believe that the enactment of this legislation will rectify a mistake made by judicial action. If there was ever a time when we should put a stop to Federal encroachment on the rights and property of sovereign States, it is now.

For many years I have been in close contact with this problem. As a member of the California State Legislature, we enacted legislation providing for State royalties on one of the richest oil fields in the State of California, the oil pool at Huntington Beach which extends far out into the waters of the Pacific. Offset drilling was being practiced by companies in order to tap the pool beyond the shoreline.

We took legislative action and established the right to collect royalties from the various slant-well drillers. I believe we set up one of the highest royalties being exacted of drillers anywhere in the United States, which amounts to 32 percent and we made provision for the distribution of royalties so collected.

The California law provides that from the royalties collected each year, $150,000 is earmarked for veterans' education. Of the remaining balance 30 percent is paid into the general fund of the State, and 70 percent is used for the purchase of beaches and park sites for recreational purposes and for their maintenance. These beaches and park facilities are maintained not only for the citizens of California but the people of the entire country who travel to the West. We have used this money to purchase coast property and establish facilities along the beaches of California that were being bought up by private interests. Can you imagine traveling to the Pacific coast and traversing our highways and not being permitted to go down to the ocean shore? These royalties collected are used for this general park purpose.

When the Supreme Court ruled against the State ownership of our submerged land, the royalties which we had been receiving were forced to be impounded. At the present time some $40,000,000 is being held and thereby restraining the development of our beaches. Many false and misleading statements have been made to endeavor to prejudice the public against this bill, and are not made in the best interests of the general public. I would like to quote some figures to compare between royalties received by the State of California and royalties received by the Federal Government:

For the period between 1921 through 1950, California collected an average of 19.13 percent royalty. In the year 1950, the average rate of royalty was 24.99 percent. This source of income was collected from the oil companies who produce from tideland pools. By comparison the Federal Government has collected royalties at the average rate of 11 percent. The latest figures I have are for 1947 when the Government's rate of royalties collected was 11.38 percent. That same year the State of California collected royalties from tidelands production at the rate of 24.91 percent.

I believe that the Supreme Court ruling has been unfair to the affected States, and that this bill will release the impounded money. I am a firm believer in States' rights and feel that the Federal Government should not usurp the same. I believe that we should start to reduce the power of the Federal Government over the sovereign States. Our Constitution was never intended to dominate the States, but to assist them in the problems they could not of themselves solve. I believe the States should be permitted to operate freely for the benefit of their citizens.

The principle involved in this legislation is just good, sound, American constitutional procedure. I trust that this bill will pass by an overwhelming majority, and that the President, while he has twice vetoed bills of this character, decides to sign the same. Otherwise, the responsibility will be ours to endeavor to override such veto should it occur.

I recommend the full support of this resolution.

Mr. WALTER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. WILSON].

Mr. WILSON of Texas. Mr. Speaker, I think it is extremely important that every Member on the floor who intends to vote on this bill understand exactly what is in this conference report. A Member just said to me, "Is this bill satisfactory to Texas?" This bill is titles 1 and 2 of the Walter bill passed by this House, which quitclaims the historical boundaries to Texas, which is three leagues, and to every other State, with the exception of two, Florida and Louisiana, 3 miles. It does not give them anything. It reaffirms and ratifies their rightful ownership to property they have had all this time. The Federal Government is not giving the States anything. This bill does not deal with the Continental Shelf where the great proportion of the production of oil and gas is now being gotten. For instance, within the three-league belt in Texas there is not one barrel of oil production at this time. All the oil production is outside of the historical boundaries of the State. So this bill deals purely and simply with the 3-mile belt around the coast line of all the States, and with inland waters, as stated by the gentleman from Pennsylvania [Mr. WALTER], and does not deal with the Continental Shelf, State police powers, nor the conservation laws, or anything else.

Mr. Speaker, we are strong for this bill, although we would rather have had the Walter bill, but we could not get the Walter bill in conference. We are strong for this bill because we believe it is right and we believe it should pass this House by an overwhelming majority. It is a State rights bill. It is a bill that

recognizes and confirms the rights of the States when they came into the Union, and we think this bill should be passed by an overwhelming vote.

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

Mr. WILSON of Texas. I yield to the gentleman from Minnesota.

Mr. JUDD. Can the gentleman assure us that if this conference report is adopted, there will not come a day when the Attorney General will stand up in the Supreme Court and argue that because we did not deal in any way in this bill with the Continental Shelf, we were thereby acquiescing in the Federal Government's present claim to that shelf, or recognizing its right to take it at some future time?

Mr. WILSON of Texas. This conference report provides that no question in regard to the Continental Shelf is settled by this legislation. I would say, as one of the conferees, that we did not deal with the Continental Shelf; that this bill does not, by quitclaim or otherwise, give the Continental Shelf to the Federal Government, nor to the States, nor to anybody else. It leaves it an open question.

Mr. JUDD. I thank the gentleman for making that clear on the record.

Mr. WILSON of Texas. I thank the gentleman.

Mr. WALTER. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks at this point in the RECORD.

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

There was no objection.

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

Mr. MCCARTHY. Mr. Speaker, as a Representative from a State bordering on the Great Lakes, I deeply appreciate the concern expressed by other Members of the House over our State's title to the potential wealth lying beneath the waters of these Lakes. I only wish that many who have expressed this great concern here today would support us in our efforts to develop the navigation on the Great Lakes and support the St. Lawrence seaway project. Such support of what is known, actual, and immediate, would be evidence of the sincerity of their expressed concern over the potential, the remote, and unknown.

Mr. BROOKS. Mr. Speaker, this is a historic occasion. For many years those of us vitally affected by the tidelands problem have been working upon this measure. At times we have worked with very little hope but always with the steadfast purpose of asserting the rights—constitutional and inherent—of the several States in these lands which constitute the bottom of the sea adjacent to the States and the lands beneath navigable waters within the State boundaries. We are now brought face to face with what I hope will be the final legislative action on this matter. It is, therefore, a day of realization.

Mr. Speaker, we from Louisiana support this measure. We are not satisfied, however, with all of the terms of the bill. It is nonetheless the best bill which time and effort and ability have been able to give us, working as they have under the tremendous difficulties which confront the States of the Union.

In Louisiana, for instance, to fully protect our rights our claims should be recognized as far out as the edge of the Continental Shelf. In places off the coast of Louisiana, this may be a full hundred miles and all of this land under the Gulf of Mexico to the edge of the Continental Shelf is State land.

It is my interpretation of this bill that all States will be recognized to own at least the first three seaward miles beyond the boundary of the State. If the constitution of a State—or the laws prior to or at the time such State became a member of the Union—extended the boundary beyond the three seaward miles, this bill recognizes this additional part of the tidelands to be in the State.

Since the State of Louisiana, I think, is more affected by this controversy than any other State, it is unfortunate that we do not have far more of the tidelands recognized to be in Louisiana than this bill provides.

I am supporting this bill because it does finally settle the tidelands in Louisiana to a portion of the waters claimed by it. In voting for it I am not satisfied with the results, but I hope that at some future time we may by further legislation bring about a more desirable result.

One argument which impels me to support this measure is the fact that this will settle title in the State of Louisiana, as I read the bill, to waters within the limits of our offshore islands. Louisiana has many islands. Some of them extend far out to sea. We therefore properly claim the sea within the island boundaries and toward the shoreward side of them. This provision will help Louisiana absorb the heavy blow which it is receiving at the hands of militant bureaucracy. It will help make the attempted tidelands seizure reasonably acceptable to Louisiana as she moves forward in a protracted effort to obtain a full measure of justice and a more equitable solution to our great problem.

Mr. LARCADE. Mr. Speaker, as a Representative from Louisiana, one of the States most interested in the legislation under consideration, and having appeared and made statements before the House and Senate committees holding hearings on the subject under discussion since the first bill was introduced to set aside the Supreme Court decision alleging the ownership by the Federal Government of our submerged lands in Louisiana and the other States, and the validity of our ownership having been established beyond any question of a doubt, and further, having made arguments on the floor of the House each time a bill was considered on the subject by the House where the claims of the State of Louisiana and the other States was fully established, proven, and resolved, it is not now necessary for me to add any further evidence or argument on this conference report under the bill providing for quitclaim to the submerged lands belonging to Louisiana offshore from the Gulf of Mexico, as well as the State of Texas and other States and offshore submerged lands in the oceans and other streams.

Mr. Speaker, the legislation which is approved here under this conference report only deals with the submerged lands offshore within the 3-mile limit in the case of Louisiana and other States, with the exception of the State of Texas.

Mr. Speaker, as a Representative from the State of Louisiana it is my position—and I am certain that it is the position of all others who are accepting this conference report and who will vote for it—that this does not in any manner, shape, or form acknowledge that the Federal Government has any claim, interest, or title to submerged lands extending beyond the 3-mile limit of the States.

Mr. TOLLEFSON. Mr. Speaker, I sincerely trust that the House will approve the conference report on Senate Joint Resolution 20, the so-called tidelands oil bill. It is necessary for Congress to confirm and establish the title of the various States to lands beneath navigable waters within the State boundaries and to give clear title to the State to the natural resources within such lands and waters. The coastal States have owned these submerged lands even before their admission to the Union. Their titles were recognized at the time of their admission to the Union. Decisions of many courts, excluding that of the Supreme Court which gave rise to this legislation, have recognized the interests of the States in this land. The Supreme Court itself refused the Government's suggestion that "proprietorship" of the lands be declared vested in the United States. The attorneys general of 47 States have supported this legislation, as have American port authorities, State governors, and other governmental agencies. The conference report should be approved.

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

The previous question was ordered.

The SPEAKER. The question is on the conference report.

Mr. WALTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 247, nays 89, answered "present" 2, not voting 93, as follows:

[Roll No. 71]

YEAS—247

Abbitt	Berry	Chenoweth
Abernethy	Betts	Chiperfield
Adair	Bishop	Church
Allen, Ill.	Blackney	Clevenger
Allen, La.	Boggs, Del.	Cole, Kans.
Anderson, Calif.	Boggs, La.	Cole, N. Y.
Andresen, August H.	Bolton	Colmer
	Bow	Combs
Andrews	Bramblett	Cooley
Angell	Bray	Cooper
Arends	Brehm	Cotton
Armstrong	Brooks	Coudert
Auchincloss	Brown, Ga.	Crawford
Ayres	Brown, Ohio	Crumpacker
Baker	Brownson	Cunningham
Barden	Bryson	Curtis, Mo.
Bates, Mass.	Budge	Curtis, Nebr.
Battle	Burleson	Dague
Beall	Burton	Davis, Tenn.
Beamer	Busbey	Davis, Wis.
Beckworth	Bush	Deane
Bender	Butler	DeGraffenried
Bennett, Fla.	Byrnes	Dempsey
Bennett, Mich.	Camp	Denny
Bentsen	Chatham	Devereux

Dolliver	Jones, Woodrow W.	Rees, Kans.
Dondero	Judd	Regan
Donohue	Kean	Richards
Donovan	Kearney	Riehlman
Dorn	Kearns	Rivers
Doughton	Kersten, Wis.	Rogers, Fla.
Ellsworth	Kilburn	Rogers, Mass.
Elston	Kilday	Rogers, Tex.
Fallon	King, Calif.	Ross
Fenton	King, Pa.	Sadlak
Fernandez	Lantaff	St. George
Fisher	Larcade	Sasscer
Ford	Latham	Saylor
Forrester	LeCompte	Schenck
Frazier	Lucas	Scott, Hardie
Fulton	Lyle	Scrivner
Gamble	McConnell	Scudder
Gary	McCulloch	Seely-Brown
Gathings	McDonough	Shafer
Gavin	McGregor	Short
George	McKinnon	Sikes
Golden	McMillan	Simpson, Ill.
Goodwin	McMullen	Simpson, Pa.
Graham	Mack, Wash.	Sittler
Grant	Mahon	Smith, Kans.
Greenwood	Martin, Iowa	Smith, Va.
Gwinn	Martin, Mass.	Smith, Wis.
Hagen	Merrow	Springer
Hale	Miller, Calif.	Stanley
Hall, Leonard W.	Miller, Md.	Steed
Halleck	Miller, Nebr.	Stockman
Harden	Miller, N. Y.	Taber
Hardy	Mills	Talle
Harris	Morano	Teague
Harrison, Nebr.	Murdock	Thomas
Harvey	Murray	Thompson, Mich.
Havenner	Nelson	Thompson, Tex.
Hays, Ark.	Nicholson	Thornberry
Hébert	Norblad	Tollefson
Herlong	Norrell	Trimble
Herter	O'Hara	Vail
Hess	Ostertag	Van Zandt
Hill	Passman	Vinson
Hillings	Patman	Vorys
Hinshaw	Patterson	Vursell
Hoffman, Ill.	Philbin	Walter
Holifield	Phillips	Weichel
Holmes	Pickett	Wharton
Hope	Poage	Whitten
Horan	Poulson	Widnall
Ikard	Preston	Wigglesworth
Jackson, Calif.	Priest	Williams, N. Y.
James	Prouty	Willis
Jenison	Rains	Wilson, Tex.
Jenkins	Rankin	Winstead
Jensen	Reece, Tenn.	Wolcott
Jones, Hamilton C.	Reed, Ill.	Wood, Idaho
	Reed, N. Y.	Yorty

NAYS—89

Addonizio	Green	Marshall
Andersen, H. Carl	Gregory	Meader
Aspinall	Gross	Mitchell
Bailey	Hays, Ohio	Morgan
Barrett	Heller	O'Brien, Ill.
Bosone	Heselton	O'Brien, Mich.
Buchanan	Howell	O'Konski
Burdick	Hull	O'Neill
Canfield	Irving	Osmers
Cannon	Javits	Patten
Carnahan	Jones, Ala.	Polk
Case	Karsten, Mo.	Powell
Celler	Keating	Price
Chelf	Kee	Rabaut
Chudoff	Kelley, Pa.	Radwan
Clemente	Keogh	Reams
Corbett	Kirwan	Rhodes
Delaney	Klein	Ribicoff
Denton	Kluczynski	Rodino
Dollinger	Lane	Rooney
Eberharter	Lind	Secrest
Elliott	McCarthy	Sieminski
Feighan	McCormack	Spence
Fine	McGrath	Staggers
Flood	McGuire	Taylor
Fogarty	McVey	Wier
Furcolo	Machrowicz	Withrow
Gordon	Mack, Ill.	Wolverton
Granahan	Madden	Yates
	Mansfield	Zablocki

ANSWERED "PRESENT"—2

Hart Rogers, Colo.

NOT VOTING—93

Aandahl	Baring	Bonner
Albert	Bates, Ky.	Boykin
Allen, Calif.	Belcher	Buckley
Anfuso	Blatnik	Buffett
Bakewell	Bolling	Burnside
Carlyle	Hunter	Redden
Carrigg	Jackson, Wash.	Riley
Cox	Jarman	Roberts
Crosser	Johnson	Robeson
Davis, Ga.	Jonas	Roosevelt
Dawson	Jones, Mo.	Sabath
D'Ewart	Kelly, N. Y.	Scott, Hugh D., Jr.
Dingell	Kennedy	Sheehan
Doyle	Kerr	Shelley
Durham	Lanham	Sheppard
Eaton	Lesinski	Smith, Miss.
Engle	Lovre	Stigler
Evins	McIntire	Sutton
Forand	Magee	Tackett
Fugate	Mason	Van Pelt
Garmatz	Morris	Velde
Gore	Morrison	Watts
Granger	Morton	Welch
Hall, Edwin Arthur	Moulder	Werdel
Hand	Multer	Wheeler
Harrison, Va.	Mumma	Wickersham
Harrison, Wyo.	Murphy	Williams, Miss.
Hedrick	O'Brien, N. Y.	Wilson, Ind.
Heffernan	O'Toole	Wood, Ga.
Hoeven	Perkins	Woodruff
Hoffman, Mich.	Potter	
	Ramsay	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Werdel for, with Mr. Morton against.
Mr. Doyle for, with Mr. Sabath against.
Mr. Sheppard for, with Mr. Multer against.
Mr. Engle for, with Mr. Kennedy against.
Mr. Kerr for, with Mr. Heffernan against.
Mr. Hand for, with Mr. Hart against.
Mr. Allen of California for, with Mr. Baring against.
Mr. Johnson for, with Mr. Granger against.
Mr. Shelley for, with Mr. Dawson against.
Mr. Belcher for, with Mr. Dingell against.
Mr. Harrison of Virginia for, with Mr. Rogers of Colorado against.
Mr. Carrigg for, with Mr. Bakewell against.
Mr. Mumma for, with Mr. Murphy against.
Mr. Smith of Mississippi for, with Mr. Buckley against.
Mr. Riley for, with Mr. Crosser against.
Mr. Van Pelt for, with Mr. Bates of Kentucky against.
Mr. Sheehan for, with Mr. Forand against.
Mr. Garmatz for, with Mr. Lesinski against.
Mr. Evins for, with Mr. Perkins against.
Mr. Jarman for, with Mr. Jones of Missouri against.
Mr. Lovre for, with Mr. Burnside against.
Mr. Hunter for, with Mr. Ramsay against.
Mr. Jonas for, with Mr. Blatnik against.
Mr. Morrison for, with Mr. Anfuso against.
Mr. Coudert for, with Mr. Roosevelt against.
Mr. Fugate for, with Mr. Magee against.
Mr. Hoeven for, with Mrs. Kelly of New York against.

Until further notice:

Mr. Aandahl with Mr. Albert.
Mr. Buffett with Mr. Jackson of Washington.
Mr. D'Ewart with Mr. Bolling.
Mr. Eaton with Mr. Carlyle.
Mr. Edwin Arthur Hall with Mr. Davis of Georgia.
Mr. Harrison of Wyoming with Mr. Cox.
Mr. Hoffman of Michigan with Mr. Morris.
Mr. Woodruff with Mr. Durham.
Mr. Wilson of Indiana with Mr. Gore.
Mr. Velde with Mr. O'Toole.
Mr. Hugh D. Scott, Jr., with Mr. Lanham.
Mr. Potter with Mr. Redden.
Mr. Mason with Mr. Roberts.
Mr. McIntire with Mr. Sutton.

Mr. WOLVERTON changed his vote from "yea" to "nay."

Mr. HART. Mr. Speaker, I have a live pair with the gentleman from New Jersey, Mr. HAND. I withdraw my vote and vote "present."

Mr. ROGERS of Colorado. Mr. Speaker, I have a live pair with the gentleman from Virginia, Mr. HARRISON. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. HINSHAW. Mr. Speaker, is the gentleman from California, Mr. HUNTER, recorded?

The SPEAKER. He is recorded as having voted "nay."

Mr. HINSHAW. Mr. Speaker, the gentleman from California, Mr. HUNTER, is not present and hence could not possibly have so voted. In fact he has asked me to see to it that he be paired in favor of this conference report.

The SPEAKER. Without objection the gentleman's vote will be withdrawn

There was no objection.

Mr. HINSHAW. And besides, Mr. Speaker, if the gentleman had been here he would have voted "yea," so I am informed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDING THE MUTUAL SECURITY ACT OF 1951

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 640, Rept. No. 1932), which was referred to the House Calendar and ordered to be printed.

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. 7005) to amend the Mutual Security Act of 1951, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 6 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute committee amendment recommended by the Committee on Foreign Affairs now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of the reading of the bill for amendment, the committee shall rise and report the same to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. 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 with or without instructions.

ARMED FORCES PAY RAISE ACT

Mr. KILDAY. Mr. Speaker, I call up the conference report 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, and ask unanimous consent that the statement of the managers on

the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1867)

[To accompany H. R. 5715]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That (a) the table contained in section 201 (a) of the Career Compensation Act of 1949 is amended to read as follows:

"Commissioned officers

Pay grade	Under 2	Over 2	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 22	Over 26	Over 30
O-8	$963.30	$963.30	$963.30	$963.30	$963.30	$963.30	$963.30	$963.30	$963.30	$963.30	$963.30	$963.30	$992.90
O-7	800.28	800.28	800.28	800.28	800.28	800.28	800.28	800.28	800.28	800.28	800.28	829.92	859.56
O-6	592.80	592.80	592.80	592.80	592.80	592.80	592.80	592.80	607.62	637.26	666.90	696.54	726.18
O-5	474.24	474.24	474.24	474.24	474.24	474.24	489.06	503.88	518.70	548.34	577.98	607.62	607.62
O-4	400.14	400.14	400.14	400.14	414.96	429.78	444.60	459.42	474.24	503.88	518.70	533.52	533.52
O-3	326.04	326.04	340.86	355.68	370.50	385.32	400.14	414.96	429.78	444.60	459.42	459.42	459.42
O-2	259.36	274.18	289.00	303.82	318.64	333.46	348.28	363.10	363.10	363.10	363.10	363.10	363.10
O-1	222.30	237.12	251.94	266.76	281.58	296.40	311.22	326.04	326.04	326.04	326.04	326.04	326.04

"Warrant officers

Pay grade	Under 2	Over 2	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 22	Over 26	Over 30
W-4	$332.90	$332.90	$332.90	$348.04	$363.17	$378.30	$393.43	$408.56	$423.70	$438.83	$453.96	$469.09	$484.22
W-3	302.64	302.64	302.64	310.21	317.77	325.34	332.90	340.48	348.04	363.17	378.30	393.43	408.56
W-2	264.82	264.82	264.82	264.82	272.38	279.95	287.51	295.08	302.64	317.77	332.90	348.04	363.17
W-1	219.42	219.42	219.42	226.98	234.55	242.11	249.68	257.24	264.82	279.95	295.08	310.21	310.21

"Enlisted persons

Pay grade	Under 2	Over 2	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 22	Over 26	Over 30
E-7	$206.39	$206.39	$214.03	$221.68	$229.32	$236.96	$244.61	$252.25	$259.90	$275.18	$290.47	$305.76	$305.76
E-6	175.81	175.81	183.46	191.10	198.74	206.39	214.03	221.68	229.32	244.61	259.90	259.90	259.90
E-5	145.24	152.88	160.52	168.17	175.81	183.46	191.10	198.74	206.39	221.68	236.96	236.96	236.96
E-4	122.30	129.95	137.59	145.24	152.88	160.52	168.17	175.81	183.46	198.74	198.74	198.74	198.74
E-3	99.37	107.02	114.66	122.30	129.95	137.59	145.24	152.88	152.88	152.88	152.88	152.88	152.88
E-2	85.80	93.60	101.40	109.20	117.00	124.80	124.80	124.80	124.80	124.80	124.80	124.80	124.80
E-1 (Over 4 months)	83.20	91.00	98.80	98.80	98.80	98.80	98.80	98.80	98.80	98.80	98.80	98.80	98.80
E-1 (Under 4 months)	78.00												

"(b) That portion of the table contained in section 302 (f) of the Career Compensation Act of 1949, as amended, which prescribes monthly rates of basic allowances for quarters for commissioned officers and warrant officers is amended to read as follows:

Pay grade	With dependents	Without dependents
O-8	$171.00	$136.80
O-7	171.00	136.80
O-6	136.80	119.70
O-5	136.80	102.60
O-4	119.70	94.20
O-3	102.60	85.50
O-2	94.20	77.10
O-1	85.50	68.40
W-4	119.70	94.20
W-3	102.60	85.50
W-2	94.20	77.10
W-1	85.50	68.40

"(c) For the duration of section 3 of the Dependents Assistance Act of 1950, that portion of the table contained in section 302 (f) of the Career Compensation Act of 1949, as amended, which prescribes basic allowances for quarters for enlisted members is amended to read as follows:

Pay grade	Not over 2 dependents	Over 2 dependents
E-7	$77.10	$96.90
E-6	77.10	96.90
E-5	77.10	96.90
E-4	77.10	96.90

Pay grade	1 dependent	2 dependents	Over 2 dependents
E-3	$51.30	$77.10	$96.90
E-2	51.30	77.10	96.90
E-1	51.30	77.10	96.90

"(d) The basic allowance for subsistence as provided in section 301 (e) of the Career Compensation Act of 1949, except the amount payable to enlisted persons when permission to mess separately is granted, is hereby increased by 14 per centum.

"(e) The rates of pay prescribed in sections 508, 527, and 528 of the Career Compensation Act of 1949, are hereby increased by 4 per centum.

"(f) For the duration of section 3 of the Dependents Assistance Act of 1950, the basic allowance for quarters as provided in subsection 302 (g) of the Career Compensation Act of 1949, as amended, is hereby increased by 14 per centum.

"SEC. 2. (a) Members and former members of the uniformed services entitled to receive retired pay, retirement pay, retainer pay, or equivalent pay computed on the rates prescribed in section 201 (a) of the Career Compensation Act of 1949 shall be entitled to have such pay computed on the rates as prescribed by this Act.

"(b) Members or former members who are entitled to receive retired pay, retirement pay, retainer pay, or equivalent pay under laws in effect prior to October 1, 1949, shall be entitled to an increase of 4 per centum of such retired pay, retirement pay, retainer pay, or equivalent pay.

"SEC. 3. Section 509 of the Career Compensation Act of 1949 is amended to read as follows:

"'ASSIMILATION TO PAY AND ALLOWANCES OF MEMBERS OF THE UNIFORMED SERVICES

"'SEC. 509. The provisions of titles II and III of this Act shall apply equally to those persons serving, not as members of any of the uniformed services, but whose pay or allowances, or both, under existing law or regulation promulgated pursuant to law are assimilated to the pay and allowances of commissioned officers, warrant officers, or enlisted persons of any rank or grade of any of the uniformed services.'

"SEC. 4. The Career Compensation Act of 1949, as amended, is further amended by inserting in section 412 after the words 'members of the uniformed services' and in the third proviso to section 511 after the words 'former member of the uniformed services', the words 'service as a cadet or midshipman in the case of those members appointed to the United States Military Academy prior to August 24, 1912, or to the United States Naval Academy prior to March 4, 1913, if such service was creditable for longevity pay purposes at the time of retirement'. This section shall be effective as of October 1, 1949. Appropriations currently available for pay and allowances of members of the uniformed services shall be available for retroactive payments authorized under this Act.

"SEC. 5. Except as otherwise specifically provided, the provisions of this Act shall be effective on the first day of the month in which this Act is enacted."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

CARL VINSON,
OVERTON BROOKS,
PAUL J. KILDAY,
DEWEY SHORT,
LESLIE C. ARENDS,
Managers on the Part of the House.

RICHARD B. RUSSELL,
HARRY FLOOD BYRD,
LYNDON B. JOHNSON,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to 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, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The original House bill would have provided a 10-percent increase in basic pay for all active-duty and retired personnel of the uniformed services and a 10-percent increase in all allowances.

The Senate amendment reduced the increase in basic pay to 3 percent for active-duty personnel, but provided substantial increases in subsistence allowances for all personnel entitled to such allowances, and, in addition, provided increased quarters allowances for personnel with dependents, varying according to the number of dependents. Retired personnel under the Senate amendment would have received a 3-percent increase in retired pay but only if such personnel qualified for retired pay under the Career Compensation Act of 1949.

The cost of the House bill for the fiscal year 1953 would have amounted to $850,000,000. The cost of the Senate amendment amounted to $470,000,000. The amendment agreed to by the managers will result in an expenditure of $484,000,000 for the fiscal year 1953. Thus the amendment agreed to by the managers represents a decrease of $366,000,000 from the original House bill.

Under the amendment contained in the conference report, all members of the uniformed services will receive a 4-percent increase in basic pay, including retired personnel, regardless of the law under which such personnel may have been retired. In addition, all active-duty personnel entitled to a quarters allowance will be granted an increase of approximately 14 percent in such allowance, including enlisted personnel entitled to the benefits of the Dependents Assistance Act. Likewise, subsistence allowances for all personnel entitled to such allowances will be increased by 14 percent.

Both the House bill and the Senate amendment provided an increase for cadets and midshipmen at the Academies as well as an increase for aviation cadets. The amendment agreed to in the conference report also provides for an increase in the pay of such personnel but limits it to the 4-percent increase applicable to all other personnel.

The Senate amendment also provided for increasing the pay of enrollees of the United States Maritime Service on active administrative duty. Since such members of the United States Maritime Service have in the past received the pay and allowances in their respective ranks, grades, and ratings as have been provided for personnel of the Coast Guard with similar ranks, grades, and ratings, the House managers agreed to that part of the Senate amendment dealing with such persons, which removes any doubt as to their inclusion. There are approximately 480 persons involved at a cost not to exceed $121,000 per year. Prior pay increases for service personnel have been made applicable to this service.

The Senate amendment also contained language which would have restored the right to count midshipman service in the case of those retired members of the Navy who were appointed as midshipmen to the United States Naval Academy prior to March 4, 1913. Prior to the enactment of the Career Compensation Act of 1949 service at the Military and Naval Academies was permitted to be used as a multiplier in computing years of service for retirement pay purposes. This was applicable, however, only to men who had entered the Military Academy prior to August 24, 1912, and to men who had entered as midshipmen at the United States Naval Academy prior to March 4, 1913. A decision of the Comptroller General properly construed the Career Compensation Act as making inapplicable, for computing "active service," service at the academies for the years in question. However, the managers are of the opinion that it was not the intention of the Career Compensation Act to eliminate credit for this type of service which prior to the Career Compensation Act had been creditable for retirement-pay purposes. Thus, the conferees agreed to language contained in the amendment permitting this service to be credited in computing retired pay. Coast Guard personnel would be benefited, by assimilation, in the same manner as Naval personnel.

The House bill contained no provision with respect to combat pay for men who had served or are now serving in Korea. The Senate amendment contained a provision which would have provided $45 per month for all combat personnel who had served or are now serving in Korea.

In view of the fact that the House Committee on Armed Services has not had an opportunity to conduct hearings on this important measure, which is highly technical in nature, the conferees agreed to the elimination of these provisions of the Senate amendment. Such action on the part of the conferees does not reflect disapproval of the principle of combat pay but instead should be interpreted as a desire on the part of the House conferees to give full and adequate study to this highly complicated matter. Any provision dealing with combat pay must be given careful and thorough analysis. It is anticipated that hearings will be conducted by the House Committee on Armed Services on a measure to provide additional benefits for service personnel who have served or are now serving or will serve in Korea. It should be noted that the combat-pay provisions of the Senate amendment were added as a floor amendment.

The managers wish to call to the attention of the Department of Defense the rejection of that part of the Senate amendment which would have provided an additional $10 per month for officers with more than two dependents. The managers are of the opinion that greater consideration should be given to the early release of Reserve officers, particularly junior officers, with three or more dependents, who have applied or may apply for such release. Likewise, this same consideration should be given to any plans now contemplated for the recall of Reserve officers to active duty.

CARL VINSON,
OVERTON BROOKS,
PAUL J. KILDAY,
DEWEY SHORT,
LESLIE C. ARENDS,
Managers on the Part of the House.

Mr. KILDAY. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, the conference report is quite simple. The House bill granted a 10-percent increase in base pay and a 10-percent increase in allowances. The Senate bill granted an increase of 3 percent in base pay and varying amounts in allowances. As one of the conferees I certainly objected to the varying amounts in allowances, because we have never granted allowances on the basis of the number of dependents.

The bill that we have brought back from conference grants a 4-percent increase in base pay and 14 percent in allowances. That means that whereas the House bill cost $850,000,000 and the Senate bill would have cost $470,000,000 for fiscal 1953, this bill will cost $484,000,000, or a total net saving under the House bill of $366,000,000. When you grant 14 percent in allowances you are probably giving much the greater increase to those people who do have dependents and who need it the most. The House bill did not contain any provision with reference to combat pay. The Senate bill did contain such a provision, but I want to call your attention to the fact that the provision with reference to combat pay was not reported by the Senate Committee on Armed Services, but was added by an amendment on the floor of the Senate. The question of combat pay is most technical; it is a most difficult thing to administer. The House committee has never had any hearings on the question of combat pay, and I think that if you will take the conference report and turn to page 5, the last two paragraphs there, you will agree that this is not the place for combat pay. I think you will find that the chairman of the committee and the conferees are pretty fairly committed to holding hearings and considering the question of combat pay. I think the conferees have done a good job. I think the other members of the conference committee will agree. My friend from Missouri, the ranking Member on the Republican side, I know feels that maybe we did a little better job in conference than we did in committee. The gentleman would not deny that, would he?

Mr. SHORT. I merely want to say this to the gentleman: I think the Senate bill was a better bill than the one we passed here in the House, and the compromise we reached is a better bill because we did not take up the very controversial and difficult question of combat pay. That has no place whatever in this particular piece of legislation. The Senate was agreeable to postponing consideration of combat pay for special consideration. The House conferees were rather adamant at first in holding out for an increase of 5 percent in base pay and 10-percent increase for subsistence and allowances, but after more thorough discussion and consideration we finally yielded to the Senate's position and made it 4 and 14.

Mr. KILDAY. I would not agree with the gentleman from Missouri that the Senate bill was better than the House bill, but I think the bill which has come from the conference is the type of bill we should adopt.

Mr. SHORT. I think the conference report is a better bill than either the House or the Senate bill, and we have no objection on this side to the conference report.

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

Mr. KILDAY. I yield to the gentleman from West Virginia.

Mr. BAILEY. May I inquire of the distinguished gentleman from Texas if his conference committee worked out anything in the way of increasing allowances for cadets in the Military Academy and the midshipmen in the Naval Academy.

Mr. KILDAY. The pay of cadets and midshipmen was increased 4 percent, but we did not give them the 14 percent. We gave them 4 percent. We also went back and corrected an oversight which we had in the 1949 law with reference to credit for retired men of the Academies. The Comptroller General had held that they were not entitled to such credit, under the 1949 law, even though they had been entitled to it prior to October 1, 1949. But I want to point out specifically that

they had to enter the Academy not later than 1912 in the case of the Army, and 1913 in the case of the Navy, or they do not get that credit for retirement-pay purposes.

Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I signed the conference report along with the other conferees. I think the conference report is a good one, and we should stand behind the bill. I think the House yielded far enough in its agreement to reduce the pay raise to the members of the Armed Forces which we had already approved in the House version of the bill.

My objection to the conference report is that we do not include title II; that is, combat pay. I initially objected to the conference report because I think we have an obligation to include combat pay in this bill. It is true the Senate provision perhaps did not have the study that could have been given in advance to this question of combat pay, but in the period of time since the passage of the House and the Senate bill and this hour we could have given ample time to study it.

I think it is creating a very bad morale situation overseas to leave the ground troops out of consideration. We pay the men in the submarines extra pay because of extra hazard. We pay the deep-sea demolition men extra pay because of the extra hazard. We pay the paratroopers extra pay becouse of the extra hazard. We pay the men who fly over there extra pay because of the extra hazard. But when it comes to the ground men in the infantry division that are taking the brunt of the fighting over there, we do not make any provision whatsoever to take care of them with hazard pay. In other words, we take care of everyone except those who push the plow and do the heavy work. The casualties over there show that out of 108,000 men in Korea that are casualties, more than 100,000 have been from the ground troops. Yet, we pay men in the submarines, and I make no objection to that—we pay "hazard-duty pay" over there for the risk that they run, and yet we have not lost one single submarine, and not one single man on a submarine lost since Korea. I think it is high time that we, in the Congress, gave some thought to a more equitable distribution of hazard pay. If we are going to proceed to support the principle of hazard pay—we have already begun that—we did it in World War II when we issued combat infantry badges because the hazard of the infantrymen was so great, we increase the pay. But, at the end of World War II, the increased pay was revoked. We are now paying extra duty pay to airmen, and Navy men in submarines, and deep-sea demolition men, paratroopers, and people of that character, but we are not making any effort to pay extra hazard pay to the men who are bearing the full brunt of the fighting over there in Korea, and who are suffering the casualties. When your casualties run at the rate of over 100,000 for the ground troops and five or six thousand for all of the others, you can see yourself where the danger is. I say again, if we are going to proceed on the principle of paying extra pay for hazardous duty, we certainly ought not to overlook the doughboy and the ground troops which are carrying the load over there and taking so much of the punishment.

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

Mr. BROOKS. I yield.

Mr. KILDAY. As I understand the gentleman's position, he has no objections to the conference report, and I believe he agrees with the provision of the conference report permitting the committees of both the House and the Senate to take up the combat-pay matter for consideration.

Mr. BROOKS. It is a good report, and I am for it. I endorse the report, and at the same time I am making this appeal for the hazard-duty pay.

Mr. KILDAY. As I understand, the gentleman has a bill pending before our committee with reference to this combat pay, and he is perfectly willing for the conference report to be adopted in view of that commitment.

Mr. BROOKS. I want the conference report to be adopted because I am very strong in support of the conference report. I would like to hear you and our distinguished chairman, the gentleman from Georgia, tell us when we are going to take up the extra-hazard duty pay bill?

Mr. KILDAY. Of course, I cannot bind the gentleman from Georgia, but I would be very glad to yield to him or the gentleman from Louisiana can yield to him for his comments with reference to this matter.

Mr. BROOKS. I yield to the gentleman from Georgia to tell us when he is going to take that up.

Mr. VINSON. Of course, Mr. Speaker, there are a great many bills relating to combat pay pending before the Committee on Armed Services. And, of course, the committee tries to provide an opportunity to hear all of the bills at the earliest possible date. I am hoping that this question can be reached, at least before we adjourn, and that some definite program with reference to this matter can be worked out.

Mr. BROOKS. Mr. Speaker, I have had conferences with representatives from the Department of the Army. I had some doubts and some misgivings at first as to whether or not you could apply the terms of the Senate amendment to combat pay. These men from the Department of the Army assure me that it can be easily applied, even as written, and it would not have cost a prohibitive amount of money. They said it would accomplish a great deal so far as morale building is concerned over there to take care of the ground troops, as we have taken care of the submarine men and the fliers. I think we should have proceeded to do the job. If we are going to put them out in the mud and slime and dirt in the fox holes, and let them get shot to pieces, we ought at least to pay them at the same rate of pay as those who are in less hazardous and less exposed positions.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. VAN ZANDT. Does the gentleman understand that we now have a commitment that the House Armed Services Committee will take up the extra hazard pay bill for the infantrymen?

Mr. BROOKS. I certainly think so and furthermore I think the report is a commitment in itself. That is the reason I went along with the report, because, in my judgment, it holds of the hope of doing something for those men who are fighting in Korea who ought to be paid the same rate of pay as the others are being paid for extra hazard duty.

Mr. VAN ZANDT. Then the gentleman understands that before this session of the Congress adjourns, we will have on this floor the hazard pay bill for infantrymen.

Mr. BROOKS. I am not the chairman, and I cannot say that, but insofar as my vote is concerned, I will—yes, you have that understanding with me.

Mr. LECOMPTE. Mr. Speaker, will the gentlemen yield?

Mr. BROOKS. I yield.

Mr. LECOMPTE. Is this bill retroactive to a previous date under the conference report?

Mr. BROOKS. You mean the pay?

Mr. LECOMPTE. Yes.

Mr. BROOKS. The provisions of this act provide that it shall be effective on the first day of the month in which this act is enacted.

Mr. KILDAY. If the Senate amendment is agreed to according to the conference report and if the bill is signed by the President in May it will become effective on May 1.

Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to proceed out of order.

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

There was no objection.

Mr. MURDOCK. Mr. Speaker, I listened to the last two speakers with great interest. I shall vote for this conference report and I hope it is adopted unanimously, and then later amended by the legislation indicated.

Mr. Speaker, I trust that because I did not speak on the rule day before yesterday, concerning the Puerto Rico Constitution, that no one will regard it as lack of interest on my part for this legislation. Expecting to take charge of the bill on the adoption of the rule, I was reserving my comment for the bill itself. While I expected some to criticize certain provisions of the proposed constitution, I did not, last Tuesday, nor do I today, expect that criticism will go so far as to block the adoption of this rule. I urge my colleagues to vote for this rule and give the friends of the new constitution an opportunity to present their case.

I want to repeat a statement that we have heard frequently in these latter days that the eyes of the whole world are upon Congress in our decisions and action upon this important matter. Especially are the communistic nations

watching in this case and more especially is the Latin-American world watching with intense concern what we do here today.

There has always been a vital interchange of governmental ideals between our great Republic and the republics to the south of us, from the Rio Grande to Cape Horn, and now this island gem in the tropical Atlantic, which we took from Spain a half century ago, will certainly be regarded by all Latin America as a test of our faith in democracy and a proving ground on this continent for our Jeffersonian professions. I beg you, gentlemen, to adopt the rule when it comes to a vote presently so that the constitution may be more adequately explained. Let it not be said that they asked for bread and we gave them a stone.

Mr. KILDAY. Mr. Speaker, I yield such time as he may desire to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, I am very glad to see this measure brought to the House for approval. I believe that it represents a sound approach to the need for an upward adjustment in pay for personnel in the Armed Forces.

Actually it appears that this measure, while costing hundreds of millions of dollars less annually, will be of greater benefit to the majority of personnel than the bill which was considered earlier this year in the House. Certainly it will be of greater benefit to men in the lower ranks who have a family to support. It does not, however, ignore any rank or grade, and obviously all of them need additional money to meet increasing costs of living.

This is the type of legislation which many of us have hoped to see enacted. It has my strong endorsement in all particulars excepting one. I am disappointed to note that no combat pay for ground troops is included. This is a major shortcoming and it is my earnest hope that prompt and conclusive action will be taken by the appropriate committee to bring legislation to the floor which will authorize combat pay.

Mr. KILDAY. I yield such time as he may desire to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, I voted against this bill for increasing basic pay rates and allotments for dependents of persons in the armed services when it was considered previously, partly because it was considered under suspension of the rules without adequate time for debate or opportunity for amendment; also because I thought the bill was not equitable and did not meet the more urgent needs of dependents. It gave a 10-percent increase clear across the board. But the greatest need is not for increased pay to officers and men; it is for better provision for their families. Uncle Sam pays directly the increased food costs for the men; their dependents have to buy their food at the grocery stores at increased prices.

The conference report is a great improvement over that bill in that the basic-pay increase is 4 percent, whereas the increase in allotments for dependents is 14 percent. This is more equitable and more nearly meets the real needs. I congratulate the committee on its conference report and will vote for it.

Mr. KILDAY. Mr. Speaker, I yield such time as he may desire to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, this conference report provides better legislation than the measure previously approved by the House, but it is still not good legislation for the reason that the highest percentage of the increased compensation goes to those in the brass-hat brackets.

Is it too much to expect that Congress will one day enact pay legislation for the military that will provide something more than crumbs for enlisted men and their families and low-ranking officers and their families instead of giving whole slices from the loaf to the high-ranking officers—those who need it the least?

I cannot vote for this measure because of the inequities contained therein. Neither can I vote against it for the reason that it does provide a measure of relief for those who need it.

Mr. Speaker, I have no alternative but to vote "present" and I hope that if it should be necessary to enact another pay increase bill for the military that those in the low-pay brackets will receive first consideration.

Mr. KILDAY. Mr. Speaker, I yield such time as he may desire to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Speaker, I desire to agree with the remarks of the gentleman from Minnesota [Mr. JUDD]. I think this bill has been vastly improved. I voted as he did, against it, because of certain inequities in the bill, but I am glad we have a conference report here that we can now support.

When we originally considered this bill in the House, no time was given to discuss in full the provisions contained in it. I urged that more liberality should be shown in subsistence allowances. The enlisted men with families to support are the ones most in need for a raise and the conference report goes a long way in meeting these objections, as now we are giving a 14-percent increase for such allowances to all enlisted men entitled to them. In other words, we are here helping the group who need the help most, and that is, enlisted men with families to support.

Mr. KILDAY. Mr. Speaker, I see there are a number who would like to extend their remarks. I ask unanimous consent that all Members may have permission to extend their remarks on this conference report at this point in the RECORD.

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

There was no objection.

Mr. SPRINGER. Mr. Speaker, at the time the original House bill was brought up on the floor I spoke regarding the entire bill. It was my feeling at that time that the original bill was inequitable in that it provided a 10 percent across-the-board increase which would definitely favor those in the higher pay income brackets especially above the rank of captain.

At that time I stated that the real increase needed at this time was in the allowances for subsistence and quarters of married enlisted men.

This bill does provide for a 14 percent increase in the allowances for enlisted personnel for both subsistence and quarters.

This bill does not fit all of my thinking as to what should have been done for the enlisted men. I felt at that time that there should have been a graded increase plan by percentages. This would have made possible the largest percent of increase in the enlisted brackets where the increase was needed most. As long as we continue to draft men we are going to have to make some provision for the families of married enlisted personnel.

There is no doubt that this bill comes nearer to providing for enlisted married personnel than did the original House bill and as I say, although I have not been altogether satisfied with the provisions of the conference report I am going to vote for it because I believe that it is at least a step in the right direction. Both the Senate and House conferees seem to have exhausted every possibility of containing their differences. Their differences have been resolved into this conference report. There is no doubt that an increase in pay to the Armed Forces is deserved at this time and for that reason I do support the conference report and shall vote for it if there is a roll call.

Mr. DEVEREUX. Mr. Speaker, I will support this conference report with respect to increases in pay and allowance for the armed services because, under the circumstances, it is about the only thing that can be done, however, I would like to make it very clear to everyone present that I was more in favor of the bill as submitted by the House which provided for a straight 10 percent increase for everyone.

The conference report provides for a 4 percent increase in pay and a 14 percent increase in allowance—in other words, those people on active duty will receive an increase in allowance which I feel is good, plus a 4 percent increase in pay. However, those people who are now on the retired list will receive but a 4 percent increase since they draw no allowance whatsoever.

If the increase be granted because of inflation and the increased cost of living, certainly these people who have served their country honorably and faithfully and are now retired should be given as much consideration as those who are still on active duty.

I wonder what action the House will take when an effort is made to increase the pay of those who have retired from other branches of Government.

Mr. KILDAY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

Mr. SHORT. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The Clerk called the roll and there were—yeas 333, nays 0, answering "present" 1, not voting 97, as follows:

[Roll No. 72]

YEAS—333

Abbitt	Donovan	Latham
Abernethy	Dorn	LeCompte
Adair	Doughton	Lind
Addonizio	Eaton	Lucas
Allen, Ill.	Eberharter	Lyle
Allen, La.	Elliott	McCarthy
Andersen, H. Carl	Ellsworth	McConnell
Anderson, Calif.	Elston	McCormack
Andresen, August H.	Fallon	McCulloch
Andrews	Feighan	McDonough
Angell	Fenton	McGrath
Arends	Fernandez	McGregor
Armstrong	Fine	McGuire
Aspinall	Fisher	McKinnon
Auchincloss	Flood	McMillan
Ayres	Fogarty	McMullen
Bailey	Ford	McVey
Baker	Frazier	Machrowicz
Barden	Fulton	Mack, Ill.
Barrett	Furcolo	Mack, Wash.
Bates, Mass.	Gamble	Madden
Battle	Gary	Mahon
Beall	Gathings	Mansfield
Beamer	Gavin	Marshall
Bender	George	Martin, Iowa
Bennett, Fla.	Golden	Martin, Mass.
Bennett, Mich.	Goodwin	Meader
Bentsen	Gordon	Merrow
Betts	Graham	Miller, Calif.
Bishop	Granahan	Miller, Md.
Blackney	Grant	Miller, Nebr.
Boggs, Del.	Green	Miller, N. Y.
Boggs, La.	Greenwood	Mills
Bolton	Gregory	Morano
Bosone	Gwinn	Morgan
Bow	Hagen	Murdock
Bramblett	Hale	Murray
Bray	Hall, Leonard W.	Nelson
Brehm	Halleck	Nicholson
Brooks	Harden	Norblad
Brown, Ga.	Hardy	Norrell
Brown, Ohio	Harris	O'Brien, Ill.
Brownson	Harrison, Nebr.	O'Brien, Mich.
Bryson	Hart	O'Hara
Buchanan	Harvey	O'Konski
Budge	Havenner	O'Neill
Burdick	Hays, Ark.	Osmers
Burleson	Hays, Ohio	Ostertag
Burton	Hébert	Passman
Busbey	Heller	Patman
Bush	Herlong	Patten
Butler	Herter	Patterson
Byrnes	Heselton	Philbin
Camp	Hess	Phillips
Canfield	Hill	Pickett
Cannon	Hillings	Poage
Carnahan	Hinshaw	Polk
Case	Hoffman, Ill.	Poulson
Celler	Holifield	Powell
Chatham	Holmes	Preston
Chelf	Hope	Price
Chenoweth	Horan	Priest
Chiperfield	Howell	Prouty
Chudoff	Hull	Rabaut
Church	Ikard	Radwan
Clemente	Irving	Rains
Clevenger	Jackson, Calif.	Rankin
Cole, Kans.	James	Reams
Cole, N. Y.	Javits	Reece, Tenn.
Colmer	Jenison	Reed, Ill.
Combs	Jenkins	Reed, N. Y.
Cooley	Jensen	Rees, Kans.
Cooper	Jones, Ala.	Regan
Corbett	Jones, Hamilton C.	Rhodes
Cotton	Jones, Woodrow W.	Ribicoff
Coudert	Judd	Richards
Crawford	Karsten, Mo.	Riehlman
Crumpacker	Kean	Rivers
Cunningham	Kearney	Rodino
Curtis, Mo.	Kearns	Rogers, Colo.
Curtis, Nebr.	Keating	Rogers, Fla.
Dague	Kee	Rogers, Mass.
Davis, Tenn.	Kelley, Pa.	Rogers, Tex.
Davis, Wis.	Keogh	Rooney
Deane	Kersten, Wis.	Ross
DeGraffenried	Kilburn	Sadlak
Delaney	Kilday	St. George
Dempsey	King, Calif.	Sasscer
Denny	King, Pa.	Saylor
Denton	Kirwan	Schenck
Devereux	Klein	Scott, Hardie
D'Ewart	Kluczynski	Scrivner
Dollinger	Lane	Scudder
Dolliver	Lantaff	Secrest
Dondero	Larcade	Seely-Brown
Donohue		Shafer
		Short
		Sieminski
Sikes	Thomas	Whitten
Simpson, Ill.	Thompson, Mich.	Widnall
Simpson, Pa.	Thompson, Tex.	Wier
Sittler	Thornberry	Wigglesworth
Smith, Kans.	Tollefson	Williams, N. Y.
Smith, Va.	Trimble	Willis
Smith, Wis.	Vail	Wilson, Tex.
Springer	Van Zandt	Winstead
Stanley	Vinson	Withrow
Steed	Vorys	Wolcott
Stockman	Vursell	Wolverton
Taber	Walter	Wood, Idaho
Talle	Weichel	Yates
Taylor	Wharton	Yorty
Teague		Zablocki

ANSWERING "PRESENT"—1

Gross

NOT VOTING—97

Aandahl	Granger	O'Brien, N. Y.
Albert	Hall, Edwin Arthur	O'Toole
Allen, Calif.	Hand	Perkins
Anfuso	Harrison, Va.	Potter
Bakewell	Harrison, Wyo.	Ramsay
Baring	Hedrick	Redden
Bates, Ky.	Heffernan	Riley
Beckworth	Hoeven	Roberts
Belcher	Hoffman, Mich.	Robeson
Berry	Hunter	Roosevelt
Blatnik	Jackson, Wash.	Sabath
Bolling	Jarman	Scott, Hugh D., Jr.
Bonner	Johnson	Sheehan
Boykin	Jonas	Shelley
Buckley	Jones, Mo.	Sheppard
Buffett	Kelly, N. Y.	Smith, Miss.
Burnside	Kennedy	Spence
Carlyle	Kerr	Staggers
Carrigg	Lanham	Stigler
Cox	Lesinski	Sutton
Crosser	Lovre	Tackett
Davis, Ga.	McIntire	Van Pelt
Dawson	Magee	Velde
Dingell	Mason	Watts
Doyle	Mitchell	Welch
Durham	Morris	Werdel
Engle	Morrison	Wheeler
Evins	Morton	Wickersham
Forand	Moulder	Williams, Miss.
Forrester	Multer	Wilson, Ind.
Fugate	Mumma	Wood, Ga.
Garmatz	Murphy	Woodruff
Gore		

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Van Pelt with Mr. Roosevelt.
Mr. Sheehan with Mr. O'Brien of New York.
Mr. Hugh D. Scott, Jr., with Mr. Ramsay.
Mr. Velde with Mr. Perkins.
Mr. Hoeven with Mr. Fugate.
Mr. Hand with Mr. Evins.
Mr. Carrigg with Mr. Engle.
Mr. Lovre with Mr. Forand.
Mr. Mason with Mr. Bates of Kentucky.
Mr. Morton with Mr. Harrison of Virginia.
Mr. Potter with Mr. Shelley.
Mr. Mumma with Mr. Spence.
Mr. Buffett with Mr. Kennedy.
Mr. McIntire with Mr. Kerr.
Mr. Werdel with Mr. Mitchell.
Mr. Hoffman of Michigan with Mr. Morris.
Mr. Allen of California with Mr. Lesinski.
Mr. Bakewell with Mr. Riley.
Mr. Berry with Mr. O'Toole.
Mr. Aandahl with Mr. Granger.
Mr. Harrison of Wyoming with Mr. Baring.
Mr. Hunter with Mr. Anfuso.
Mr. Belcher with Mrs. Kelly of New York.
Mr. Johnson with Mr. Jarman.
Mr. Jonas with Mr. Dingell.
Mr. Wilson of Indiana with Mr. Doyle.
Mr. Woodruff with Mr. Bolling.
Mr. Edwin Arthur Hall with Mr. Buckley.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONSTITUTION OF THE COMMONWEALTH OF PUERTO RICO

The SPEAKER pro tempore (Mr. COOPER). The unfinished business is the question on agreeing to the resolution (H. Res. 636) providing for the consideration of the joint resolution (H. J. Res. 430) approving the constitution of the Commonwealth of Puerto Rico, which was adopted by the people of Puerto Rico on March 3, 1952.

Mr. ROONEY. Mr. Speaker, I feel that this House should have no hesitancy in taking favorable action on House Joint Resolution 430 providing for the ratification of the Constitution of Puerto Rico, and accordingly I shall vote for the rule now pending.

In keeping with our American tradition, the people of Puerto Rico are entitled to self-government. Now that their constitution has been adopted by a vote of all the people of Puerto Rico through a constitutional convention, and in view of the fact that they have complied with all the essential requirements laid down for them by Congress, we should adopt House Joint Resolution 430. Such action would be a forward step enabling the people of Puerto Rico to have a government of their own choosing and which they rightfully merit as the result of their economic, cultural, and political progress.

It has been my conviction that the Puerto Rican people are a proud people who are entitled to govern themselves in accordance with a constitution they want. This is the only way in which they can have a full and fair opportunity to express themselves. Otherwise the will of the people as expressed by an overwhelming majority would be thwarted. These fine people are entitled to the fulfilment of their aspirations and it is my sincere hope that the House will approve this legislation. Our favorable action will be convincing proof to all the world that we have not lost sight of the principle of self-determination and our belief in freedom and equality for all.

I shall vote for this rule known as House Resolution 636.

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The SPEAKER pro tempore. The unfinished business is 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.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN] on which a separate vote has been demanded.

Without objection, the Clerk will again report the amendment of the gentleman from Michigan.

There was no objection.

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)."

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

The question was taken; and on a division (demanded by Mr. RIEHLMAN) there were—ayes 19, noes 112.

So the amendment was rejected.

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

Mr. RIEHLMAN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. RIEHLMAN. I am.

The SPEAKER pro tempore. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. RIEHLMAN moves to recommit 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, to the Committee on Expenditures in the Executive Departments with instructions to report it back forthwith with the following amendment:

"No proposed lease-purchasing agreement calling for the expenditure of more than $50,000 per annum shall be executed under this section unless it has been submitted, 30 days prior to its effective date, 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."

Mr. RIEHLMAN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. EBERHARTER) there were—ayes 107, noes 55.

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

The SPEAKER pro tempore. The Chair will count. [After counting]. Two hundred and four Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 260, nays 75, not voting 96, as follows:

[Roll No. 73]

YEAS—260

Abbitt	Fernandez	Meader
Adair	Fisher	Merrow
Addonizio	Ford	Miller, Calif.
Allen, Ill.	Frazier	Miller, Md.
Allen, La.	Fulton	Miller, Nebr.
Andersen, H. Carl	Furcolo	Miller, N. Y.
Anderson, Calif.	Gamble	Mills
Andresen, August H.	Gary	Mitchell
Andrews	Gathings	Morano
Angell	Gavin	Murdock
Arends	George	Murray
Armstrong	Golden	Nelson
Auchincloss	Goodwin	Nicholson
Ayres	Graham	Norblad
Bailey	Grant	Norrell
Baker	Greenwood	O'Hara
Bakewell	Gross	O'Konski
Bates, Mass.	Gwinn	Osmers
Battle	Hagen	Ostertag
Beall	Hale	Passman
Beamer	Hall, Leonard W.	Patten
Bender	Halleck	Patterson
Bennett, Fla.	Harden	Philbin
Bennett, Mich.	Hardy	Phillips
Bentsen	Harris	Pickett
Berry	Harrison, Nebr.	Poage
Betts	Harvey	Poulson
Bishop	Havenner	Prouty
Blackney	Hays, Ark.	Radwan
Boggs, Del.	Herlong	Rankin
Bolton	Herter	Reams
Bosone	Heselton	Reece, Tenn.
Bow	Hess	Reed, Ill.
Bramblett	Hill	Reed, N. Y.
Bray	Hillings	Regan
Brehm	Hinshaw	Riehlman
Brooks	Hoffman, Ill.	Rivers
Brown, Ohio	Holifield	Rodino
Brownson	Holmes	Rogers, Fla.
Bryson	Hope	Rogers, Mass.
Budge	Horan	Rogers, Tex.
Burdick	Howell	Ross
Burleson	Hull	Sadlak
Burton	Ikard	St. George
Busbey	Jackson, Calif.	Sasscer
Bush	James	Saylor
Butler	Javits	Schenck
Byrnes	Jenison	Scott, Hardie
Canfield	Jenkins	Scrivner
Carnahan	Jensen	Scudder
Case	Jones, Ala.	Seely-Brown
Chatham	Jones, Hamilton C.	Shafer
Chenoweth	Jones, Woodrow W.	Short
Chiperfield	Judd	Sieminski
Church	Karsten, Mo.	Sikes
Clevenger	Kean	Simpson, Ill.
Cole, Kans.	Kearney	Simpson, Pa.
Cole, N. Y.	Kearns	Sittler
Colmer	Keating	Smith, Kans.
Cooley	Kee	Smith, Va.
Cooper	Kersten, Wis.	Smith, Wis.
Cotton	Kilburn	Springer
Coudert	King, Calif.	Stanley
Crawford	King, Pa.	Steed
Crumpacker	Kluczynski	Stockman
Cunningham	Lantaff	Taber
Curtis, Mo.	Larcade	Talle
Curtis, Nebr.	Latham	Taylor
Dague	LeCompte	Teague
Davis, Tenn.	Lyle	Thompson, Mich.
Davis, Wis.	McCarthy	Tollefson
Dempsey	McConnell	Trimble
Denny	McCormack	Vail
Devereux	McCulloch	Van Zandt
D'Ewart	McDonough	Vursell
Dolliver	McGregor	Walter
Dondero	McKinnon	Weichel
Donohue	McMillan	Wharton
Donovan	McMullen	Widnall
Dorn	McVey	Wigglesworth
Doughton	Machrowicz	Williams, N. Y.
Eaton	Mack, Wash.	Wilson, Tex.
Ellsworth	Magee	Withrow
Elston	Mahon	Wolcott
Fallon	Martin, Iowa	Wolverton
Feighan	Martin, Mass.	Wood, Idaho
Fenton		Yorty

NAYS—75

Abernethy	Green	Patman
Aspinall	Gregory	Polk
Barrett	Hart	Powell
Boggs, La.	Hays, Ohio	Preston
Brown, Ga.	Hébert	Price
Buchanan	Heller	Priest
Camp	Irving	Rabaut
Cannon	Kelley, Pa.	Rains
Chelf	Keogh	Rees, Kans.
Chudoff	Kilday	Rhodes
Clemente	Kirwan	Ribicoff
Combs	Klein	Rogers, Colo.
Corbett	Lane	Rooney
Deane	Lind	Secrest
DeGraffenried	Lucas	Spence
Delaney	McGrath	Staggers
Denton	McGuire	Thomas
Dollinger	Mack, Ill.	Thompson, Tex.
Eberharter	Madden	Thornberry
Elliott	Mansfield	Vinson
Fine	Marshall	Whitten
Flood	Morgan	Wier
Fogarty	O'Brien, Ill.	Willis
Gordon	O'Brien, Mich.	Winstead
Granahan	O'Neill	Zablocki

NOT VOTING—96

Aandahl	Granger	Perkins
Albert	Hall, Edwin Arthur	Potter
Allen, Calif.	Hand	Ramsay
Anfuso	Harrison, Va.	Redden
Barden	Harrison, Wyo.	Richards
Baring	Hedrick	Riley
Bates, Ky.	Heffernan	Roberts
Beckworth	Hoeven	Robeson
Belcher	Hoffman, Mich.	Roosevelt
Blatnik	Hunter	Sabath
Bolling	Jackson, Wash.	Scott, Hugh D., Jr.
Bonner	Jarman	Sheehan
Boykin	Johnson	Shelley
Buckley	Jonas	Sheppard
Buffett	Jones, Mo.	Smith, Miss.
Burnside	Kelly, N. Y.	Stigler
Carlyle	Kennedy	Sutton
Carrigg	Kerr	Tackett
Celler	Lanham	Van Pelt
Cox	Lesinski	Velde
Crosser	Lovre	Vorys
Davis, Ga.	McIntire	Watts
Dawson	Mason	Welch
Dingell	Morris	Werdel
Doyle	Morrison	Wheeler
Durham	Morton	Wickersham
Engle	Moulder	Williams, Miss.
Evins	Multer	Wilson, Ind.
Forand	Mumma	Wood, Ga.
Forrester	Murphy	Woodruff
Fugate	O'Brien, N. Y.	Yates
Garmatz	O'Toole	
Gore		

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

Mr. Hand with Mr. Fugate.
Mr. Allen of California with Mr. Roosevelt.
Mr. Hoeven with Mr. Kennedy.
Mr. Hunter with Mr. Jarman.
Mr. Carrigg with Mr. Baring.
Mr. Lovre with Mr. Dawson.
Mr. Mason with Mr. Lanham.
Mr. McIntire with Mr. Kerr.
Mr. Buffett with Mr. Bates of Kentucky.
Mr. Aandahl with Mr. Harrison of Virginia.
Mr. Johnson with Mr. Riley.
Mr. Belcher with Mr. Shelley.
Mr. Van Pelt with Mr. Sabath.
Mr. Werdel with Mr. Sheppard.
Mr. Jonas with Mr. Tackett.
Mr. Harrison of Wyoming with Mr. Williams of Mississippi.
Mr. Sheehan with Mr. Morris.
Mr. Potter with Mr. O'Brien of New York.
Mr. Morton with Mr. O'Toole.
Mr. Edwin Arthur Hall with Mr. Garmatz.
Mr. Hoffman of Michigan with Mr. Evins.
Mr. Woodruff with Mr. Doyle.
Mr. Vorys with Mr. Engle.
Mr. Hugh D. Scott, Jr. with Mr. Dingell.
Mr. Mumma with Mrs. Kelly of New York.
Mr. Wilson of Indiana with Mr. Buckley.
Mr. Judd with Mr. Anfuso.

Mr. GRANT, Mr. ALLEN of Louisiana, Mr. BRYSON, Mr. BROOKS, Mr. DONOVAN, Mr. ADDONIZIO, Mr. SIEMINSKI, and Mr.

COOPER changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. HOLIFIELD. Mr. Speaker, acting under the instructions of the House and on behalf of the Committee on Expenditures in the Executive Departments, I report back to the House the bill H. R. 4323 with an amendment.

The Clerk read as follows:

Add a new paragraph as follows:

"No proposed lease purchase agreement calling for the expenditure of more than $50,00 per annum shall be executed under this section unless it has been submitted, 30 days prior to its effective date, 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."

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

The previous question was ordered.

The amendment was 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 the third time, and was read the third time.

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

Mr. HOLIFIELD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The question was taken; and on a division (demanded by Mr. HOLIFIELD) there were—ayes 111, noes 54.

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

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and ninety-eight Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 210, nays 114, not voting 107, as follows:

[Roll No. 74]

YEAS—210

Abbitt	Burleson	Donohue
Adair	Burton	Donovan
Addonizio	Busbey	Dorn
Allen, Ill.	Byrnes	Eberharter
Andrews	Camp	Elliott
Aspinall	Cannon	Feighan
Ayres	Carnahan	Fine
Bailey	Case	Flood
Bakewell	Celler	Fogarty
Barrett	Chatham	Ford
Bates, Mass.	Chelf	Frazier
Battle	Chenoweth	Fulton
Beamer	Chudoff	Furcolo
Bennett, Fla.	Colmer	Gamble
Bennett, Mich.	Combs	Gary
Bentsen	Cooley	Gathings
Bishop	Cooper	Gordon
Boggs, Del.	Corbett	Granahan
Boggs, La.	Crumpacker	Grant
Bosone	Curtis, Nebr.	Green
Bow	Davis, Wis.	Greenwood
Brehm	Deane	Gregory
Brooks	DeGraffenried	Hale
Brown, Ga.	Delaney	Hall,
Brown, Ohio	Denny	Leonard W.
Brownson	Denton	Harden
Bryson	Devereux	Hardy
Buchanan	D'Ewart	Harris
Burdick	Dollinger	Harrison, Nebr.
Hart	McGrath	Rhodes
Harvey	McGuire	Ribicoff
Havenner	McKinnon	Richards
Hays, Ark.	McMillan	Riehlman
Heller	McMullen	Rivers
Herlong	McVey	Roberts
Heselton	Mack, Ill.	Rodino
Hillings	Madden	Rogers, Colo.
Hinshaw	Mahon	Rogers, Fla.
Holifield	Mansfield	Rogers, Tex.
Holmes	Meader	Rooney
Hope	Merrow	Ross
Howell	Miller, Md.	Sadlak
Ikard	Miller, N. Y.	St. George
Irving	Mills	Saylor
Jackson, Calif.	Mitchell	Scrivner
Javits	Morano	Secrest
Jensen	Morgan	Seely-Brown
Jones, Hamilton C.	Murdock	Sieminski
	Murray	Sikes
Jones, Woodrow W.	Nelson	Smith, Va.
	Norblad	Spence
Karsten, Mo.	O'Brien, Ill.	Springer
Kearney	O'Neill	Staggers
Keating	Osmers	Stanley
Kee	Ostertag	Steed
Kelley, Pa.	Patten	Taylor
Keogh	Philbin	Teague
Kilburn	Pickett	Thompson, Tex.
Kilday	Poage	Thornberry
King, Calif.	Polk	Tollefson
Kirwan	Preston	Trimble
Klein	Price	Vail
Lane	Priest	Walter
Lantaff	Prouty	Whitten
Latham	Rabaut	Widnall
Lind	Radwan	Wier
Lucas	Rains	Williams, N. Y.
Lyle	Reams	Wilson, Tex.
McCarthy	Reed, Ill.	Yates
McCormack	Rees, Kans.	Yorty
McDonough	Regan	Zablocki

NAYS—114

Abernethy	Fenton	Miller, Nebr.
Allen, La.	Fernandez	Nicholson
Andersen, H. Carl	Gavin	Norrell
	George	O'Brien, Mich
Andresen, August H.	Golden	O'Hara
	Goodwin	O'Konski
Angell	Graham	Patman
Arends	Gross	Patterson
Auchincloss	Gwinn	Phillips
Baker	Hagen	Rankin
Beall	Halleck	Reece, Tenn.
Berry	Hays, Ohio	Reed, N. Y.
Betts	Hébert	Rogers, Mass.
Blackney	Hess	Schenck
Bolton	Hill	Scott, Hardie
Bramblett	Hoffman, Ill.	Scudder
Bray	Horan	Shafer
Budge	Hull	Short
Bush	James	Simpson, Ill.
Butler	Jenison	Simpson, Pa.
Canfield	Jenkins	Sittler
Chiperfield	Jones, Ala.	Smith, Kans.
Church	Judd	Smith, Wis.
Clevenger	Kean	Talle
Cole, Kans.	Kearns	Thomas
Cole, N. Y.	Kersten, Wis.	Thompson, Mich.
Cotton	King, Pa.	
Crawford	Kluczynski	Van Zandt
Cunningham	Larcade	Vinson
Curtis, Mo.	LeCompte	Vorys
Dague	McConnell	Vursell
Davis, Tenn.	McCulloch	Weichel
Dempsey	McGregor	Wharton
Dolliver	Machrowicz	Willis
Dondero	Mack, Wash.	Winstead
Eaton	Magee	Withrow
Ellsworth	Marshall	Wolcott
Elston	Martin, Iowa	Wolverton
Fallon	Martin, Mass.	Wood, Idaho

NOT VOTING—107

Aandahl	Carrigg	Hall, Edwin Arthur
Albert	Clemente	
Allen, Calif.	Coudert	Hand
Anderson, Calif.	Cox	Harrison, Va.
Anfuso	Crosser	Harrison, Wyo.
Armstrong	Davis, Ga.	Hedrick
Barden	Dawson	Heffernan
Baring	Dingell	Herter
Bates, Ky.	Doughton	Hoeven
Beckworth	Doyle	Hoffman, Mich.
Belcher	Durham	Hunter
Bender	Engle	Jackson, Wash.
Blatnik	Evins	Jarman
Bolling	Fisher	Johnson
Bonner	Forand	Jonas
Boykin	Forrester	Jones, Mo.
Buckley	Fugate	Kelly, N. Y.
Buffett	Garmatz	Kennedy
Burnside	Gore	Kerr
Carlyle	Granger	Lanham
Lesinski	Poulson	Sutton
Lovre	Powell	Taber
McIntire	Ramsay	Tackett
Mason	Redden	Van Pelt
Miller, Calif.	Riley	Velde
Morris	Robeson	Watts
Morrison	Roosevelt	Welch
Morton	Sabath	Werdel
Moulder	Sasscer	Wheeler
Multer	Scott, Hugh D., Jr.	Wickersham
Mumma		Wigglesworth
Murphy	Sheehan	Williams, Miss.
O'Brien, N. Y.	Shelley	Wilson, Ind.
O'Toole	Sheppard	Wood, Ga.
Passman	Smith, Miss.	Woodruff
Perkins	Stigler	
Potter	Stockman	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Belcher with Mr. O'Brien of New York.

Mr. Aandahl with Mr. Williams of Mississippi.

Mr. Coudert with Mr. Smith of Mississippi.

Mr. Mumma with Mr. Baring.

Mr. Lovre with Mr. Kennedy.

Mr. Potter with Mr. Kerr.

Mr. Hugh D. Scott, Jr., with Mr. Riley.

Mr. Poulson with Mr. Miller of California.

Mr. Taber with Mr. Doyle.

Mr. Stockman with Mr. Shelley.

Mr. Van Pelt with Mr. Morris.

Mr. Velde with Mr. Forrester.

Mr. Allen of California with Mr. Fugate.

Mr. Johnson with Mr. Engle.

Mr. Wilson of Indiana with Mr. Dingell.

Mr. Hunter with Mr. Dawson.

Mr. Woodruff with Mr. Buckley.

Mr. Herter with Mr. Heffernan.

Mr. Carrigg with Mr. Harrison of Virginia.

Mr. Anderson of California with Mr. Anfuso.

Mr. Bender with Mr. Jarman.

Mr. Armstrong with Mrs. Kelly of New York.

Mr. Harrison of Wyoming with Mr. Clemente.

Mr. Buffett with Mr. Crosser.

Mr. McIntire with Mr. Evins.

Mr. Morton with Mr. Forand.

Mr. Mason with Mr. O'Toole.

Mr. Hand with Mr. Passman.

Mr. Hoffman of Michigan with Mr. Murphy.

Mr. Hoeven with Mr. Morrison.

Mr. Sheehan with Mr. Sabath.

Mr. Werdel with Mr. Tackett.

Mr. Jonas with Mr. Welch.

Mr. Wigglesworth with Mr. Multer.

Messrs. JUDD, LECOMPTE, CHIPERFIELD, O'KONSKI, KERSTEN of Wisconsin, and VINSON changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

NATIONAL CAPITAL HOUSING AUTHORITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

In accordance with the provisions of section 5 (a) of the District of Columbia Alley Dwelling Act, approved June 12,

1934, I transmit herewith for the information of the Congress the report of the National Capital Housing Authority for the fiscal year ended June 30, 1951.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 14, 1952.*

EXTENSION OF REMARKS

Mr. BUSBEY. Mr. Speaker, I was unavoidably detained in the full Committee on Appropriations this morning when the gentleman from New York [Mr. CELLER], chairman of the Committee on the Judiciary, called up House Joint Resolution 445. I ask unanimous consent to extend my remarks and include a letter and extraneous matter following his remarks and before the passage of the bill.

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

There was no objection.

HOUR OF MEETING AND PROGRAM FOR TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman tell us what the program is for tomorrow?

Mr. McCORMACK. The next order of business today, as we all know, is consideration of the legislative appropriation bill. If the bill is terminated in time, as I am hopeful it will be, we will take up the rule and go as far as we can on the Marine Corps personnel bill. That bill will then come up tomorrow, if not completed today, and I am hoping we may finish its consideration on tomorrow.

Tomorrow is primary day in Oregon, but it is my understanding all of the Members from Oregon are present. Of course, under those circumstances, no one being affected, I feel that we should proceed to final determination of the Marine Corps bill.

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

There was no objection.

LEGISLATIVE BRANCH APPROPRIATION BILL, 1953

Mr. McGRATH. 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. 7313) making appropriations for the legislative branch for the fiscal year ending June 30, 1953, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to not exceed 2 hours, one-half of the time to be controlled by the gentleman from Washington [Mr. HORAN] and one-half by myself.

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

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

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. 7313, with Mr. PRIEST in the chair.

The Clerk read the title of the bill.

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

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

Mr. Chairman, at the very outset, in reporting this bill to the House I want to take the opportunity to express my sincere thanks for the cooperation of the gentleman from Washington [Mr. HORAN] and also tender my sincere thanks to the gentleman from Illinois [Mr. BUSBEY] as well as our colleagues on the Democratic side..

Mr. Chairman, the bill under discussion covers the annual appropriation for the House of Representatives, the Architect of the Capitol, Botanic Gardens, Library of Congress, and Government Printing Office. As is customary no provisions are made herein for the appropriations for the other body. That is a time-honored custom in which the other body submits its own appropriation and in conference the House recedes. The same practice is adopted as to items that affect the House of Representatives by the other body.

Your committee in its unanimous report has done its best to be consistent in holding all Government expenditures to the barest minimum that will provide for the maintenance of essential operation. The important thing that I would like to call to your attention is that this bill provides $1,106,000 below the amount available for 1952. I think that is the real test of economy in government. Some may use the figure as to the amount the bill is cut below the budget request. While this may be some evidence of economy, yet, I think that the fairer test is the amount actually spent in the preceding year as against the amount appropriated for present fiscal year. The committee has reduced the budget request by over $9,500,000.

The Library of Congress requested an increase of about three-quarters of a million dollars. This increase has been disallowed and the bill as reported carries with it an appropriation of $17,000 less than fiscal 1952.

Another large item is the Government Printing Office and this committee, of course, has no jurisdiction over what is to be printed by that agency. The committee report recommends and directs the Government Printing Office 1954 budget be submitted along the lines used or submitted by the Government corporations. This will enable the committee to get a complete picture of all of the operations of the Government Printing Office.

The committee feels that it has been mindful of your desires for economy and we submit this bill for your consideration and feel that in cutting over $1,100,000 below 1952 we have trimmed those things which were not essential and yet submitted a budget that will care for the needs of the various agencies.

Mr. HORAN. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, I merely take this time to discuss a problem which confronts the Members of this House, our secretaries, and everyone who works on the Hill, including the press. We have about 750 parking spaces around the Capitol and we have well in excess of 2,000 cars that belong to people who work up here. Consequently we are hard pressed for parking space and sometimes some of our secretaries and others have to walk a long way in order to get to work. There is space around here that could be utilized, and I am going to offer a couple of amendments later on in that direction that will help out, we hope.

In addition to that, the Capitol of the United States belongs to all of the people of the United States, and we should have available parking space reserved for those who drive their cars long distances to see the Capitol of their Nation.

We looked into that when we had the Sergeant at Arms of the House before us, and we tried to study every possibility. We even considered the possibility of building a garage, but an expenditure for that purpose of upward of $3,000,000 would not be in line with our desire for economy. We even considered the possibility of building a parking space on lots around the Capitol right now or the utilizing of some of the Capitol lawns, and the closing of streets here and there, the buying of lots and the razing of buildings in order to provide additional parking space that would be convenient. I know that is not a big issue, but this is a housekeeping bill. We are appropriating here for our own use and for the proper convenience of the Members and those who work with us.

There are two possibilities that seem more or less in order and will be embraced in amendments that I will offer following the reading the bill. The first one will be a very small item for $1,500 to renew all of the signs around the Plaza and around the Capitol in order that the Capitol Police can better patrol what space we have left. The second will be an amendment of $51,000 to macadamize the parking space between the Canal Streets out here by the Botanical Gardens. There is room there for the parking of 102 additional cars. This is a practical problem. The number of automobiles that people drive who come here is not going to decrease and some believe that sometime we are going to have to find a place that is within reasonable distance of the offices and the Hill here for those who work on the Hill. That will be the purpose of my amendments. One is in order; the other is subject to a point of order. I understand, however, that the point of order may be held in abeyance and that we will have a chance to pass judgment on it. This is a problem that will have to be met sometime in the future either by the House Administration Committee

or by the subcommittee that appropriates our funds.

Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. BUSBEY].

Mr. BUSBEY. Mr. Chairman, last year when this appropriation bill was brought to the floor of the House I filed a minority report. I did not file a minority report this year because a great deal of it would have had to be repetition. During the debate last year on the appropriation bill for fiscal 1952 I made certain recommendations. It was my understanding that those recommendations would be put into effect; at least a great many of them. I am sorry to say that a year has passed and they have not been put into effect.

I would like to quote you from my minority report of last year:

I also believe that if we are to criticize the various departments of the executive branch of our Government for the manner in which they administer funds, we, the Members of the House of Representatives, should be the first to see that the funds appropriated for maintaining and running the legislative branch of our Government are properly administered and expended for the purposes for which they are appropriated.

A short time ago, I went to the Doorkeeper of the House of Representatives, Mr. William Miller, and told him that I would appreciate it if he would get in touch with Mr. Galloway, the superintendent of the folding room, as I would like to go down there to do a little checking before the appropriation bill came before the full committee.

About an hour later he came to me and said he had discussed the matter with the Speaker of the House [Mr. RAYBURN] and that Mr. RAYBURN would like to talk to me about it. I went to Mr. RAYBURN'S office, had a nice talk with him, and he asked me to write a letter. This I did on March 24, setting forth the reasons I wanted to do some checking in the folding room. I will not read the letter at this time but, under permission to do so, I include it in the RECORD at this point:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., March 24, 1952.

Hon. SAM RAYBURN,
Speaker of the House,
Capitol, Washington, D. C.

DEAR MR. SPEAKER: In accordance with our conversation of last week relating to my request of Mr. William Miller, the doorkeeper, for certain data regarding the folding room, I would like to make an inspection of that phase of facilities for the Members of the House of Representatives.

A short time ago I had a small amount of work I wanted to get out immediately and I needed the assistance of the folding room. The only way I could have it done was to pay the employees out of my own pocket to stay after working hours to do it. I was informed that this would be necessary due to the fact that they had a backlog of approximately 2,250,000 pieces, which, with the staff they had, would take about 5 or 6 weeks before they could get around to folding my small amount of 10,000 pieces.

While it is not my desire to ask for the names of those who are monopolizing the services of the folding room, I still think the Members of the House are entitled to know how it is being operated. In other words, I would like to ascertain the number of Members who use it considerably in the course of a year; the number of Members who would be in various brackets; down to those who do not use it at all, or very seldom such as my case.

It is my understanding that only about 50 Members of the House of Representatives get out a weekly news letter. This means that 385 do not use it for this purpose at all. It is also my understanding that some of the 50 get out as many as 10,000 letters a week.

The service of the folding room, which is for the benefit of all Members, should be made to serve as many as possible in order to warrant the expense. I sincerely trust, after you have taken this matter up with Mr. MCCORMACK and Mr. MARTIN as you explained to me you would like to do, that, in the judgment of all three of you, you will agree that a survey would prove of benefit.

Sincerely yours,

FRED E. BUSBEY,
Member of Congress.

One of the reasons I desired to make an inspection of the folding room was because of an experience I had with a very small amount of speeches from the CONGRESSIONAL RECORD. When I sent the job down to the folding room, I was advised that there were approximately two and one-quarter to two and one-half million pieces of mail ahead of mine. I was told that it would take at least five if not six weeks before they could get around to processing my request, which was for 10,000 pieces of mail. It was then I wanted to find out the cause of this tremendous backlog.

After writing the letter to the Speaker of the House of Representatives, he had a committee appointed from the House Committee on Administration consisting of the gentleman from Texas [Mr. REGAN], the gentleman from Iowa [Mr. LECOMPTE], and the gentleman from Arkansas [Mr. TRIMBLE]. They proceeded to make a survey of the situation in the folding room. The report of the committee will be found on page A2220 of the Appendix of the CONGRESSIONAL RECORD.

I want to congratulate the committee from the House Committee on Administration for the work they did as far as they proceeded. Unfortunately, I think they should have gone further. But one thing they did do was recommend that up-to-date machines be put in the folding room to take care of the folding of the speeches of the various Members of Congress, as well as the insertion thereof in the envelopes. I think they were rather surprised to find on their investigation that millions of pieces of mail were being processed by hand one at a time in the folding room. This was a very inefficient and a very costly way to handle material for the Members of Congress. I understand the machines have been ordered, and will be put into operation in the very near future. In addition to getting the mail out much faster. I am sure they will find them responsible for great savings. That is what we are all interested in at this particular time—economy, regardless of which side of the aisle we may sit on.

I was personally interested to find out the cause of this tremendous backlog. The gentleman from New York [Mr. MCGRATH], the distinguished chairman of our committee, and I proceeded to go to the folding room one day, and have a conversation with Mr. Galloway, the superintendent of the folding room, to ascertain the reason for this tremendous backlog. I think the chairman of our commitee, Mr. MCGRATH, will bear me out that we were both satisfied that the delay was not caused by the superintendent of the folding room. He informed us that as far back as last November he had contacted the Doorkeeper of the House of Representatives, Mr. Miller, under whose supervision he works, regarding the accumulation of mail in the folding room. He said he informed Mr. Miller it would get worse, since this is a presidential-election year in addition to the fact that all the Members of the House come up for reelection. Mr. Galloway informed us that he had talked to Mr. Miller on numerous occasions, and that he had also put his request in writing. The next step in our investigation, was to interrogate Mr. Miller. Mr. Miller informed us that he had received these requests from Mr. Galloway, and that he had taken the matter up in turn with Miss Juanita Swafford, the clerk of the patronage committee, to see what could be done about getting help in the folding room. I am satisfied that she in turn contacted the majority members of the House of Representatives, to whom the patronage belongs, to see if they had any people available who wanted to work in the folding room. However, her endeavor was not successful. It was not until March 2 that the superintendent of the folding room was given permission to go outside and recruit help from commercial agencies to take care of this backlog.

I think it rather unfortunate that the superintendent was not given this permission, not weeks or months ago, but years ago, because I am satisfied if the responsibility had been put in the office of the superintendent of the folding room these conditions would never exist. Yes, it has cost a little additional money to get the work out, but I think I can report to you that from now on the backlog of mail in the folding room will be practically nil. When you have something to send out to your constituents you will not have to wait 5 or 6 weeks, but it will only be a matter of a few days, and I hope only a matter of hours.

To illustrate, in January they hired 27 pieceworkers for a total amount of $3,854.76. In February they employed 38 pieceworkers for a total amount of $5,761.29. In March they employed 83 pieceworkers for a total amount of $11,487.01. In April they employed 86 pieceworkers for a total amount of $11,524.77. I am sure the number of pieceworkers can be reduced materially as soon as the machines get into operation, and particularly since the mail in the folding room is almost current.

Sizing up the situation, I do not want to be unduly critical of anyone. I hope the suggestions which I am making this year, the same as last year, will be accepted as given, in a constructive manner. That was the spirit in which I made the suggestions last year, and I

assure you it is the spirit in which I am making them this year. I believe, however, that the so-called chain of command in running the folding room should be eliminated. Instead of the superintendent of the folding room having to go to the Doorkeeper, and then the Doorkeeper having in turn to go to the patronage committee, I recommend that the superintendent be given the authority and the responsibility for running the folding room the same as the Postmaster of the House of Representatives is given authority to run the post office, and others are given authority to run their respective departments.

I am sure if that recommendation were followed, all the problems we have been having in regard to delays in the folding room would be eliminated.

I think I would be remiss in my duty as a member of this Committee on Appropriations if I did not pay my respects to the Superintendent of the Folding Room. In checking conditions in the Folding Room last year and also this year, it is my opinion and judgment that the Superintendent of the Folding Room is doing a very efficient, a very honest, and a very commendable job. I am positive that when mail is sent down there it is handled as it should be, first come, first served; he shows no partiality whatever and no favoritism to a single Member of the House of Representatives. I believe Mr. Galloway deserves the thanks and appreciation of the House of Representatives for the splendid work he is doing. The only thing necessary to improve the service is to give him the responsibility as I recommended.

CAFETERIA

One of the problems that is discussed by the Appropriations Committee every year is the lack of eating space for Members and employees, and the inadequacy of the cafeteria in the House Office Building. Persons wanting service in the cafeteria have to wait an exceedingly long time. This forces many people to go outside for lunch. In many cases they have resorted to eating lunch in the office. This is due, in part, to the fact that a great many people come down to the cafeteria for just a cup of coffee and a sandwich or roll. Unfortunately, under the present arrangement there is no available space which can be utilized for making a coffee stand for those just desiring a sandwich and coffee, or just coffee. I am very hopeful and feel confident that with the new machines in the Folding Room, help can be eliminated and space made available to take care of its very urgent need for a coffee stand.

I have been asked by many Members about Part 2 of our Legislative Appropriation committee report and why it was not included in the original report or hearings of the Legislative Appropriations Subcommittee. The explanation is quite simple. We had had Mr. Miller, the Doorkeeper, before the committee and I was interrogating him at some length. At the conclusion of Part 2 of the hearings I had this discussion:

Mr. BUSBEY. Mr. Chairman, my next request is that I respectfully ask that Mr. Miller, the Doorkeeper, be put under oath. I want to ask some questions regarding his testimony last year.

Mr. McGRATH. Well, I call the gentleman's attention to the fact that there is an absence of a quorum at this time. I understand the decision would require a quorum to have the proper effect.

Mr. BUSBEY. That is all the questions I have at this time.

Mr. McGRATH. If you want that I will be very happy to have a meeting of the committee and let the committee decide.

Mr. BUSBEY. I will defer my request and further questions until then.

Mr. McGRATH. The committee will recess until 10 o'clock tomorrow morning. You want this witness back, the Doorkeeper?

Mr. BUSBEY. Yes, please.

Mr. Miller was recalled to the committee the following morning. I will quote briefly from the hearings that were not printed:

Mr. McGRATH. The committee will be in order. On yesterday we had the Doorkeeper present. We adjourned in the afternoon because of the absence of a quorum. Mr. BUSBEY has made a request that the Doorkeeper continue his testimony under oath. The question now before us concerns the request of Mr. BUSBEY that the Doorkeeper be sworn. Is that a correct statement, Mr. BUSBEY?

Mr. BUSBEY. Plus the fact that you thought a quorum should be present when that motion was considered.

Mr. McGRATH. A quorum would have to be present as I understand the rules and the decisions. Does the gentleman press his motion now?

Mr. BUSBEY. Yes; I should like to renew my motion this morning that Mr. Miller, the Doorkeeper, be recalled and put under oath. The reason for my request is I have reason to believe Mr. Miller's testimony of last year does not coincide with the facts, and I should like to have Mr. Miller's testimony on that and some other matters under oath.

Mr. McGRATH. Is there any discussion on the gentleman's motion?

Mr. HORAN. I should like to know from my colleague what he hopes to prove?

Mr. BUSBEY. I do not think I could make it any plainer than to say that I propose to prove, if I have the cooperation of the committee, that Mr. Miller did not tell the committee the truth in several instances last year.

Mr. McGRATH. I can assure the gentleman from Illinois that he has the full cooperation of the entire committee.

Mr. HORAN. Surely.

Mr. McGRATH. Personally I do not see any point in putting an officer of the House under oath, in the absence of any proof of actual wrongdoing, when we can elicit whatever information is desired otherwise. However, I am prepared to put the question. Is there any further discussion?

The question is upon the motion of the gentleman from Illinois that the Doorkeeper be sworn and his testimony taken under oath. The Clerk will call the roll.

(The Clerk called the roll and the Members answered as follows: Mr. McGRATH: No. Mr. KIRWAN: No. Mr. HORAN: Aye. Mr. BUSBEY: Aye.)

Mr. McGRATH. The motion is lost on the vote of 2 to 2, a tie vote.

The reason I did not ask that this and the remainder of the testimony be incorporated in the hearings was simply for the reason it did not make a great deal of difference without putting the Doorkeeper under oath.

In discussing the situation with the chairman, Mr. McGRATH, I had agreed to eliminate from the hearings that portion of the testimony which was rather brief and took place at the morning session where the committee refused to put Mr. Miller under oath. In ordering the hearing printed Mr. McGRATH was under the impression that I had indicated leaving the testimony by Mr. Miller of the previous afternoon out of the printed hearing, as well as the testimony of the next morning. While I am sure it was an honest mistake on the part of the chairman, nevertheless, I asked that the hearing of the previous afternoon up until I made the motion to have Mr. Miller put under oath printed. This he very graciously did and had it marked part 2 of the hearing.

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

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

Mr. McGRATH. Is it not a fact that it was at the gentleman's request that this was deleted from the testimony of the hearings?

Mr. BUSBEY. Yes. I thought I had explained that rather fully and clearly.

Mr. Chairman, I do not think any employee of the House of Representatives or any other governmental body is beyond being put under oath. I have made that request in other instances. I remember in the Eightieth Congress during the hearings on an investigation of the State Department by the Committee on Expenditures in the Executive Departments I asked and had the Assistant Secretary of State put under oath. I had a very good reason for requesting Mr. Miller be put under oath. I proposed to prove—and I am positive—that in some instances, shall we say, Mr. Miller handled the truth rather promiscuously, in his testimony before the Committee for Legislative Appropriations for the fiscal year 1952.

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

Mr. BUSBEY. I am happy to yield to my distinguished friend, the majority leader.

Mr. McCORMACK. I think I was a member of that committee. That subcommittee was particularly appointed for investigating purposes; was it not?

Mr. BUSBEY. Yes.

Mr. McCORMACK. So that is different from this committee, which was sitting as a subcommittee of the committee on Appropriations, as a subcommittee of a standing committee. Of course, under the Reorganization Act, the Legislative Reorganization Act, the Committee on Expenditures had the power to summon or to subpena?

Mr. BUSBEY. Yes.

Mr. McCORMACK. That subcommittee was especially organized or formed or appointed for the purpose of making a specific investigation, as I remember. I am just asking this for the record.

Mr. BUSBEY. I think the gentleman is correct.

Mr. McCORMACK. So that there is a difference between that special subcommittee and this subcommittee. That was a special subcommittee to investigate a particular thing.

Mr. BUSBEY. I would like to ask my distinguished friend from Massachusetts if he does not think that an appropriations committee is entitled to be given the truth by all witnesses and if there is some doubt, why not put the man under

oath and let him make his statement under oath?

Mr. McCORMACK. I do not subscribe to a witness appearing before a legislative committee, as a general proposition being put under oath. I do not think it is the proper thing for a legislative committee to do that. This subcommittee, while considering appropriations, is sitting in a legislative capacity as distinguished from an investigative capacity. I certainly do not object to the gentleman asking that. My only purpose was to have the record show that the gentleman agreed with me that the particular committee to which he referred was the Subcommittee of Expenditures in the Eightieth Congress and was particularly appointed to make an investigation, and that that would be entirely different from a subcommittee of the Committee on Appropriations.

So far as having an officer of this House put under oath, I think I would hesitate a long while before I would put any one of the employees we have here, on either side of the aisle, under oath, subject them to oath. I did not intend to get into this. I am simply answering the gentleman's question and referring to the difference between the two subcommittees that my friend referred to; but having gotten into it I will say that the two members who voted not to subject the witness to oath voted very wisely and in accordance with the time honored custom. This is no reflection on those who voted otherwise in the subcommittee.

Mr. BUSBEY. Does the gentleman from Massachusetts contend that an appropriation committee should not make any investigation as to how the funds are expended, regardless of whether it is for the legislative branch or any other branch of the Government, and that if a Member has reason to believe that the witness is not telling the truth that he should not be able to put the man under oath and have him testify under oath and then bring in witnesses to prove that he did not tell the truth?

Mr. McCORMACK. The gentleman from Massachusetts made no such contention. The gentleman from Massachusetts will stand by the statement he just made as a general proposition.

Mr. BUSBEY. Well, I will put it to the gentleman as a question then.

Mr. McCORMACK. If I am a member of a committee, I might disagree with the gentleman from Illinois, as I have on many occasions. I remember the special committee investigation that he made, and it was a flop. As a matter of fact, he started out, and one of the things he wanted to prove was that sone poor fellow down there——

Mr. BUSBEY. I did not yield for a speech.

Mr. McCORMACK. That is too hot for the gentleman.

Mr. BUSBEY. I can assure the gentleman from Massachusetts there is no subject too hot for the gentleman from Illinois to handle, but if he wishes to make a speech he can do it on his own time.

Mr. McCORMACK. It is a little too hot for the gentleman. It was just a flop. It blew up. There was nothing done——

Mr. BUSBEY. I did not yield, Mr. Chairman, for a speech; I yielded for a question. But I will say in regard to the investigation that he is referring to, that it was not a flop, I was successful in getting Mr. Hamilton Robinson out of the State Department. He was the Director of the Office of Controls and directly responsible for the then more than 20,000 employees as to their security and loyalty. I will say that it was far from a flop, because I can produce the names of 11 persons whose loyalty was questionable that were dismissed from the State Department as a result at least in part from my interest in that investigation. But the only sad part about it is that after Mr. Jack Peurifoy, who was then the Assistant Secretary of State, fired them, they turned around and retained Mr. Abe Fortas as their attorney. Mr. Fortas persuaded Mr. Peurifoy to let them resign, which made them eligible for employment in any other departments of the Government.

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

Mr. BUSBEY. I would not refuse to yield to the chairman of my committee, of course.

Mr. McGRATH. I thank the gentleman, and I must say the gentleman is very gracious. Is it not a fact that after we had this meeting that the gentleman had a full meeting with the Doorkeeper and questioned him at length, and is it not further the fact that thereafter, in company with myself, the distinguished gentleman from Illinois made a personal inspection of the folding room and was pleased with the results of his investigation, and is it not further a fact——

Mr. BUSBEY. I will not concur that I was pleased with the investigation.

Mr. McGRATH. But the gentleman made no observation to the contrary.

Mr. BUSBEY. I might have been pleased with the investigation, but not as to the results.

Mr. McGRATH. Is it not further a fact that this morning the gentleman interviewed the secretary of the patronage committee, and everytime he asked for a meeting I arranged it for him to suit his convenience, and was as cooperative as anyone could be to get all of the facts?

Mr. BUSBEY. That is true as far as the backlog of mail in the folding room is concerned, yes; but that had nothing to do with what I intended to prove as far as the Doorkeeper not telling the truth to the committee is concerned. It was on an entirely different matter.

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

Mr. BUSBEY. Yes.

Mr. McGRATH. And is it not a fact that yesterday or the day before we had the Doorkeeper present and you asked him many questions and no one interfered in any way in your interrogation?

Mr. BUSBEY. The questioning was confined entirely to the backlog of mail in the folding room and it had nothing to do, I might tell the gentleman from New York, with what I intended to interrogate him on with regard to different things if I had him under oath.

I was quite surprised when I went to see the Speaker at Mr. Miller's request and I informed the Speaker that I had heard that many of the recommendations that I had made last year in regard to job classifications had been put into effect by the House Administration Committee.

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

Mr. HORAN. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. BUSBEY. And he informed me that he insisted on the House Administration Committee making those changes, for which I congratulated him. But I am sorry to report these changes have not been made as yet.

I will not take up the time of the House, but just to illustrate, I think ever since the Civil War we have been keeping the doorkeepers in the gallery on the rolls—at least, a great many of them, on what is known as the messengers on soldiers' roll.

This was brought out in my minority report of last year in which I stated:

> The subcommittee was desirous of having the hearings and report printed and presented to the full Committee on Appropriations on Friday morning, June 15, 1951. In view of the shortness of time since the subcommittee closed its hearings, over my objection, last Monday after, I, of necessity, have had to omit many references which should have been included in my minority views. However, I do wish to assure the Members of the House of Representatives that I shall pursue my duties and responsibilities as a member of the Legislative Subcommittee on Appropriations and bring to the attention of the proper authorities certain recommendations during the next fiscal year which I believe should be favorably acted upon by the House of Representatives. For example, in the year 1864 there was provided a "soldiers' roll" in the House of Representatives to give employment to veterans of the Civil War. It seems absolutely absurd that we are asked to appropriate funds for 14 positions for the fiscal year 1952 on the soldiers' roll. For the most part, I have been informed that employees carried on the soldiers' roll are doorkeepers in the gallery of the House of Representatives. It is my contention that these men should be carried as doorkeepers or door attendants, and not as employees on the soldiers' roll. This is only one of the many classifications included in the legislative appropriation bill which should be reviewed and corrected.

There is no justification for it. In other words, if a man is working at a specific job he should be entitled to a classification according to that job. At least it was my understanding that the House Committee on Administration was going to make these recommendations and put them into effect many months ago. They evidently have not. I sincerely recommend that they do this immediately.

I also recommend the House Committee on Administration make a thorough investigation as to the quality of the merchandise that is being handled in the stationery room. I know some of your secretaries have complained to you, because you have talked to me about it, I know that my secretaries have complained about it.

PARKING SPACE

The gentleman from Washington [Mr. HORAN], ranking minority member of our committee, was talking about the parking problem. Parking space is indeed at a premium around the Capitol, as we all know. I was amazed to find the other day that a broken down jalopy with a 1950 Illinois license on it, and with a flat tire, had been standing stationary in a parking space on the parking lot just west of the New House Office Building for over one year. I also want to give credit to the Sergeant at Arms, Mr. Joe Callahan, for having the car removed immediately upon my calling it to his attention. However, I think there is some laxity some place in regard to the policing of the parking lots, to have a car taking up a parking space that is so badly needed for over a year without its being called to someone's attention.

POST OFFICE

I am not sure that I know whose responsibility it is, or what committee should have supervision over it, but every one of you has been complaining about the mail service and the time the mail arrives at your office. I doubt if there is a single one here who has not grumbled about it. I do not know whose fault it is, but it should be looked into. I know heretofore when we arrived at the office any time after 8:15 in the morning, a great percentage of our first-class mail came on the first delivery and was waiting for us. A week ago Saturday I had to wait until 1 o'clock in the afternoon before I received any first-class mail. I am not saying it is the fault of the post office in the House Office Building or whether it is the fault of the general Post Office Department in delaying delivery, but I think the proper committee of the House of Representatives could well take a few minutes to look into that situation with the hope of expediting mail delivery.

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

Mr. BUSBEY. I yield to the gentleman from Pennsylvania.

Mr. WALTER. May I call the attention of the gentleman to the fact that the responsibility for the proper conduct of the affairs of the post office is that of the postmaster. The postmaster is an elected official of the House. It is not the responsibiilty of any committee, but it is his responsibility. It seems to me he should discharge incompetent employes the moment his attention is called to their incompetency.

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

Mr. McGRATH. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois.

Mr. BUSBEY. I may say to the gentleman from Pennsylvania I do not know if it is the fault of the postmaster or his responsibility. Maybe it is. Maybe the main post office here in Washington is responsible for the delay in mail coming over. If that is the case, we ought to see that the mail is delivered sooner and, if it is not delivered early enough, then something should be done to get it to the offices on the first mail.

Mr. WALTER. I have been informed, and reliably informed that the clerks in the post office pay little or no attention to their duties, and that the postmaster is derelict in his duty in that he does not reprimand them, and does not discharge them. The responsibility is his, and nobody else's. When an employee fails to report on time, or leaves before he should, then that employee should be fired immediately. There is not a Member in this House who is responsible for the appointment of any of those employees who will stand up and attempt to justify that sort of conduct.

Mr. BUSBEY. I thank the gentleman from Pennsylvania for his contribution.

Mr. Chairman, one additional thing I would like to call to the attention of the committee is the fact that in the appropriation bill there is provision for 31 positions in the folding room. I checked with the disbursing clerk for many months back to last year. At no time did I find where more than 20 of those 31 position were being utilized. If they do not need the 31 positions, requested in the appropriation bill, certainly something should be done to eliminate those unwanted positions. Frankly, I think they should have been used. If they had, we might not have experienced a backlog of 2,500,000 pieces of mail in the folding room.

NEWSPAPERS

Mr. Chairman, I was very disappointed the other day when I went out into the Speaker's lobby to the newspaper racks where we have dozens of newspapers from all over the United States. I wanted to check an article in the Washington Times-Herald. Much to my amazement and surprise, I was informed that the Times-Herald is one newspaper for which the House does not subscribe. They subscribe to the Tyler Courier-Times, of Tyler, Tex., which has a circulation of 8,453; and they subscribe to the Independent Record, of Helena, Mont., which has a circulation of 7,791, and many other small newspapers all over the United States.

Mr. Chairman, under previous permission granted to me in the House, I ask unanimous consent to insert at this point in the RECORD a list of newspapers, together with their circulation and the population of the towns they represent.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

(The matter referred to follows:)

Newspaper	Circulation (daily)	Town	Population
Tyler Courier-Times	8,453	Tyler, Tex	38,968
Sunday combined with Telegraph	21,133		
Amarillo Daily News	38,574	Amarillo, Tex	74,246
Waco Tribune-Herald (Sunday paper)	44,086	Waco, Tex	84,706
The State	69,355	Columbia, S. C	86,914
Durham Morning Herald	30,080	Durham, N. C	71,311
Sunday Durham-Herald	35,761		
The Evening Tribune	34,779	Lawrence, Mass	80,536
Clarksburg Telegram	24,231	Clarksburg, W. Va	32,014
The Pottsville Journal	10,916	Pottsville, Pa	23,640
The Daily Republic	16,162	Mitchell, S. Dak	12,123
The Billings Gazette	22,234	Billings, Mont	31,834
Sunday	31,451		
Great Falls Tribune	29,788	Great Falls, Mont	39,834
Sunday	33,073		
The Independent Record	7,791	Helena, Mont	17,581
Sunday	7,784		
The Daily Sentinel (daily and Sunday)	12,404	Grand Junction, Colo	14,504
Washington Star	226,573	Washington, D. C	802,178
Sunday	254,161		
Washington Post	191,164	do	802,178
Sunday	197,833		
Washington Times-Herald	269,370	do	802,178
Sunday	301,681		
Washington Daily News	140,086	do	802,178

Source: Layers Listing for 1952.

Mr. BUSBEY. The House subscribes to the Washington Star, which has a daily circulation of 226,573. The House subscribes to the Washington Post which has a circulation of 191,164. But the House of Representatives does not subscribe to the Washington Times-Herald, which has a circulation in the Nation's Capitol of 269,370, the greatest circulation of any paper published in the District of Columbia.

I do not know if that is discrimination against the Times-Herald because it happens to be so violently anti-New Deal and antiadministration, but I sincerely hope not. I am going to give whoever orders the papers the benefit of the doubt. But it certainly seems strange to me that we can subscribe to all of these newspapers from all over the country, and to two of the leading papers of Washington, D. C., with a smaller circulation than the Washington Times-Herald, and not subscribe to the Times-Herald.

CLASSIFICATION

Mr. Chairman, I also brought up the question last year and suggested the Clerk to the patronage committee should be classified as such, and a position designated for that purpose. I do not see how any patronage committee can operate without a clerk. You can call the Clerk the personnel director or anything else, but I do not think that position should be charged to the disbursing office as it is at present.

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

Mr. Chairman, I was quite surprised when my colleague, the gentleman from Illinois [Mr. BUSBEY] referred to the stenographic record, which he asked to

have deleted from the hearings. I know of no authorization by the committee that the testimony be released. I am not, Mr. Chairman, a bit ashamed of anything that happened in that committee. I address myself particularly to my Republican friends who have served with me, and I think they will bear me out that every courtesy was extended to the gentleman from Illinois [Mr. BUSBEY].

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

Mr. McGRATH. I yield.

Mr. HORAN. I certainly want to agree in that statement. The gentleman is an excellent subcommittee chairman, very courteous to witnesses; it was a pleasure to work with you.

Mr. McGRATH. I thank the gentleman from Washington.

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

Mr. McGRATH. I yield.

Mr. BUSBEY. I wish to agree in that statement, too. I think the chairman has offered both the gentleman from Washington [Mr. HORAN] and myself, of the minority membership of the committee every courtesy with the exception of putting Mr. Miller under oath and last year with the exception of having the report of Mr. Lindsay Warren withheld from the committee.

Mr. McGRATH. In answer to the last question I may say I think the matter was discussed in the House last year about Lindsay Warren's report and I think if I recall correctly that we followed the rules of the House, and I know the Speaker concurred.

Now, all of this talk about the Doorkeeper—certainly from this fragile vessel of humanity he needs no defense. I think he has been as diligent and as faithful as any public official who serves in this body and I think the service he renders is given without any partisanship. The fact that this year he holds the office and perhaps my friend may feel that next year they will supplant him—and that again rests with the people—I doubt whether a Republican or Democrat successor can equal the service that the man who is affectionately referred to as "Fishbait" Miller has rendered. He is an able, courteous, capable official and I am proud to call him my friend.

There is a lot of talk about the folding room. Every employee of the folding room has earned every dollar he or she has drawn. My distinguished friend from Illinois [Mr. BUSBEY] on the 29th day of February wanted 10,000 pieces of mail sent out. It was sent out to New York State, I believe, to 17 East Forty-fifth Street, and then was addressed and mailed up into New Hampshire. What office is located at 17 East Forty-fifth Street? Who addressed these 10,000 letters? For what purpose were they sent to New Hampshire? If I remember correctly there was some little affair up in New Hampshire around the middle of March. The fact that he took upon himself to enter into some question that divided his own party does not concern me. When he says that the folding room should be used to send out mail to one's constituents in one's own State I agree with him, but I have never sent anything into the district of my friend the gentleman from New Hampshire [Mr. COTTON] and I never will. I think it has been unfortunate that it became necessary to say these things, Mr. Chairman, but I do not want any Member on the Republican side to feel that at any time any action of mine has been partisan. Those of you who have traveled with me and worked with me know this.

I feel that the employees of our folding room are doing a good job. I am not concerned with any investigation, and if the gentleman can bring us any evidence of wrongdoing on the part of Mr. William Miller, I will join with him in the fullest and most complete investigation.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield briefly?

Mr. McGRATH. I shall be happy to yield.

Mr. BUSBEY. I want to concur in the gentleman's remarks regarding the employees of the folding room; and I am sure if he listened attentively, which he did, today, he will agree that I said nothing detrimental about any employee connected with the folding room in any way, shape, manner, or form.

Mr. McGRATH. I am sure the gentleman did not.

Mr. BUSBEY. And as far as any piece of mail I have sent out anywhere is concerned I want to say to the gentleman that I am very proud of every piece of mail I have sent out.

Mr. McGRATH. I am sure you are, sir.

Mr. BUSBEY. It is my understanding according to the Rules of the House of Representatives that no Member is entitled to information concerning what another Member sends out through the folding room. While everyone will agree that the matter the gentleman from New York [Mr. McGRATH] has brought up is irrelevant and far-fetched from anything under discussion pertaining to the legislative branch appropriations bill for 1953, I wish to take this opportunity to emphatically state that congressional mail of mine, including reprints of extensions of remarks, is sent out under my frank from Washington, D. C., or my own district in Illinois.

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

Mr. McCORMACK. Mr. Chairman, the only reason I asked my friend from Illinois to yield was in order that the membership of the Committee of the Whole and the House would have information as to the difference that exists in the Eightieth Congress subcommittee investigation that my friend from Illinois referred to and the considerations of the Subcommittee on Appropriations.

My friend from Illinois has made reference to the Doorkeeper. I think he is one of the best men I have ever met; he is sincere; he is loyal; he is devoted to every Member of the House without regard to party. I know he is a Democrat, but I served here when the Republicans were in control many, many years ago when we had a Republican Doorkeeper. He was a very fine man. I never entertained the slightest thought in my mind about interrogating him; he had my profound respect. I do not know of any Democrat on the Appropriations Committee at that time or any other committee or any other Democratic Member of the House who ever had the slightest thought of interrogating the Doorkeeper during the 1920's when I came here. I came here in December 1928, and I served until March 4, 1933, under a Republican President. I cannot remember any Democrat who ever took the floor and made any reference to the Doorkeeper of those years. The gentleman from Illinois has a perfect right to do so if he desires; I have a perfect right to my own opinion as to whether or not he uses good judgment in so doing.

I cannot emphasize too strongly the deep respect I have for Doorkeeper Miller. He is always at the beck and call of every Member and he is always willing to assist us in any way he possibly can in relieving us of the burdens of our office and to assist us as much as possible in performing our duties.

During the course of my colloquy with the gentleman from Illinois [Mr. BUSBEY], reference was made to a subcommittee of the Committee on Expenditures of the Eightieth Congress. I have here a printed report of those hearings. It happened that only the other day I had occasion to want to examine the evidence that took place at those hearings. I remember some 2 years ago when I wanted to look at that evidence there were no printed hearings. I had to go to the Clerk's office in order to get the original transcript of evidence.

We find that the committee consisted of the gentleman from Colorado [Mr. CHENOWETH], a Member of the House now, the gentleman from Minnesota [Mr. JUDD], the gentleman from Illinois [Mr. BUSBEY], the gentleman from Massachusetts who is now addressing the Committee of the Whole, myself, and the gentleman from Missouri [Mr. KARSTEN]. All of us are Members of the House at the present time as we were in the Eightieth Congress. That subcommittee was appointed and it was appointed with the power to investigate and subpena.

Turning now to the printed hearings, the first was held on March 10, 1948, and continued right through for several days. When were those hearings printed? Were they printed forthwith? No. It shows here that the hearings were printed by the Government Printing Office in 1950, some 2 or 3 years after the hearings actually took place. So I think that is rather conclusive evidence confirming what I said that the investigation proved to be a flop.

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

Mr. McGRATH. Mr. Chairman, I yield the gentleman an additional 5 minutes.

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

Mr. McCORMACK. Mark you, I have not said anything but what was pleasant about my friend.

Mr. BUSBEY. Will the gentleman yield?

Mr. McCORMACK. I like a nice little clash, but I am in a very complacent frame of mind, and I hope my friend will not disturb me.

Mr. BUSBEY. I assure the gentleman that is mutual. Will he yield?

Mr. McCORMACK. Oh, gladly.

Mr. BUSBEY. I am very happy to learn that those hearings have been printed because ever since we have had those hearings I have been attempting to get a copy of them. I never knew that they were printed. Are they available at the present time?

Mr. McCORMACK. May I say that I called up the Expenditures Committee the other day and one of the staff brought me over three copies. I did not know they were printed because 2 years ago I had to send to the Clerk's office to get the original transcript of evidence in typewritten form. The chairman of a committee can order a thousand printed copies. That is what happened in this case—a thousand copies were printed. A member of the staff told me that I am the first one who has received any copy of the hearings. So you can see the keen interest in those hearings.

But let me go a step further. The gentleman from Illinois has referred to a man by the name of Robinson. I did not know who Robinson was. I never knew the man until he appeared before the committee. But he was a sinister figure. He had the atmosphere of communism around him. He worked in the State Department. What did the hearings develop? His second cousin was a Communist, so they tried to establish the fact that this poor fellow Robinson was a Communist because his second cousin was a Communist. That is really what developed. Of course, he was a second cousin. They went to college together and they got together occasionally, and all during the hearings my friend from Illinois repeated the question, but the only thing he developed was that Robinson was the second cousin of a man by the name of Miller—Robert T. Miller 3d. It is right here on page 33 of the hearings.

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

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

Mr. HORAN. That was not William M.?

Mr. McCORMACK. No; Robert T. Miller 3d.

Now let me go a step further. Something interesting happened there. You will find it on page 37 when my friend, the gentleman from Illinois, was examining him. I remember it well. My mind going back into the past, and as my friend asked me a few questions in colloquy, I remembered I had this copy of the hearings on the top of my desk and I went down to get it. My friend, the gentleman from Illinois [Mr. BUSBEY] asked this question:

Mr. BUSBEY. You would not necessarily stand on the ground that it must be proved a man carries a card in the Communist Party in order to be a Communist, would you?

Mr. ROBINSON. Certainly not; certainly not. I think our security principles are pretty clear on that.

Mr. BUSBEY. I was going to say there are many of us here in Congress who belong to a political party and I am afraid we would never be able to show concrete evidence by way of having a card in that party.

Mr. ROBINSON. I would like to show my membership card in the Republican Party if I had one. I have been a member of the New York Young Republican Club for the last 10 years.

Mr. PEURIFOY. You are still?

Mr. ROBINSON. As far as I know, I am still.

Mr. CHENOWETH. Let's put the card in the record. [Laughter.]

Mr. BUSBEY. I will proceed.

So the only card they showed about this fellow Robinson, the only card bearing an organization he was a member of as established by the interrogation under oath, was the card of the Young Republican Club of New York City.

Right at the end here Mr. Robinson made a statement, in which he said:

Mr. ROBINSON. I would like to say, Mr. Chairman, that I would like awfully well if the evidence on the charges which Mr. BUSBEY has so publicly made against me, and indirectly against Mr. Peurifoy, could be concluded so that we do not drag this thing along. I feel this way, sir: Mr. BUSBEY made some public charges of a very defamatory nature, both as to my abilities and as to my reputation, and as to my loyalty. I would like to ask the committee, as respectfully as I can, if it could reach a conclusion as to the evidence submitted at the hearings. Mr. BUSBEY has had 2 days in which to bring it out, bring it all out. Rather than to drag it out, could not the committee get the rest of it now, if there is any more, and thereafter make a finding, either that Mr. BUSBEY's charges have been supported by the evidence or that they have not?

Now, is that not fair?

If they have not, I request that the committee give the State Department the support that it needs after these charges, these defamatory statements, have been publicly issued.

Then the gentleman from Colorado [Mr. CHENOWETH], a fair gentleman, made this observation:

Mr. CHENOWETH. We appreciate that statement, and we will discuss that in this executive session that we were just about to go into, Mr. Robinson, and I can assure you that the committee will weigh everything that has been presented here.

Do you have anything further? I would like to consider the hearings closed so far as Mr. Robinson is concerned.

Mr. BUSBEY. No, sir; I have not even started, Mr. Chairman.

Mr. CHENOWETH. Well, we will close this particular question.

You can draw your own inferences. The subcommittee never made a report on this and the hearings were never printed until nearly 2 years after they were held. We are all practical men here, and we know that the Republican-controlled subcommittee must have felt that they did not want the Government to go to the expense of printing a thousand copies of those hearings, which the chairman can order himself, and he would not have taken that position unless he and the other Republican Members felt there was no substance to the hearing. The only thing they brought out was that this fellow, Robinson, had a second cousin who was accused of being a Communist, and the only other thing they brought out was that he was a card-bearing member in the Young Republican Club of New York City.

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

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

Mr. JUDD. I was a member of that subcommittee and I concur thoroughly in what the gentleman has said. The case presented before the subcommittee did not support the charges.

Mr. McCORMACK. I thank the gentleman very much.

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

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

Mr. BUSBEY. I would like to correct the RECORD to show—and the gentleman has the hearings in his hand—that nowhere did I ever charge or intimate that Mr. Robinson was a Communist, and I also want the RECORD to show that after the gentleman from Colorado [Mr. CHENOWETH] closed the hearings we went into executive session, and because the hearings would not be extended so that I could use my material, I resigned from the subcommittee, and a few days after that I put into the CONGRESSIONAL RECORD several pages of Mr. Hamilton Robinson's record, and I hope that everyone will read it, and after which he resigned.

Mr. McCORMACK. I do not know anything about that.

Mr. BUSBEY. It is in the RECORD.

Mr. McCORMACK. All I know is that these are the hearings. The hearings speak for themselves. The man was under oath. All the hearings show was that this poor fellow was a second cousin of a fellow who I think it was established was a Communist. His cousin met his wife in Moscow. They have tried to show by a second-cousin relationship that this fellow in the State Department was a Communist.

The significant thing that impressed itself on my mind, and I have never forgotten it, was that he said the only card-bearing organization of which he was a member was the Young Republican Club of New York City. I think that is a mighty good American organization. I am a great believer in the two-party system.

Mr. BUSBEY. Will the gentleman vouch for everybody that is a member of the Democratic Party?

Mr. McCORMACK. Of course I do not, and the gentleman would not vouch for everybody in the Republican Party.

Mr. BUSBEY. I never vouched for Mr. Robinson as a Republican.

Mr. McCORMACK. Would the gentleman vouch for everybody who is an independent? Would the gentleman vouch for everybody who is in business? Thank God, the great majority of men and women in all walks of life are decent and want to do the right thing. There is a small percentage, unfortunately, everywhere in life that think they can get a cheap dollar in one way or another. But I do not blame the Republican Party for what some individual does

than I think anybody is justified in blaming the Democratic Party for what some individual does.

The other day a bank official embezzled $400,000 in a bank in New Jersey. It is unnecessary for me to mention this man's name and put it in the permanent RECORD for all time. He was a prominent man in the community life and in church affairs. Does the gentleman mean I should blame all the officials of that bank for what he did? Of course not. So the answer to the gentleman's question is "No."

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

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

Mr. SITTLER. I would like to say just this, that while I agree with the gentleman from New York [Mr. McGRATH] that Doorkeepers may change on the occasion of the next election, I think somebody on this side ought to say something for "Fishbait" Miller, and I want to go on record as just a beginner in this Congress expressing deep appreciation for the kind of person he is. While I devoutly do hope that we do have a new Doorkeeper next year, because I am one of the opposition party and because that is a patronage job, believe me, if we get as good a Doorkeeper as "Fishbait" Miller, we will be lucky.

Mr. McCORMACK. I thank my friend, and I know Mr. Miller and his wife thank him, too.

Mr. BUSBEY. Mr. Chairman, I ask unanimous consent that at this point, following the remarks of the gentleman from Massachusetts [Mr. McCORMACK], I may place in the RECORD my statement on Mr. Hamilton Robinson after I resigned from the Committee on Expenditures.

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

There was no objection.

Mr. BUSBEY. Mr. Chairman, I am indeed exceedingly happy and pleased that the gentleman from Massachusetts [Mr. McCORMACK] has referred to the hearings of the subcommittee of the Committee on Expenditures in the Executive Departments To Investigate the State Department. To refresh the memories of those present who were Members of the Eightieth Congress, I wish to call your attention to the fact that during the Eightieth Congress I was a member of the Committee on Expenditures in the Executive Departments.

At the first meeting of this committee, I made a motion to the effect that a subcommittee should be set up to investigate the State Department. After some weeks of delay, my motion was finally adopted and a subcommittee was set up with the Honorable J. EDGAR CHENOWETH, of Colorado, as chairman. Immediately upon the adoption of my resolution, the distinguished majority leader, Mr. McCORMACK, of Massachusetts, was transferred from another committee. If my recollection does not fail me I believe it was from the Committee on House Administration, to the Committee on Expenditures in the Executive Departments. He was then assigned to the subcommittee to investigate the State Department. Certainly there can be no doubt in the mind of anyone that the only reason he was put upon this subcommittee was to watch the gentleman from Illinois [Mr. BUSBEY], and see that the administration was properly protected.

After an entire year's time had been lost by inaction by this subcommittee, I was compelled to write the following letter to the gentleman from Colorado [Mr. CHENOWETH], the chairman of the subcommittee:

WASHINGTON, D. C.,
February 2, 1948.

Hon. J. EDGAR CHENOWETH,
Chairman, Subcommittee To Investigate the State Department, House Committee on Expenditures in the Executive Departments, House Office Building, Washington, D. C.

DEAR MR. CHENOWETH: As I have advised you from time to time, I have personally spent a great deal of time investigating various divisions of the Department of State, and I now desire to place before our committee in open hearings certain facts I believe deserve our immediate attention.

While it is my opinion, from facts I have developed, that hearings should be held on several departments as soon as possible, I believe it is imperative that we call before our committee at once Mr. John Puerifoy, Assistant Secretary of State in Charge of Administration, and Mr. Hamilton Robinson, Director of the Office of Controls.

I feel it is imperative to hold hearings immediately on the economy and efficiency of the Office of Controls and on Mr. Robinson's qualifications to continue in his present position.

At the hearings I propose to show (1) Mr. Robinson was not qualified and had no experience that would qualify him for his position; (2) that in view of certain facts known to his superiors he should have been removed from office many months ago.

I am making this letter public because I believe the people have a right to know the facts in the case of Mr. Hamilton Robinson.

I shall appreciate your cooperation and trust you can see your way clear to hold hearings at once.

Sincerely yours,

FRED E. BUSBEY,
Member of Congress.

After the gentleman from Colorado [Mr. CHENOWETH] had received this letter which I released to the press, he finally got around to setting a time for the initial hearing of my investigation. Hearings were held for 2 days, March 10 and March 12, 1948. I sincerely hope anyone who is interested in this matter will obtain a copy of these hearings from the Committee on Expenditures in the Executive Departments and read them.

It is very easy for anyone to take a small portion out of context of a hearing and draw his own conclusion. Consequently, sometimes one's conclusions do not coincide with the facts. A careful reading of the hearings show they were concluded at the end of the second day by the chairman, the gentleman from Colorado [Mr. CHENOWETH] when I had just begun to lay the foundation for the investigation of the State Department. What has developed in connection with the infiltration of communism into the State Department since that time should be ample proof that if I had been permitted to pursue my investigation and interrogation of witnesses, in all probability the United States of America would not be in the mess it is in today, due to the bungling of a misguided foreign policy.

Inasmuch as I had been permitted to scratch only the surface in the investigation pertaining to the loyalty and security program of the State Department as well as individuals, I inserted a statement in the RECORD entitled, "What's Wrong With the State Department." It was self-evident at that time that there was something radically wrong with the State Department and there should have been a thorough investigation.

It is my sincere opinion that Mr. John Peurifoy, who was the witness before our subcommittee and who I mentioned throughout my remarks of "What's Wrong With the State Department," did such an excellent job of covering up those who were disloyal and were security risks in the State Department and other similar services, that he has since been elevated to the post of Ambassador to Greece.

Mr. Chairman, as a result of my persistence for a thorough investigation of persons of questionable loyalty in the State Department, Mr. Hamilton Robinson, the Director of the Office of Controls for the State Department was permitted to resign. In addition 11 persons were discharged and others have picked up my challenge and are lending efforts to ferret out disloyal employees not only in the State Department but in every agency within our Government.

Mr. Chairman, under permission granted to extend my remarks after the comment of the gentleman from Massachusetts [Mr. McCORMACK], I include my remarks of March 25, 1948, entitled "What's Wrong With the State Department":

WHAT'S WRONG WITH THE STATE DEPARTMENT?

(Extension of remarks of Hon. FRED E. BUSBEY, of Illinois, in the House of Representatives, Thursday, March 25, 1948)

Mr. BUSBEY. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to present some matters of importance which in my opinion will show what's wrong with the State Department.

WHAT'S WRONG IN OUR STATE DEPARTMENT?

On February 2, 1948, I addressed the following letter to Hon. J. EDGAR CHENOWETH, chairman of the Subcommittee To Investigate the State Department:

"As I have advised you from time to time, I have personally spent a great deal of time investigating various divisions of the Department of State, and I now desire to place before our committee in open hearings certain facts I believe deserve our immediate attention.

"While it is my opinion, from facts I have developed, that hearings should be held on several departments as soon as possible, I believe it is imperative that we call before our committee at once Mr. John Peurifoy, Assistant Secretary of State in Charge of Administration, and Mr. Hamilton Robinson, Director of the Office of Controls.

"I feel it is imperative to hold hearings immediately on the economy and efficiency of the Office of Controls and on Mr. Robinson's qualifications to continue in his present position.

"At the hearings I propose to show (1) Mr. Robinson was not qualified and had no experience that would qualify him for his position; (2) that in view of certain facts known to his superiors he should have been removed from office many months ago.

"I am making this letter public because I believe the people have a right to know the facts in the case of Mr. Hamilton Robinson.

"I shall appreciate your cooperation and trust you can see your way clear to hold hearings at once."

I respectfully invite attention to that part of my letter wherein I said:

"At the hearings I propose to show (1) Mr. Robinson was not qualified and had no experience that would qualify him for his position; (2) that in view of certain facts known to his superior he should have been removed from office many months ago."

On Wednesday, March 10, 1948, the subcommittee met and for 2 hours heard Mr. John Peurifoy, Assistant Secretary of State in Charge of Administration, and Mr. Robinson. The hearing was continued until Friday, March 12, 1948, and without warning or notice of any kind was concluded with the following statement by the chairman:

"Well, I will say to you, Mr. Robinson, as chairman of the subcommittee, that the hearings are concluded as far as you are concerned."

Inasmuch as I had stated a moment before the hearing was concluded that I had not even started to introduce what I proposed to show regarding Mr. Robinson, and the fact that I was assured by the chairman, Mr. CHENOWETH, I would have ample time to develop everything I had in mind, I feel compelled to disagree with the manner in which the hearing was concluded. Therefore, I am obliged to use this means of bringing before the House of Representatives the information regarding the qualifications of an employee of the State Department who is the man selected to pass on the suitability of approximately 20,000 State Department and Foreign Service employees from a qualification, security, and loyalty standpoint.

In his statement to the subcommittee on March 10, 1948, Mr. Peurifoy states—and I quote from the transcript:

"Mr. Chairman, I would like to address my remarks to the allegations made by Mr. BUSBEY in a letter addressed to you which he released to the newspapers on February 3. That letter stated that Mr. BUSBEY proposed to show, first, that Mr. ROBINSON was not qualified for the position which he holds as Director of the Office of Controls and, second, that his superiors should have removed him from office many months ago."

Mr. Peurifoy stated that he is the immediate superior of Mr. Robinson and that he selected Mr. Robinson for the position of Director of Office of Controls. Mr. Peurifoy also stated—and again I quote from the transcript:

"Before I took over, the officer serving as Director of Office of Controls had applied for a position in the Foreign Service and has passed his examination. So I looked around for a person who could help me with my new task. Mr. Robinson was at that time Director of the Office of Economic Policy in the Department. Assistant Secretary Norman Armour, who had known Mr. Robinson and his family for many years, had recommended him. Under Secretary Will Clayton and Assistant Secretary John Hilldring, both spoke highly of his work. Mr. Robinson had an outstanding record in organizational and administrative work for 3½ years in the Army, where he had gone from first lieutenant to full colonel. That security report on Mr. Robinson, made by Department's investigators, was not only clear, it was filled with highly commendatory reports from those with whom he had worked. For instance, Mr. John Foster Dulles, for whom Mr. Robinson had worked for 6 years in the firm of Sullivan & Cromwell, characterized Mr. Robinson as a man who is sober in his habits and of high moral character. He added that there was no question as to Mr. Robinson's loyalty and that Mr. Robinson was ideally qualified for a position in the Department of State. In addition to our own report, because of the nature of the job, I asked the FBI to give me a full investigation on Mr. Robinson. That investigation reported what I already knew. That Mr. Robinson had a second cousin who had been the subject of investigation for alleged communistic activities. Otherwise the report was completely favorable to Mr. Robinson and his qualifications. The FBI report contained commendations from Maj. Gen. C. F. Robinson, no relation, who had been Mr. Robinson's superior in the Army; from E. R. Stettinius, Jr., when Mr. Stettinius was Lend-Lease Administrator; from Maj. Gen. William F. Tompkins, retired, under whom Mr. Robinson had served; and from a number of other prominent persons who had known him well."

It was on the basis of this information that Mr. Peurifoy considered Mr. Robinson qualified for the position of Director of Office of Controls and so appointed him. According to Mr. Peurifoy Mr. Robinson's office employed around 782 people and is comprised of six divisions; passport, visa, special projects, foreign activity, investigations, and munitions. Further, Mr. Peurifoy stated that the Department has over 20,000 employees.

In selecting Mr. Robinson for the position of Director of Office of Controls, Mr. Peurifoy said that the information he had received that Mr. Robinson had served in management capacity in the Army gave me to believe that he would be in position to put in better administrative procedures in the office and that he believed and still believes that Mr. Robinson is qualified for the job.

Now let us look over the information regarding Mr. Robinson that Mr. Peurifoy submitted to the subcommittee as the information upon which he based his conclusion that Mr. Robinson was qualified for the position of Director of Controls.

Mr. Robinson was born July 18, 1908, at New Haven, Conn. He attended the Taft School, Watertown, Conn., from 1922 to 1926; Princeton University, 1926 to 1930, where he received a bachelor of arts degree; Yale University, 1931 to 1934, where he received a doctor of laws degree.

From October 1934 to September 1940 Mr. Robinson was employed as an associate attorney by Sullivan and Cromwell, 48 Wall Street, New York City, at a salary of $2,400 to $6,000 per annum. From September 4, 1940, to October 15, 1941, he was employed by the British Ministry of Supply Mission as an attorney in charge of the legal division at an annual salary of $6,000. From January 16, 1942, until April 24, 1942, Mr. Robinson was employed by the United States Treasury liquidation office as head business specialist, chief liaison officer, $8,000 per annum.

Having received a commission as second lieutenant in the ROTC program while attending Princeton University, Mr. Robinson entered the military service April 16, 1942, as a first lieutenant. He was released under honorable conditions at Washington, D. C., January 13, 1946, with the rank of colonel and a showing that the character of his service was superior.

Mr. Peurifoy stated that Assistant Secretary Armour came to Washington about September or October 1946, and recommended Mr. Robinson as a very able man for a position in the State Department, and that Mr. Robinson was later (November 1946) appointed and held the position of Director of the Office of Economic Security Policy. Mr. Peurifoy further stated "when General Marshall became Secretary of State in January 1947 he asked me to assume the job of Assistant Secretary in charge of administration. One of the four offices under me dealt with the loyalty and security of the personnel of the Department of State. That was a matter which the Secretary was concerned with, and so was I, so I looked around for a person who could help me with my new task." Mr. Peurifoy placed much emphasis on the letter of recommendation by Mr. Armour, but it so happens that Mr. Armour's letter was written about a week or 10 days before the hearing, which was on March 12, 1948, or more than 1 year after Mr. Robinson had been appointed to his present position. A careful reading of the Armour recommendation will show that Mr. Armour had no personal knowledge of Mr. Robinson's abilities and wrote only of obvious abilities.

The undated Amour letter concerning Mr. Robinson is irrelevant. While Mr. Armour believes Robinson to be a man of loyalty, integrity, and intellectual honesty, there is no statement as to Mr. Armour's belief in Robinson's qualifications for Director of the Office of Controls. There is no evidence that Mr. Armour has seen the questionable cases which Mr. Robinson has approved and no evidence whether Armour concurs in or rejects Robinson's findings. Since these cases and Mr. Robinson's competency to pass on them is one of the most important elements of the hearings, Mr. Armour's letter may be dismissed as a typical example of glittering generalities of no import on the present matter. However, the Armour letter is quoted in full:

"In response to your suggestion, I am submitting herewith a statement of my impressions of Mr. Hamilton Robinson.

"I have known Mr. Hamilton Robinson's parents for many years, in fact, since I was an undergraduate at Princeton, which was my own home as well as Mr. Robinson's. The family was always held in high esteem in that community and I had great respect for Professor Robinson, who was Mr. Robinson's father, and head of the history department at Princeton University.

"Since we were of different ages I knew Mr. Robinson himself only casually until he married Miss Nacy Brereton in 1943. Mrs. Robinson is the daughter of Capt. W. D. Brereton, United States Navy, retired, who was naval attaché in Buenos Aires when I was Ambassador to Argentina, and we became quite intimate with her and her parents. Mrs. Armour and I have seen a good deal of Mr. and Mrs. Robinson since their marriage and number them among our close friends. They visited us in Nassau, after my retirement from the Foreign Service, in the winter of 1946. We spent several days with them at Lake George the following summer. Our relationship continues to be close and cordial.

"I have thus come to know Mr. Robinson well and I consider him a man of loyalty, integrity, and intellectual honesty. Furthermore, he has a strong feeling that people who are in a position to do so should enter public service. Because of this and because of his obvious abilities, I believed, and still believe, that he is well-qualified for Government work. It was for this reason that I suggested he apply for a position on the State Department and I came to Washington myself to arrange the necessary introductions for him. I was pleased to learn later that he had received an appointment and was subsequently designated to the position of Director of the Office of Economic Security Policy.

"I repeat, it gives me pleasure to testify to the high regard I have for him as a loyal and conscientious official."

From the highly commendatory remarks in the security report made by the Department's investigators I quote the following:

"Maj. Gen. C. F. Robinson of the War Assets Administration also supervised the subject at the War Department and remembered him as a high-type officer who rendered excellent service during the war. In the opinion of General Robinson, it would

be greatly to the advantage of the State Department to secure the services of this applicant whom he described as independently wealthy and hence not in need of a job.

"Mr. John Foster Dulles, a member of the American delegation to the United Nations, stated that Mr. Robinson entered the firm of Sullivan & Cromwell from the Yale Law School and in his 6 years with the firm proved to be a very valuable and capable employee; that Mr. Robinson is intelligently alert, trustworthy, and a gentleman at all times; that Mr. Robinson comes from a good, well-to-do American family; that Mr. Robinson is married and his family life is perfect; that Mr. Robinson is sober in his habits and a man of high moral character; that there is no question as to Mr. Robinson's loyalty and he is ideally qualified for a position with the Department of State.

"Mr. C. Tyler Wood, of the State Department, and whose name was submitted by Mr. Robinson as a reference, stated he persuaded Mr. Robinson to consider the position of Director of Office of Controls and personally introduced him to Assistant Secretary Clayton. Mr. Wood said he was formerly associated with Mr. Robinson at the War Department and described him as "tops"; that he had no hesitation in endorsing Mr. Robinson from the standpoint of ability, integrity, and loyalty to the United States.

"Brig. Gen. Joseph Battley, Army Service Forces, stated that Mr. Robinson had worked under his supervision 1½ years during the war; that on one occasion Mr. Robinson was appointed to a highly confidential assignment with the Joint Chiefs of Staff; and that Mr. Robinson is a very fine operator, high-type, dependable, public-spirited citizen, a home-loving man, and loyal to American institutions.

"Mr. Ezekiel G. Stoddard, named as a reference by Mr. Robinson, stated he attended Yale Law School with Mr. Robinson and was also associated with him at Lend-Lease Administration; that he has a high regard for Mr. Robinson's ability as a lawyer, his temperance in personal conduct, and other qualities."

The above is the sum and substance of the report of investigation made by the State Department on the question of Mr. Robinson's suitability for the position of Director of Office of Controls. Mr. Robinson, as well as Mr. Peurifoy, seem to be laboring under the impression that this is an attack on the personal reputation and character of Mr. Robinson, and that my letter to Chairman CHENOWETH of February 2, 1948, constitutes charges against Mr. Robinson. Nothing is further from the truth. In my letter of February 2, 1948, I stated that "at the hearings I propose to show (1) Mr. Robinson was not qualified and had no experience that would qualify him for his position; (2) that in view of certain facts known to his superiors he should have been removed from office many months ago."

Mr. Peurifoy has stated that on the basis of the information he received from the reports of investigation, including the letter from Mr. Norman Armour, he considered Mr. Robinson qualified for the position of Director of Office of Controls and so appointed him.

Now, let us take a look at the record of Mr. Robinson's office and determine if that record sustains Mr. Peurifoy's judgment or if the record supports my statement that "Mr. Robinson was not qualified."

On March 21, 1947, President Truman issued Executive Order 9835 prescribing procedures for the administration of an employees' loyalty program in the executive branch of the Government. It is provided in this Executive order that:

"The head of each department and agency in the executive branch of the Government shall be personally responsible for an effective program to assure that disloyal civilian officers or employees are not retained in employment in his department or agency. He shall be responsible for prescribing and supervising the loyalty determination procedures of his department or agency, in accordance with the provisions of this order, which shall be considered as providing minimum requirements."

The Executive order provides the standard for the refusal of employment or the removal from employment in an executive department or agency on grounds relating to loyalty. The standard is, "That, on all the evidence, reasonable grounds exist for belief that the person involved is disloyal to the Government of the United States."

The Executive order further provides:

"The Loyalty Review Board shall currently be furnished by the Department of Justice the name of each foreign or domestic organization, association, movement, group, or combination of persons which the Attorney General, after appropriate investigation and determination, designates as totalitarian, Fascist, Communist, or subversive, or as having adopted a policy of advocating or approving the commission of acts of force or violence to deny others their rights under the Constitution of the United States, or as seeking to alter the form of Government of the United States by unconstitutional means."

The Executive order also expressly provides:

"The provisions of this order shall not be applicable to persons summarily removed under the provisions of section 3 of the act of December 17, 1942 (45 Stat. 1053), of the act of July 5, 1946 (60 Stat. 453), or of any other statute covering the power of summary removal."

The act of July 5, 1946 (60 Stat. 453), is Public Law 490 of the Seventy-ninth Congress. It is an appropriation of funds for the Department of State for the fiscal year 1947. The proviso contained in the act of July 5, 1946, is renewed in the appropriations act for the Department of State approved July 9, 1947 (Public Law 166, 80th Cong.) and is:

"Notwithstanding the provisions of section 6 of the act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Secretary of State may, in his absolute discretion, on or before June 30, 1948, terminate the employment of any officer or employee of the Department of State or of the Foreign Service of the United States whenever he shall deem such termination necessary or advisable in the interests of the United States."

For the purpose of exercising this right granted by Congress the State Department issued an announcement regarding the matter of dismissing an employee for security reasons. Mr. Peurifoy testified that this order was prepared by Mr. Robinson. The pertinent parts of the order are:

"The Department of State, because of its responsibility for the conduct of foreign affairs, is a vital target for persons engaged in espionage or subersion of the United States Government. Due to this fact and because of the great number of highly classified communications which pass through the Department, the security of which is essential to the maintenance of peaceful and friendly international relations, it is highly important to the interests of the United States that no person should be employed in the Department who constitutes a security risk.

"The Secretary of State has been granted by Congress the right, in his absolute discretion, to terminate the employment of any officer or employee of the Department of State or of the Foreign Service of the United States whenever he shall deem such termination necessary or advisable in the interests of the United States. Accordingly, in the interest of the United States, the Department of State will immediately terminate the employment of any officer or employee of the Department of State or of the Foreign Service who is deemed to constitute a security risk.

"As used herein an officer or employee constitutes a security risk when he falls into one or more of the following categories: When he is—

"1. A person who engages in, supports, or advocates treason, subversion, or sedition, or who is a member of, affiliated with, or in sympathetic association with the Communist, Nazi, or Fascist Parties, or of any foreign or domestic party, organization, movement, group, or combination of persons who seeks to alter the form of government of the United States by unconstitutional means or whose policy is to advocate or approve the commission of acts of force or violence to deny other persons their right under the Constitution of the United States; or a person who consistently believes in or supports the ideologies and policies of such a party, organization, movement, group, or combination of persons.

"2. A person who is engaged in espionage or who is acting directly or indirectly under the instructions of any foreign government, or who deliberately performs his duties, or otherwise acts to serve the interests of another government in preference to the interest of the United States.

"3. A person who has knowingly divulged classified information without authority and with the knowledge or with reasonable grounds for the knowledge or belief that it will be transmitted to agencies of a foreign government, or who is so consistently irresponsible in the handling of classified information as to compel the conclusion of extreme lack of care or judgment.

"4. A person who has habitual or close association with persons believed to be in categories 1 or 2 above to an extent which would justify the conclusion that he might through such association voluntarily or involuntarily divulge classified information without authority.

"5. A person who has such basic weakness of character or lack of judgment as reasonably to justify the fear that he might be led into any course of action specified above.

"D. In the determination of the question whether a person is a security risk the following factors among others will be taken into account, together with such mitigating circumstances as may exist.

"1. Participation in one or more of the parties or organizations referred to above, or in organizations which are 'fronts' for, or are controlled by, such party or organization, either by membership therein, taking part in its executive direction or control, contribution of funds thereto, attendance at meetings, employment thereby, registration to vote as a member of such a party, or signature of petition to elect a member of such a party to public office or to accomplish any other purpose supported by such a party; or written evidences or oral expressions by speeches or otherwise, of political, economic, or social views;

"2. Service in the governments or armed forces of enemy countries, or other voluntary activities in support of foreign governments:

"3. Violations of security regulations;

"4. Voluntary association with persons in categories C (1) or C (2);

"5. Habitual drunkenness, sevual perversion, moral turpitude, financial irresponsibility or criminal record.

"E. In weighing the evidence on any charges that a person constitutes a security risk the following considerations will obtain:

"1. A former course of conduct or holding of beliefs will be presumed to continue in the absence of positive evidence indicating a change, both in course of action and conviction, by clear, overt, and unequivocal acts.

"2. There will be no presumption of truth in favor of statements of the witnesses in any hearing on security risk, but their statements will be weighed with all the other evidence before the hearing board, and the conclusion will be drawn by the board.

"3. If a reasonable doubt exists as to whether the person falls into one of the categories listed in paragraph 1C, the Department will be given the benefit of the doubt, and the person will be deemed a security risk."

Mr. Robinson testified before a subcommittee of the Committee on Appropriations of the House of Representatives on January 28, 1948. He stated that the Division of Security and Investigations, one of the six divisions under his supervision, is responsible for the security activities of the department and the Foreign Service insofar as they relate to personal security and physical security. Questioned as to his investigative experience, Mr. Robinson replied:

"I am not an investigator; I think I am an administrator. I have six divisions here, all of which are totally unrelated to each other and, therefore, the way I try to approach this is not from the point of view of being a specialist in any field, but of trying to make the thing work from an administrative point of view. It is true I spent some time on security because security has been one of the things in the forefront of all our minds during this last year."

If the truth were known, and the employees of the six divisions under Mr. Hamilton Robinson dared talk, one would soon realize that the morale in each division is at its lowest ebb. The only thing that will correct this condition is to replace Mr. Robinson with a competent man of experience. Better still, inasmuch as there was no reason for establishing the Office of Controls in the first place, someone in authority should seriously consider abolishing it at this time.

Mr. Robinson was then questioned about the State Department employee identified as case No. 5. The report of investigation showed the testimony of eight persons, including six professors at Harvard and University of California, a naval officer, and a fellow student, stating that the subject has strong Communist sympathies; that he frequently expounded those sympathies and is either a party member or a fellow traveler.

The subject of this investigation was discharged from a naval school during the war "because it was found that he was an ardent student and advocate of Communist doctrines." There is in the file of the case a memorandum dated July 21, 1947, to the effect that "recommendation was made that subject be terminated from the Department; however, Mr. Peurifoy did not feel that there was sufficient evidence against subject in view of the fact that he had not been shown to commit any overt acts or to affiliate himself with Communist organizations."

In response to a question regarding this case Mr. Robinson replied:

"That case is interesting, Mr. Chairman, because there is not one scrap or iota of evidence indicating any overt act, any association he has had, anything that he has done which would indicate that he is actually working against or even associating with people who are working against our people."

Mr. Robinson was merely echoing the opinion of Mr. Peurifoy.

The subject of this case admitted having subscribed to the Daily Worker as well as admitting membership in the American Veterans Committee, the Institute of Pacific Relations, and the World Citizens Movement. There is nothing in the record to indicate whether Mr. Robinson or Mr. Peurifoy made any attempt to determine if any of the above-mentioned three organizations are front organizations within the meaning and contemplation of the directive prepared by Mr. Robinson and approved by Mr. Peurifoy. It is all too apparent that no consideration was given to the information in the report of investigation regarding the subject's sympathies or the statements that he "is either a party member or a fellow traveler."

According to the directive prepared by Mr. Robinson, an officer or employee constitutes a security risk when he "engages in, supports, or advocates treason, subversion, or sedition, or who is a member of, affiliated with, or in sympathetic association with the Communist, Nazi, or Fascist Parties."

Nowhere in the directive prepared by Mr. Robinson is it provided that there must be proof of an overt act of any kind.

Let us assume for the moment that there is no question of loyalty in case No. 5 and scan the report of investigation for information on the subject's qualifications and suitability for Government employment. In his application for the position the subject stated he had received a Ph. D. degree from the University of California, while the records of the university show that subject failed in his examination for his Ph. D. and no degree was awarded him. It has long been the policy of the Civil Service Commission to cancel applications wherein there is fraud. The subject was employed in the State Department in Research and Intelligence and it goes without saying that the claim to a Ph. D. degree had considerable bearing on the question of his qualifications. But fraud in securing a position in the State Department apparently has no bearing on the question of honesty insofar as Mr. Robinson is concerned.

I agree with Mr. Robinson that case No. 5 is interesting, so let us look further into the report of investigation. In a report dated October 15, 1947, there appears a statement from a State Department official who knew the subject in China as well as here. This witness said the subject's work was below par; that he is a mediocre, dull, and slow-thinking individual and that he is the only man in the Government the witness knows of whom he would speak unfavorably. Another State Department official said he considers subject weak as to ability, common sense, and public relations. Yet to Mr. Robinson this man is fully qualified for a position in the State Department. Does not this raise a question as to Mr. Robinson's qualifications for a position where he is required to pass on the qualifications of other employees?

Neither Mr. Peurifoy nor Mr. Robinson stated what they considered to be an overt act, but in connection with Mr. Robinson's statement that he resolves all doubtfuls regarding loyalty in favor of the Government, let Mr. Robinson state whether or not the State Department had information in case No. 5 indicating that the employee had contributed financial support to the Japanese-American League for Democracy, a Communist-front organization; that the employee had tried to convert another State Department employee to his radical views; that a white Russian employee in the State Department under the supervision of No. 5 resigned in disgust because of the evident Communist sympathies existing in the State Department, and if the State Department reviewed the report of investigation in the files of the Civil Service Commission made when case No. 5 was employed in the Bureau of Economic Warfare. Is not this ample proof of how Communists and their sympathizers get inside our sensitive agencies?

For years officials of the State Department would alibi the presence of Communists and fellow travelers in the Department and hide behind the smoke screen that under existing laws they could not dismiss employees who were suspected of being disloyal. Therefore, in order to overcome this objection, Congress passed, in the early summer of 1946, what is now known as the McCarran rider. This was part of the 1947 fiscal appropriation bill. Under this law, the War, Navy, or State Departments could discharge any employee without regard to civil-service regulations or any previously enacted laws, when, in the opinion of the head of the agency, the continued employment of any such individual constituted a security risk. And this without proof of anything or kind. Mr. Peurifoy testified he could, under the McCarran rider, even fire an employee if he did not like the color of his necktie. An employee so discharged would have no recourse, but still the State Department continues to keep undesirable people on the payroll.

It is quite evident from the facts adduced at the hearings before the Senate and House Appropriations Subcommittees that the State Department still has a number of employees who are suspect and who are being harbored in the Department due to the plain and simple reason that Messrs. Peurifoy and Robinson do not have the ability or qualifications to recognize facts as developed by an investigation or that they do not want to recognize such facts.

Undoubtedly there are numerous other cases, but I will limit the discussion of Mr. Robinson's qualifications to citing one more case in the State Department. The subject of case No. 9 was appointed to a very important position prior to full security investigation. He is also an applicant for a position as Foreign Service career officer. On April 12, 1942, he was granted a passport to travel in South America, representing the Division of Cultural Research of the State Department. The then Assistant Secretary of State raised the question as to the advisability of granting a passport but finally approved it, saying:

"This is the conclusion. It is a flimsy case either way. I don't think the man is politically dangerous—merely a fool. I see no reason for not granting the passport. I can think of several for not giving him the job—but that is already done. I may add that I consider the synopsis of (No. 9's) activities—as belittling his association with various radical activities of the past, probably because of a lack of familiarity with the set-up and activities of such organizations."

The investigation revealed that case No. 9 was a member of the trade-unions delegation to Soviet Russia in 1927; that he was a sponsor of the New Theater Guild, a Communist-front organization; that he was a member of the Supervisory Committee on Progressive Education Association; that he was a member of the Chicago branch of the North American Committee To Aid Spanish Democracy; that he was a member of the League of American Writers; and that he was a member of the American Society for Cultural Relations with Russia.

Inasmuch as the subject of case No. 9 is still employed by the State Department it is quite clear that Mr. Robinson is as unfamiliar with the set-up and activities of the organizations with which the subject was affiliated as was the person who prepared the synopsis submitted to the Assistant Secretary. Without going into great detail regarding the trade-unions delegation to Russia, it is believed sufficient to say that this delegation was repudiated by William Green, president of the A. F. of L. The League of American Writers was created in 1935 at the Congress of American Revolutionary Writers, which organization was cited as subversive by the Attorney General. In the official report of this meeting it is stated in the concluding paragraph that the meeting was dismissed by all members who were present standing and singing the Internationale.

The American Society for Cultural Relations in Russia was a predecessor of the National Council of American-Soviet Friendship, also cited by the Attorney General as subversive. The North American Committee To Aid Spanish Democracy was one of the many Communist Spanish-aid fronts that milked the American public of thousands of dollars to aid Spanish democracy.

While membership in any one of these organizations does not mean, ipso facto, that a person is disloyal to the Government of the United States, it is sufficient to raise

the question of his loyalty. But membership in alleged Communist-front organizations was not all the information in the file of case No. 9. This person had written and collaborated in writing with several individuals on books and articles showing Russia in a very favorable light. He was superintendent of schools in a small city and revolutionized the educational system there. He is reported to have introduced a Russian primer in the school after he visited Russia in 1927. The Daily Worker has mentioned him in a very favorable light on a number of occasions. He signed a petition to the Secretary of Labor in 1935 requesting right of asylum for John Strachey, well known British radical. The records in the industrial detail of the Chicago Police Department listed him as a Communist in 1930.

In response to a question whether case No. 9 was still in the employ of the State Department, Mr. Robinson replied:

"Yes, sir. It is awfully easy to damn a man on the basis of that kind of statement when it has not been examined."

What Mr. Robinson did not say was that his department recommended that the case of No. 9 be closed because—

"The available information is not sufficient to regard the subject as a security risk."

Surely the information was sufficient to raise a doubt, but Mr. Robinson told the Subcommittee on Appropriations:

"You have to have evidence that is sufficient to make you reasonably sure in your own conscience that somebody is not getting a dirty deal."

However, Mr. Robinson, in response to a question by the chairman of the subcommittee investigating the State Department as to any doubt being resolved in favor of an applicant for a position in the State Department, replied:

"No, sir; no, sir. The doubt is always resolved in favor of the Government."

Evidently Mr. Robinson forgot this most positive statement, for 2 days later he testified:

"It is our purpose to protect the interests of the Government first, and so far as is consistent with that first premise, to protect the individual."

In view of Mr. Robinson's confused and conflicting statements to two committees of the House of Representatives, can it be said that he is fully qualified to hold a position where he is required to pass on questions of the security and loyalty of Government employees? It seems that according to Mr. Robinson's testimony that he has an obligation to protect the individual employee when that employee's suitability is in question. Mr. Robinson apparently does not consider that Government employment is a privilege and not a right, and that it is his bounden duty to see that there is no question as to the loyalty of any State Department employee. All that is required of Mr. Robinson is a fair and impartial evaluation of the evidence developed by an investigation of the affected employee. After all is said and done, how on earth are we going to rid any Government agency of subversives and those considered to be a security risk when we have people in important positions with ideas such as Mr. Robinson has?

Looking further into Mr. Robinson's qualifications as an administrator, he stated that if an employee of the State Department is charged with disloyalty or being a security risk he would have the right of an appeal to Mr. Richardson's loyalty board—Mr. Seth W. Richardson is chairman of the Loyalty Review Board of the Civil Service Commission, created pursuant to Executive Order 9538.

Mr. Robinson is uninformed on procedures of appeal or cannot distinguish between a loyalty case and a security case. An employee charged with being a security risk may be removed by the Secretary of State in accordance with provisions of the McCarran rider to the appropriations act. This provision of the law is the basis for State Department announcement No. 765 prepared by Mr. Robinson. There is no appeal from a dismissal under this law and Executive Order 9835 expressly provides that it is not applicable to persons summarily removed for security reasons. If an employee is found to be disloyal the procedure for his removal springs from Executive Order 9835 and the directives issued by the Loyalty Review Board. An appeal to the Loyalty Review Board is provided.

Another illustration of the lack of Mr. Robinson's qualifications will be found in his testimony before the Special Committee Investigating the State Department in regard to employees discharged for inefficiency. Mr. Robinson stated that such removals are governed by Civil Service Commission rules and employees so removed have the right to appeal. Removals for cause are provided for in the new Civil Service Commission rule 6—old Civil Service Commission rule 12—which is a restatement of section 652 of the United States Code. There is no provision for appeal.

All of these matters amply illustrate to me that Mr. Robinson is not qualified for the position of Director of Office of Controls of the State Department; that these facts were known, or by the exercise of ordinary care, should have become known to his superiors.

It is to be remembered that in my letter of February 2, 1948, addressed to the chairman of the subcommittee, requesting that a hearing be held and that Messrs. Peurifoy and Robinson be called before the subcommittee, I stated that at the hearing I proposed to show that Mr. Robinson was not qualified and had no experience that would qualify him for his position and that in view of certain facts known to his superiors he should have been removed from office many months ago. I raised no question as to Mr. Robinson's loyalty and my letter was not intended to convey any idea that any question existed as to Mr. Robinson's loyalty.

In his opening statement at the hearing on March 10, 1948, Mr. Peurifoy used these words:

"I am as concerned with the problem of security in government as any of you. I have been shocked, deeply, by the revelations of the Canadian white paper. I have taken note of the effectiveness of the infiltration of Czechoslovakian institutions. But I cannot believe that the only alternative is to be swept off our feet by the gossip-mongering and character-assassination which so often accompanies personal investigations. I am also, quite frankly, disturbed by the present tendency, to extend the highly questionable theory of 'guilt by association' to lengths that amount to a travesty of the traditional American justice."

What could have been the reason for Mr. Peurifoy's personal disturbances over what he referred to as the present tendency to extend the highly questionable theory of guilt by association?

Let us look further into Mr. Peurifoy's opening statement. Speaking of the investigation conducted by Mr. Robinson, Mr. Peurifoy said:

"In addition to our own report, because of the nature of the job, I asked the FBI to give me a full investigation on Mr. Robinson. That investigation reported, what I already knew, that Mr. Robinson had a second cousin who had been the subject of investigation for alleged communistic activities."

However, as Mr. Peurifoy made no attempt to give any details about this second cousin, it necessitated cross-examination of Mr. Robinson to shed some light on the alleged communistic activities of Mr. Robinson's second cousin, Mr. Robert T. Miller III.

Mr. Miller was appointed Chief International Liaison Officer in the State Department at an annual salary of $6,500 on June 7, 1944. He later held positions of Assistant Chief in Charge of Publications, Division of Research and Publications, and Acting Assistant Chief of the Division of Publications.

The Register of the State Department for the year 1946, an official publication of the State Department, lists the following information under the name of Robert T. Miller III:

"Born Pittsburgh, Pa., April 5, 1910; Kent School graduate; Princeton A. B. 1931; M. A., 1932; writer and analyst for Public Relations Corp., 1933–34; free-lance newspaper correspondent in Europe, 1934; publisher and editor of weekly magazine, 1939–41. His Government employment is then added."

The following information was available to the investigation staff of the State Department and could have been secured by the exercise of a little investigative ability. Let the State Department say whether they learned that:

"Mr. Miller applied for a passport sometime in 1934 and left for a visit to Moscow where he arrived in September 1934. He stated he was going to Moscow as a correspondent for the Chattanooga News when as a matter of fact Mr. Miller was unknown to the Chattanooga News and they never employed foreign correspondents in any country.

"While in Moscow Mr. Miller married Jenny Levy, an American girl, who was or had been employed by both the Moscow Daily News and the Academy of Sciences in Moscow. Mr. Miller was friendly to a certain well-known Soviet espionage agent who introduced Miller to a courier in the Soviet espionage service in New York in May 1941. When Mr. Miller was employed in the Office of the Coordinator of Inter-American Affairs as an intelligence officer he gave to the Soviet espionage courier information and pamphlets which he obtained as a result of his official position. Mr. Miller told this Soviet espionage courier that because of his position in the Office of Coordinator of Inter-American Affairs he had access to official reports prepared by the FBI, the Office of Strategic Services, the Naval Intelligence, and the Military Intelligence and gave the Soviet espionage courier typewritten summaries of those reports. Mr. Miller, as late as April and May 1946, associated with, visited or was visited by individuals and groups of individuals who are presently being investigated for Soviet espionage activities in agencies of the United States Government."

Let Mr. Peurifoy or the State Department say whether they were aware of Mr. Miller's activities and whether the removal of Mr. Miller was recommended on the ground that his continued employment in the State Department constituted a risk to the functions of the Department. Yet, without regard to Mr. Miller's activities, recommendations for his removal, and so forth, Mr. Miller continued in his position in the State Department until December 1946 when he was permitted to resign.

But Mr. Miller is Mr. Robinson's cousin and it was evidently the thought of Mr. Peurifoy that Mr. Robinson's loyalty was going to be questioned so Mr. Peurifoy advances his fear of the tendency to apply the questionable theory of guilt by association. What was the association of Mr. Robinson with Mr. Miller? Mr. Robinson testifying before the subcommittee on March 10, 1948, said that "and since I have been here in Washington, since the fall of 1940, I have seen very little of him. He calls up once or twice a year for lunch. I think I have had lunch with him a couple of times before I took this job. Since I accepted this job as Director of the Office of Controls I have had absolutely nothing to do with him; and before that time I heard nothing whatsoever at all which would indicate he was either a security risk or disloyal."

Now let us consider Mr. Robinson's testimony. Mr. Robinson was first employed in the State Department in November 1946.

At that time his cousin, who incidentally was best man at Mr. Robinson's wedding, was also employed in the State Department. Mr. Miller was permitted to resign, yet Mr. Robinson has the audacity to say he knew nothing about his cousin which would indicate he was either a security risk or disloyal. At the time Mr. Robinson testified I wonder if he recalled, or conveniently forgot, a conversation he had with certain Members of Congress some time before when he stated that he had had lunch with Mr. Miller occasionally since he was Director of the Office of Controls, that he had seen Mr. Miller on at least a dozen occasions since then, and that he was of the opinion that Mr. Miller is known to be pro-Communist, that he probably is a Communist, and that he may be a Soviet agent.

This is no attempt to hold Mr. Robinson responsible for the conduct and activities of a relative. However, the fact that Mr. Miller is Mr. Robinson's cousin and was best man at his wedding, raises a question as to whether Mr. Robinson has been altogether truthful about his association with Mr. Miller. This question may rightfully reflect on Mr. Robinson's qualifications for the position he occupies in the State Department.

While it is within the realm of possibility that Mr. Robinson knew nothing about the activities of his cousin it is highly improbable. Here is another bit of information regarding Mr. Robinson that could indicate he was not so disinterested in the welfare of his cousin as he would have us believe. On October 7, 1946, Mr. Byron C. Sarvis, Chief of the Procurement Section, Projects Support Division, Central Intelligence Group, addressed a letter to Mr. Hamilton Robinson advising that Robert T. Miller III had been referred to the Central Intelligence Group as one well-qualified for an intelligence position and requesting information as to where Mr. Miller could be located. Mr. Robinson replied by letter dated October 13, 1946, as follows:

"In response to your letter of October 7, Mr. Robert T. Miller III is an executive of the State Department and lives at 3223 Northampton Street NW., Washington. According to the telephone book his phone number is Ordway 1420."

Now remember the letter of inquiry from the Central Intelligence Group was written at a time when Mr. Miller was associating with Soviet espionage agents; yet, did Mr. Robinson tell the Central Intelligence Group that his cousin was suspect?

One would think that any American who had the best interests of his country at heart would have put any department of our Government on guard, especially the Central Intelligence Group, by advising them regarding what he knew of Mr. Miller's background. This action of not advising the Central Intelligence Group regarding Mr. Miller takes on special significance in view of the fact that the Central Intelligence Group is charged with the responsibility of all our secret intelligence throughout the world. Instead of putting this agency on guard against Mr. Miller, Mr. Robinson merely chose to inform them of Mr. Miller's address and telephone number in a very sarcastic manner, to wit:

"According to the telephone book his number is Ordway 1420."

Maybe Mr. Peurifoy might think such an attitude qualifies a man for the position of passing on the security and loyalty of approximately 20,000 employees in the State Department. If he does, I most heartily disagree.

Yet this is the action of a man who presently holds a position in the State Department and who passes on the loyalty of 20,000 State Department employees and who now says that any doubt of a person's loyalty is always resolved in favor of the Government. Is not this cumulative evidence of Mr. Hamilton Robinson's lack of suitability and qualifications for an important position in the State Department?

Mr. Robinson's experience in the Government service prior to his military service was limited to 3 months, January 16, 1942, to April 16, 1942, as a specialist in the Treasury Liquidation Office. In the early part of November 1946 he received an appointment in the State Department and 3 months later, or on February 13, 1947, he was selected to head the Office of Controls.

We turn now to the testimony of Mr. Robinson before the subcommittee of the Committee on Appropriations of the House of Representatives on March 18, 1947. Testifying in response to a question as to his background, Mr. Robinson stated:

"Originally I was a lawyer in New York. I practiced law in New York for 6 or 7 years. I was then counsel to the British Purchasing Commission in Washington for a year. I was then with Mr. Stettinius as an adviser on British policy for 6 months, and then I was in the Army until the fall of 1945, during which time I was in the office of General Somervell, on matters relating to management, planning, and handling of the various duties that went with special assignments and special jobs on more or less of an expediting basis."

Mr. Robinson stretched his period of employment with the United States Treasury Liquidation Office to double its length but it could well be that he was testifying from memory and his memory failed. Testifying as to the investigation of State Department employees on the question of loyalty, Mr. Robinson said:

"The top investigation is made whenever evidence comes to the attention of the security people that there is some evidence of disloyalty, subversive activities, or things of that nature. * * * My job as Director of Office of Controls is to present to Mr. Peurifoy all the facts, good and bad, and he makes the decision. * * * On the other hand, although we are going to try to get these people out of the Department, we must have evidence of a substantial nature to justify dismissal, and we want to be careful not to lean over too far in that direction, but we have to be sure. We have to get good evidence, and I put a great deal of emphasis on the quality of the evidence that we need rather than its quantity. That evidence has to be properly corroborated and substantiated, and the credibility of witnesses we get has to be substantiated."

Less than 3 months later, or on June 11, 1947, Mr. Robinson testified before a subcommittee of the Committee on Appropriations of the Senate. Questioned as to his background of experience in administration, Mr. Robinson said:

"I was originally a lawyer. I was associated with a New York law firm. Then I was Washington counsel for the British Purchasing Commission. When I went on duty in the Army I went into a thing called the Control Commission, where I was for the whole war, except for a year when I was with the Joint Chiefs of Staff. The Control Division was an organization designed to improve management in the whole Army Service Forces. While I knew very little about management techniques and methods before I started, I absorbed quite a bit, I think, during that period. I am afraid, in deference to my profession, I must also claim that a lawyer has perhaps more adaptability than a soap salesman, and that, therefore, a lawyer may be able to swing into a new job with perhaps more facility than members of the general business fraternity."

In a prepared statement read to the subcommittee, Mr. Robinson said, on the subject of loyalty investigations:

"In this connection the Department has adopted the policy that every departmental and Foreign Service employee shall be investigated for loyalty. * * * The personnel and physical security program together constitute what is called the internal-security program. In our judgment it is vital to our national interest and to the successful conduct of foreign affairs."

Now, let us come down to a more recent date and try to determine if Mr. Robinson practices what he preaches or if he was just talking to the subcommittee for budgetary purposes.

On his appearance before a subcommittee of the Committee on Appropriations on January 23, 1948, Mr. Robinson was questioned about a certain State Department employee. The report of investigation on this case is:

"This man is an applicant for a P–7 position. Investigation was initiated June 25, 1947. The file reflected that he studied under Harold Laski at the London School of Economics, 1927–29. In 1933 he wrote an article, Applied Marxism in Soviet Russia, which was an objective review of the principles of Marxism as applied by Lenin and Stalin. He pointed out that much progress would continue to be made "toward the completion of the foundation of the classless Socialist state." One of his former associates of UNRRA praised him and referred to his excellent educational background. In this connection, investigations at the University of Wisconsin revealed that he was dropped for poor scholarship at that school in 1921, readmitted in 1923, and dropped again in 1924. Prior to coming with the Government in 1942, applicant's top salary was $3,700 per annum. On his application he indicated that he would not accept less than $8,000 per annum. His only position in excess of that has been with UNRRA. A coworker at War Foods Administration, in a report dated September 3, 1947, expressed reservations concerning his loyalty. This report reads: "He stated further that the applicant had admitted his loyalty to the Government, had been questioned on two occasions when he was asked about the articles on Russia and the Communist activities of his father. It was alleged by the applicant that he was mistaken for his father, who has the same name and who is known to have attended some Communist meetings." The applicant traveled to Russia in 1936. As of October 15, 1947, the investigation was still pending."

Mr. Robinson testified this man was employed by the State Department. What is to be gained by the expenditure of thousands of dollars investigating prospective Government employees if Mr. Robinson is going to employ, in vital positions in the State Department, such people as described above.

If it is necessary to wait for proof of an overt act of disloyalty on the part of a suspected employee before and adverse action can be taken it is necessary to make some changes in the laws. But laws, rules, and regulations will not cure such a condition. In these days of alarms, excitements, and rumors of war the record must be kept straight. Agencies have the Hatch Act, the McCarran rider, and other laws to rid the Government of subversives and persons of doubtful loyalty. But it takes people of courage to put laws, rules, and regulations to use.

Mr. Robinson has fully demonstrated that he lacks either the courage to take action or the ability to evaluate the information he received and understand its true meaning. In either event he has amply demonstrated that he is not qualified for the position he holds.

"The condition upon which God hath given liberty to man is eternal vigilance." No man should be placed in a position to pass on the security of employees in an agency as vital as the State Department who demonstrates as little knowledge of the rights and duties of a Government employee as has Mr. Robinson.

As a lawyer, Mr. Robinson should know that employment by the Government is a privilege and not a right. No person has a constitutional right to a Government posi-

tion, but having once accepted a position in the Government the person has certain duties and obligations. One of those obligations is unquestionable loyalty to his Government. If it is determined that there is some question of his loyalty he should be dismissed from the Government service. Such dismissals are not punishments within the meaning of any penal law. The individual is not punished or prosecuted and, therefore, proof of an overt act of disloyalty is neither necessary nor required to support such a dismissal. This, Mr. Robinson, even as a Wall Street lawyer, should know.

The failure of Mr. Robinson to recognize facts that indicate an employee should be removed from the Government service, either under the McCarran rider to the Appropriations Act or any other law is but one example of how these questionable characters creep into the Federal service. Mr. Robinson and Mr. Peurifoy sitting idly waiting for evidence of an overt act could well apply to the Marzani case. So far as the record discloses Marzani never committed an overt act, such as Robinson and Peurifoy look for, while employed in the State Department. Yet Marzani had 4 years of continuous Government employment while a member of the Communist Party. The utter incompetence of certain State Department employees and the United States Civil Service Commission to investigate loyalty matters and place a common-sense interpretation on evidence is illustrated by comparing the inside story of the Marzani case that appeared in October 1947 issue of Plain Talk magazine by J. Anthony Panuch, former Deputy Assistant Secretary of State with the records of the Civil Service Commission.

Marzani was transferred from the OSS to the State Department some time in 1946. He had been investigated for a position in the OSS and in January 1943 the Civil Service Commission ordered his removal from the service. The investigation revealed that Marzani was born in Italy and came to the United States at the age of 12, later receiving derivative citizenship through the naturalization of his father. He attended Oxford University and there married an American girl. Both Marzani and his wife were employed on WPA where Mrs. Marzani was discharged for her Communist activities, it being alleged, among other things, that she circulated 17 Communist petitions. The New York City Police Department records showed Marzani as a well-known Communist and known under the Communist Party name of Tony Whales—or Wales—and that he was formerly a section organizer on the East Side for the Communist Party.

Now the State Department, according to the article by Mr. Panuch, discovered, in October 1946, that the New York City Police Department had some information concerning one Tony Whales—or Wales. What did the State Department do when they discovered in October 1946 that Marzani was or had been a member of the Communist Party? Did they exercise their authority under the McCarran rider and discharge him as a security risk? Marzani was discharged under the McCarran rider because he had falsified to the State Department regarding his Communist affiliations. Even this action was not taken on the information in the files of the Civil Service Commission or the New York City Police Department. This action was taken only after a detective in the New York City Police Department had identified photographs of Marzani as being the Tony Whales—or Wales—the subject of the information in the files of the New York City Police Department.

Of course, the State Department should have removed Marzani from the service in October 1946 when they became aware of the information in the files of the New York City Police Department. But they waited for proof that Marzani had committed a crime, or, as Messrs. Peurifoy and Robinson say, proof of an overt act.

If persons of responsibility in sensitive Government agencies wait until they obtain proof of an overt act or proof that an employee had committed a crime before they rid the Government service of persons whose employment constitutes a security risk, then it is time to supplant those officials with men who are aware of such danger.

The transcript of the hearing on appropriations for the State Department before the subcommittee of the Committee on Appropriations of the House of Representatives is persuasive proof of the incompetence and lack of qualifications of not only Mr. Hamilton Robinson, but also of Mr. Peurifoy.

Much emphasis was made by Mr. Peurifoy and Mr. Robinson at the hearings before the subcommittee in deprecation of the guilt-by-association idea. In other words, the unreasonable doubt should not be had of an employee's loyalty merely because he was seen in the company of known Soviet agents. Yet section 4 of the State Department order on dismissal grounds of suspected employees written by Mr. Robinson reads as follows:

"4. A person who has habitual or close association with persons believed to be in category 1 or 2 above to an extent which would justify the conclusion that he might, through such association, voluntarily or involuntarily divulge classified information without authority."

The two categories mentioned in the above paragraph are:

"1. A person who engages in, supports, or advocates treason, subversion, or sedition, or who is a member of, affiliated with, or in sympathetic association with the Communist, Nazi, or Fascist parties, or of any foreign or domestic party, organization, movement, group, or combination of persons which seeks to alter the form of government of the United States by unconstitutional means or whose policy is to advocate or approve the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States; or a person who consistently believes in or supports the ideologies and policies of such a party, organization, movement, group, or combination of persons.

"2. A person who is engaged in espionage or who is acting directly or indirectly under the instructions of any foreign government; or who deliberately performs his duties, or otherwise acts to serve the interests of another government in preference to the interest of the United States."

I submit that using the old clichés of not judging a man too harshly because of his associates such as were used by Mr. Robinson and Mr. Peurifoy at the recent hearings goes counter to their own views as expressed in the sections quoted above.

The critical situation of the United States because of the continued encroachments of the Soviet Union in its cold war to extirpate democracies does not permit us to make fine distinctions now as to a man's loyalty, security, integrity, and discretion. We should not be deterred from our duty by shibboleths of civil liberties, freedom of speech, or association or any of the cloaks which an incompetent, or worse, uses to protect himself. So long as the causes for this critical situation exist, the State Department as an outpost in foreign policy should be inviolable. It should be like Caesar's wife, and it is utter nonsense to be confronted with case after case of reasonable doubt as to an employee's loyalty only to find Mr. Robinson clearing him or waiting for proof of an overt act.

I submit that association of an employee with suspected agents is a matter of extreme urgency. No bank would continue to employ a teller as cashier who was known to associate with gamblers. Recognized police procedure places great emphasis on criminal associations. I maintain it is criminal malfeasance in such critical times not to take instant, summary action on a prima facie case of this kind.

With the foreign situation as delicate as it is now, it is a mystery to me how our State Department can be so careless as to harbor in it questionable persons having access to secret material. It is a mystery how important officials can in essence require almost incontrovertible direct evidence before taking action, yet our courts can convict on circumstantial evidence. Are we to learn nothing from the experience of Czechoslovakia and France before World War II, of the numerous other countries whose inertia, complacency, and stupidity permitted the infiltration of disloyals or incompetents whose acts helped undermine the fabric of those countries?

THE GERMAN SCIENTIST PROGRAM

In an article in the March 1948 issue of the American magazine, the Honorable HARRY F. BYRD, United States Senator from Virginia, relates how the German scientists are now being used by the United States for research in the fields of jet propulsion, rocket propulsion, aerodynamics, thermodynamics, supersonics, and other fields. After the cessation of hostilities in Europe, a race was on between the United States, Great Britain, and Russia to grab the German scientists. Senator BYRD writes that none of these Germans has been given a State Department entry visa or allowed to apply for American citizenship. A special contract was worked out which made the Germans civilian employees of the Army in Europe, assigned to temporary duty in the United States. Bringing these German scientists into the United States whereby this country could profit from their knowledge, was delayed for months, while the War and State Departments deliberated over the contract.

Small numbers were brought over at first and kept under conditions similar to prisoners of war. Senator BYRD writes:

"Theoretically they were paid salaries, but they never saw the money. All of it went to their families or dependents, who weren't allowed to leave Germany."

On the question as to whether these German scientists would make good American citizens Senator BYRD continues:

"General Putt thinks 'that those we have recommended for visas would make as good Americans, from the standpoint of loyalty, as the average flow of immigrants common to the history of our country. Intellectually of course, they have proved their special values.'

"But the State Department apparently is not so sure. It is represented as feeling that, if naturalized, the Germans would be subject to much less surveillance—no mail censorship or control of movement about the country, for instance—and couldn't be held to work contracts for the Armed Forces or their industrial contractors. About 60 of the Air Forces' Germans have been recommended for entry visas, with which they could file their first naturalization papers. So far the State Department has issued no visas."

Several weeks ago a radio program featured a story of an attempt of our military authorities to bring into the United States the scientists in Germany who had for years been experimenting in the development of new weapons of warfare. It was stated that—

"About the middle of 1946 the program planning was completed. It was approved by the President; it was approved by the Army and Navy; it was approved by the Acting Secretary for the State Department; and it was approved by the Justice Department, which includes the Immigration Service. It was the understanding of everybody that the Army and Navy would screen these scientists in Germany before bringing them over. Nobody wanted any Nazis. But with everything all set the program began running into trouble. Even though it had been approved by the State Department, the Joint Chiefs of Staff

couldn't get the project past the State Department Office of Controls, which includes the Visa Division."

In a later broadcast the same commentator said that he learned "that the Army and Navy are not the only ones who've been given the run-around by this same little clique in the State Department Office of Controls, which is under the direction of Hamilton Robinson. Various big industrial corporations have been trying to get State Department permission to bring German scientists into this country. These corporations want the German technicians so that they can get the advantage of their industrial knowledge. They've found a great many scientists in Germany who would be able to improve American production methods and efficiency. It would mean, in many cases, lower prices, better products, and expanded production, plus, of course, more American jobs. The companies have approached the scientists and have persuaded them to come to this country. The only thing necessary is to obtain the approval of the State Department. And once again the matter rests with the Office of Controls and Hamilton Robinson."

All of this causes one to wonder why any person with so little experience in highly important Government matters as Mr. Robinson has is enabled to wield such influence in important matters of state.

Let us remember the testimony of Mr. Peurifoy before the subcommittee of the Committee on Expenditures in the Executive Department on March 10, 1948, when he said:

"Now, mind you, I say what I was looking for was an administrator, not a top investigator as such. I wanted a man with sound judgment."

We look to the remarks of the commentator for further enlightenment of Mr. Robinson's duties as an administrator and if he possesses the sound judgment Mr. Peurifoy was looking for. The radio commentator said:

"And there's one very strange feature about this whole affair. The Office of Controls is a little agency within the State Department which has no readily apparent reason for existing. It was set up in one of the State Department's reorganizations in 1944, but was never staffed until 1946. At that time it became a sort of an overlord to a number of divisions within the State Department. They'd been functioning very well on their own before the Office of Controls was ever thought of. One part of the Office of Controls is the Visa Division. That is the division which normally would have handled this matter of the German scientists, and which actually is handling it now, but under the direction of the Office of Controls. The Visa Division has tried to cooperate in this program, but the Office of Controls has stepped in and taken the matter out of the Division's hands. That's just a part of the story. The program is being hamstrung and the ax work is being done by an office in the State Department, the very existence of which nobody in the State Department can fully explain."

So we find an article written by a respected and honored Member of Congress published in the American magazine and radio commentators broadcasting about the inability of our Government to utilize the German scientists in matters that are vital to the very existence of our country. What are the facts surrounding this situation? If a committee of Congress calls on any agency in the executive branch of the Government for facts we are met with the statement that such facts have to do with security matters and cannot and will not be given to the legislative branch of the Government. We have tried arguments, pleas, subpenas, and we have remonstrated, but all to no avail.

So now we are compelled to say let the State Department deny or affirm that the following incidents have occurred as a result of the military's efforts to bring the German scientists to this country:

"That after VE-day the military began bringing over small numbers of these German and Austrian scientists under a program which authorized their entry with a view toward immigration after arrival. The technical know-how gleaned from these scientists astounded the military authorities and as a result of this experiment it was decided, for the first time in the history of the world, to exploit brains as a part of war.

"That from the very first instance it was recognized that in order to get the most out of these scientists it would be necessary to give them some definite assurance of permanency by allowing them the privilege of immigration if they proved to be worth-while future citizens.

"That during the fall and spring of 1945 and 1946 several meetings were held between the State, War, and Navy Departments for the purpose of facilitating the entry of the scientists for utilization by both the military and civilian establishments, and that on March 4, 1946, the Coordinating Committee of the State, War, and Navy Departments made some observations including—

"That these scientists possess knowledge of such great value to the United States for both military and civilian use that every effort should be made to prevent other nations from exploiting them, it being noted that Great Britain, France, and the U. S. S. R. are already proceeding with a policy of long-range exploitation of the scientists in their zones. It was pointed out that current United States procedures permit short-term exploitation, but that the temporary conditions existent destroy incentives for them to do their best work and utilization of them on a long-range basis is desired.

"That to bring the scientists and their families to the United States under the immigration laws, the interested departments will certify to the Joint Chiefs of Staff that the admittance of the individual scientists would be in the national interest. The Joint Chiefs of Staff will cause an investigation to be made of each scientist to ascertain whether he is objectionable as a Nazi and then obtain final clearance from the Department of Justice.

"That following this proposal the Joint Chiefs of Staff delegated the specific task of investigation to the Joint Intelligence Objectives Agency (JIOA). The JIOA was composed of members representing the Army, Navy, and State Departments.

"That in April 1946 the JIOA held its first meeting. Attending as the State Department representative was one Samuel Klaus. At this meeting the importance of the program was emphasized and the desire of the United States to obtain some 600 scientists out of a total of 1,500 in the American zone. It was also brought out at this meeting the necessity of gaining the scientists on a long-term basis and furnish an incentive by setting up procedures for eventual naturalization if the scientist qualified under the law. It was also clearly stated that the United States already had approximately 300 of these scientists working in various sections of the United States, some of whom were desired by the Government on a long-term basis.

"That on August 30, 1946, the State Department submitted a memorandum to the President requesting approval of the project and to expand it to include a total of 1,000 scientists from selected individuals who would be granted permanent status in the United States under the immigration laws. The President approved the project on September 3, 1946.

"That the following month, by letter dated October 1, 1946, to the Secretary of State, the Attorney General agreed to arrange for giving the scientists under this program immigration status by the preexamination process and obtaining visas in Canada. In short, this letter offered the complete facilities of the Immigration Department in an effort to hasten this important program.

"That from the first meeting Samuel Klaus indicated that he did not favor the German-scientist program. At the April 1946 meeting he was requested to furnish the JIOA with the security requirements of the State Department with a view to immigration. The preliminary requirements were finally furnished in June 1946, and read as follows:

"That on June 19, 1946, Samuel Klaus prepared a memorandum outlining the basic information required by the State Department in connection with applications of German scientists for visas to enter the United States saying that the memorandum had been prepared for the guidance of JIOA and the sponsoring agencies of the War and Navy Departments and was submitted only for that purpose, and that in that memorandum Mr. Klaus set forth the laws and regulations pertaining to the requirements for the issuance of a visa by a consular officer.

"That JIOA worked to comply with the regulations submitted by Klaus and when cases were submitted to the State Department for approval they were turned down on the basis that they still did not answer State Department requirements. A year after the German scientist program was officially under way not one scientist had been brought to the United States under the program, and on April 9, 1947, almost 1 year after he had sent the State Department's preliminary requirements, Klaus initiated additional requirements which he included in a memorandum that was signed by Hamilton Robinson as Director of the Office of Controls and wherein it is stated that the Department of State finds lacking certain information considered essential if a decision is to be reached which will not jeopardize the security of the United States and that further Klaus listed in the memorandum other information desired which would require examination of numerous records in Germany necessitating months of additional work and that some of the additional requirements included insistence that German SS and SD records be checked in Berlin or wherever else they were in Germany, which Mr. Klaus and Mr. Robinson should have known was an impossible request.

"That from the first instance Klaus has used his authority as the State Department representative on the JIOA to delay, obstruct, and confuse the program. He has even gone so far as to state that this may be the policy of the Secretary of State and the President, but it is not the policy of Samuel Klaus. Klaus is alleged to have made this statement before members of the board at one of the first meetings in the summer of 1946. The influence which Klaus wields in the State Department is unbelievable. Wherever the War and Navy Departments touched in an attempt to unravel the confusion it found an official who could not act or say a word until he contacted Klaus.

"That Assistant Secretary of State John Hilldring received a delegation of high military officials in the fall of 1946, who were determined to see the program underway. Hilldring was informed at this time that Klaus was undermining all the efforts of the Army and Navy and it is alleged that he promised to do something about it. Two weeks later when contacted Hilldring is alleged to have admitted his inability to cope with the situation.

"That Klaus was eventually taken off the JIOA and no substitute was appointed. However, one Rebecca Wellington was named at the instance of Klaus, with no written orders, to act as liaison officer. At that time Rebecca Wellington was an assistant to one Solomon Silver, who occupied a somewhat nebulous position as a deputy to Hamilton Robinson. Wellington and Silver followed the Klaus line and it is alleged that they have stated that they look upon the War and Navy views askance and take their statements with a grain of salt.

"That the State Department, through Klaus, Wellington, and Silver, not only insisted on impossible requirements but also insisted that they be informed relative to the precise details of the scientific programs to be carried out with the Army and Navy, and that Klaus and his cohorts were aware of the pleas of the War and Navy Departments to the effect that time in this scientific research is of the essence, and it will take us 10 to 15 years to catch up on our own with present German developments which are ours for the taking through this scientist program. Every day's delay turns more of these scientists into Russian hands. Klaus is aware that these scientists are actually being bought and kidnaped by the Russians, even from the American zones.

"That it is significant in considering Klaus' power that 2 weeks after offering his full cooperation in this program and asking what he could do to help the War and Navy Departments, Frederick B. Lyon was no longer Director of the Office of Controls. Dennis Flinn, Lyon's deputy, was anxious to help, but was blocked higher up. Flinn, too, was quickly out of the Office of Controls. Hamilton Robinson replaced Lyon and Solomon Silver took over Flinn's supervisory duties.

"That Klaus indicated to the JIOA that he was obsessed with the DP program, and it is known that he personally arranged for 500 to come in through Mexico and another 1,000 direct from Germany. Yet, he could not arrange for even 1 scientist to come to the United States to be placed in a program that was of the utmost interest to the United States.

"That to date, March 1948, the German scientist program is still not under way. Klaus and his cohorts in the State Department have succeeded in sabotaging a most important program."

The Visa Division of the State Department is a part of the Office of Controls. Mr. Hamilton Robinson is the Director of Office of Controls. It is not necessary to enter into a minute discussion as to how the Visa and Passport Divisions operate and how they have operated for years. With the advent of Mr. Robinson into the position of Director of Office of Controls, he decided that the Visa and Passport Divisions needed a higher or intermediate echelon of direction and supervision. On February 3, 1947, he created within the Office of Controls a travel-policy committee. On April 16, 1947, he created a committee on immigration and naturalization policy. These committees are composed of employees within the State Department who had no connection with matters of visas or passports; yet, under the organization created by Mr. Robinson, they passed on questions relating to visas and passports. The policy governing matters of visas and passports is a question of law, and no policy committee can change those laws. These committees created by Mr. Robinson did not add to the efficiency of his office, but, on the contrary, created confusion, agitation, and turmoil, as illustrated in the cases of the German scientists; and I submit this is additional evidence of Mr. Robinson's inability to cope with the problems of the State Department.

The following article appeared in the column of a news commentator in the March 23, 1948, issue of the Washington Post:

"Hamilton Robinson would have resigned as State's secretary officer if he hadn't been smeared by a couple of Congressmen who questioned his loyalty. He has no intention of resigning under fire. The former law associate of John Foster Dulles, the Republican foreign-policy adviser, may have some very interesting things to say if and when he does resign."

I speak only for myself when I say that I have never questioned Mr. Robinson's loyalty, neither have I smeared him. It is my honest and sincere belief that the Government is entitled to the best-qualified personnel, and that Mr. Robinson definitely lacks the necessary qualifications for the high and important position to which he was appointed in the State Department.

THE IRON CURTAIN

On September 7, 1941, Hon. Martin Dies, chairman of the Committee on Un-American Activities, of the House of Representatives, charged that at least 50 persons with records of affiliations with Communist-front organizations were employed in a certain Government agency. Since that day much has been said and much has been written about Communists and their fellow travelers being employed in Government agencies. However, little, if anything, was done to rid the Government service of such undesirables. The results of the 1946 election made it apparent that the people of the United States had become disturbed over the existing conditions, and it is all too evident that the new Congress would do something about it. Undoubtedly realizing that the new Congress would act immediately upon convening, the President, on November 25, 1946, issued an Executive order creating the President's Temporary Commission on Employee Loyalty. This Commission was authorized "to inquire into (a) the standards, procedures, and organizational provisions for the investigation of persons who are employed in the United States Government, or who are applicants for such employment, (b) the removal or disqualification from employment of any disloyal or subversive person, and to prepare a report incorporating any recommendations deemed appropriate in order to improve existing legislative and administrative arrangements in connection with loyalty investigations, administrative responsibility in loyalty standards, standards of loyalty, loyalty adjudication and related matters, so as to protect the Government against the employment or continuance in employment of disloyal, or subversive persons, and assure fair hearings to persons against whom such charges are brought."

Officers of the Department of Justice, Department of State, Department of the Treasury, Department of War, Department of the Navy, and the Civil Service Commission were designated to serve on the Commission as representatives of their respective agencies.

Subsequently the Commission submitted its report which concludes with the following sentence:

"In conclusion, the Commission recommends that this report, together with any Executive order which the President may issue, be submitted to Congress for consideration."

On March 21, 1947, the President issued Executive Order No. 9538, entitled "Prescribing Procedures for the Administration of an Employees Loyalty Program in the Executive Branch of the Government."

I have it on very good authority that Mr. Hamilton Robinson played rather a large part in the drafting of this Executive order. In this connection it is to be noted that when the representatives of the several agencies were designated to serve on the President's Temporary Commission, Mr. Donald S. Russell, the then Assistant Secretary of State, was named to represent the State Department. Mr. Russell resigned on January 20, 1947, and was replaced by Anthony J. Panuch. Mr. Panuch resigned on January 23, 1947 and he was replaced by John E. Peurifoy and Mr. Peurifoy is the man who appointed Mr. Robinson to his present position.

In October 1947 rumor was rife that Government agencies were about to clamp on a blanket of secrecy on the civilian affairs of such agencies. It was then learned that a super secrecy committee, headed by Mr. Hamilton Robinson, had drafted rules of secrecy to be submitted to the President for his approval. The authority for such rules was discovered to be a sleeper clause in Executive Order 9835, issued in March 1947. That sleeper will be found in part VI of the Executive order under the heading of "Miscellaneous" and is designated as paragraph 2. It reads:

"The Security Advisory Board of the State-War-Navy Coordinating Committee shall draft rules applicable to the handling and transmission of confidential documents and other documents and information which should not be publicly disclosed, and upon approval by the President such rules shall constitute the minimum standards for the handling and transmission of such documents and information, and shall be applicable to all departments and agencies of the executive branch."

Now, remember, this Executive order was issued for the express purpose of prescribing procedures for the administration of an employees' loyalty program in the executive branch of the Government and has nothing to do with censorship.

Let us take a look at this super-duper committee. The Directory of Committees, Committee Secretariat of the Executive Secretariat, dated November 1, 1947, reflects that in December 1944 by an exchange of letters between the Secretary of State, the Secretary of the Navy, and the Secretary of War the State-Army-Navy-Air Force Coordinating Committee was established. The committee was reorganized in October. Subsequently this committee created a subcommittee called the Coordinating Subcommittee for Security Control or Security Advisory Board, with Mr. Hamilton Robinson of the State Department as Chairman.

Just as soon as Executive Order 9835 was issued Mr. Robinson and his subcommittee started working on a draft of so-called security regulations for civilian departments and continued working on such regulations for nearly 8 months. Meanwhile, the State Department put through its own regulations in anticipation of eventual issuance of Government minimum regulations. The whole preposterous situation came to light when it was discovered that the Veterans' Administration had adopted rules, pursuant to a request of the Security Advisory Board, State-War-Navy Coordinating Committee, that imposed secrecy upon the operations of the agency.

So far as I have been able to ascertain, the President has never approved any draft of rules submitted by Mr. Robinson's board.

Let us look a little further and see what the ideas of Mr. Robinson and his board are on the subject of handling and transmission of confidential documents and other documents and information which shall not be publicly disclosed. According to Mr. Hamilton, the guiding principle of the censorship program is that Department officials shall be in a position to decide what the public shall be told about Government business and be in a position to enforce their decisions. Accordingly Mr. Robinson and his board have divided "confidential documents and other documents" into four categories—top secret, secret, confidential, and restricted, The original definitions were changed, because of strong criticism, and some objectionable phrases deleted. The definitions are:

"Top secret: The term 'top secret' as used herein means information, the security aspect of which is paramount, and the unauthorized disclosure of which would cause exceptionally grave damage to the (prestige of the Nation or any governmental activity thereof) Nation.

"Secret: The term 'secret' as used herein means information the unauthorized disclosure of which would endanger national security, or would cause serious injury to the interests or prestige of the Nation, or would be of a great advantage to a foreign nation.

"Confidential: The term 'confidential' as used herein means information, the unauthorized disclosure of which, although not endangering the national security, would be prejudicial to the interests or prestige of the Nation (or any governmental activity thereof), or would cause unwarranted injury

to an individual, or would be of advantage to a foreign nation (or would cause serious administrative embarrassment).

"Restricted: The term 'restricted' as used herein means information which requires security protection, other than that information which has been determined to be top secret, secret, or confidential."

On July 1, 1947, a 25-page mimeographed pamphlet on secrecy regulations was issued. It is stated on the cover of the pamphlet that it was "issued pursuant to Executive Order 9835." That Executive order expressly provides that the Security Advisory Board shall draft rules and upon approval by the President shall be applicable to all departments and agencies of the executive branch. However, the opening paragraph of the document provides:

"These rules constitute minimum standards for the handling and transmission of confidential documents and other documents and information which shall not be publicly disclosed and are applicable to all departments and agencies of the executive branch."

Not one word was said about approval by the President, so it is no wonder that some Government departments treated the document as a binding order. At least the Veterans' Administration did. When the Security Advisory Board refused to clarify the secrecy rules, upon request of the Veterans' Administration, the Veterans' Administration issued an order canceling the secrecy rules they had issued. The Security Advisory Board said that it would rescind nothing because it had issued nothing, while the Veterans' Administration says it has records to support its position that it received an order from another Government department.

The action of the Veterans' Administration made it plain that the Security Advisory Board was without authority to place into effect any of their suggested regulations without approval of the President and further that the President had not as of November 7, 1947, approved any such regulations. Let us turn to the records of the Security Advisory Board for a determination as to whether they have placed into effect the unapproved rules they drafted.

On May 9, 1947, on the letterhead of the State-War-Navy Coordinating Committee, Security Advisory Board, the following communication was addressed to counsel for a committee of the House of Representatives:

"Pursuant to your telephonic request of this date, copies of the letters forwarded to you on May 5, 1947, are enclosed herewith."

This letter is stamped at both bottom and top with the word "restricted." That could not possibly apply to the enclosures for they are both stamped "restricted" and each communication is marked with a separate serial number. Compare the letter of Mr. Robinson's board, dated May 9, 1947, with Mr. Robinson's board's definition of "restricted" and the answer is that all documents that cannot be classified as "top secret," "secret," or "confidential" are, ipso facto, "restricted."

If it took Mr. Robinson and his board 8 months to concoct regulations that even the President would not sign, is it any wonder that I raise the question of his qualifications? If it took Mr. Robinson and his board 8 months to make up such a senseless and unacceptable rigmarole is it any wonder that he knows so little about the loyalty and security risk of State Department employees? Is it any wonder that Government agencies complain that the appropriations of funds by Congress are insufficient when a top-salaried employee spends 8 months in drafting rules or regulations that are meaningless, worthless, and of no weight or effect? Is not this cumulative evidence of Mr. Robinson's utter lack of qualifications for a top position in our State Department?

ENTER ROWENA ROMMEL

In order to understand the entire picture of what is wrong with the State Department one must go back even before the Office of Controls was officially established at the beginning of 1945. This reveals one of the most mysterious and influential figures, very seldom talked about, that ever went into the State Department. The person to whom I have reference is Mrs. Rowena Barlow Rommel. The following account of the part she played in wrecking the State Department is a sincere and honest evaluation of her activities and does not seem to be altogether a secret around the State Department. Here, in the opinion of some people, is one of the cleverest, most sinister figures in the entire State Department set-up, as will appear later. By not obtaining the top salary grade in the Department and at all times operating ostensibly as one of the subordinates in a given group, Mrs. Rommel has been able to mask her extraordinary effectiveness and real power. Actually she has been one of the key figures in the State Department mystery, but until the last stages of the Robert T. Miller case (he resigned December 13, 1946) Mrs. Rommel has woven in and out of various peculiar situations in the Department without any tangible proof adduced against her for her responsibility in creating these situations.

Her biographical record from the State Department register of December 1946 shows:

"1. Birth in Rhode Island.

"2. Education at Brown University with a bachelor of arts degree in 1932, a master of arts in 1933.

"3. Traveling scholar for English Speaking Union in summer of 1935. (The time from June 1933 to summer of 1935 is not accounted for.)

"4. Intern, National Institute of Public Affairs, 1936–37.

"5. Clerk, Personnel Department, Home Owners Loan Corporation, 1937.

"6. Secretary and research assistant to member of Social Security Board, 1937–39.

"7. Administrative analyst, Division of Administrative Management, Bureau of the Budget, 1939–42.

"8. On August 4, 1943, appointed management and procedural analyst at $3,800 in State Department; on April 16, 1944, appointed at $4,600 an assistant to the Director of the Office of Departmental Administration (this man was John Rose now with United Nations and at that time a well-known leftist); on April 16, 1945, appointed an executive assistant at $5,600 and became an assistant executive officer of the Steering Executive and Coordinating Committee preparing for the United Nations Conference which began at San Francisco in May 1945. On September 16, 1945, she became an information specialist with the Office of Public Liaison and remained there until 1947 when she was attached to the Interdepartmental Committee on Scientific and Cultural Cooperation under William T. Stone. Her present salary is not available but it is either about $7,200 or $8,100."

It will be observed that her field is that of personnel and management. Her highest salary was about $3,200 in 1943 in the Budget Bureau before coming to State.

It will be recalled that the Budget Bureau was the central spot in scrambling up the Government apparatus and credited with planting leftist personnel in various departments to formulate Government policy and for blanketing into the State Department approximately 7,000 employees from OWI and OSS and OICC.

Schwartzwalter, William T. Stone, Paul Appleby—those are only a few of the names of men in Budget who have been suspected of acts bordering on conspiracy. Budget Bureau by virtue of its extraordinary authority in approving or rejecting Government requests for appropriations before they went to Congress was in a position where unscrupulous officials in Budget could intimidate weak budget officers in agencies or assist their confederates whom Budget had planted in various agencies, and thereby mold the policy of the Government.

It appears that Rowena Rommel was selected by a leftist group in Budget as the first plant in the State Department. From her entrance in 1943 began most of the troubles now existing in that Department. It was known in Budget Bureau that Cordell Hull had instructed Stettinius to reorganize the Department for more effective organization. Rowena Rommel was assigned by Budget Bureau for that purpose. She had no particular skill, and I have been informed was ignorant of State Department practices and policies, was arrogant, curt, and supercilious to inferiors; fawning, flattering, and sycophantic to her superiors. This reorganization was praised by the Daily Worker before it was released.

In no set-up has she been the top person, but in every reorganization set-up she has been practically the sole active operator and she has been the only person in the State Department who has been connected with all phases of the reorganizations.

The first reorganization was in January 1944, the second in December 1944. Both were major ones involving every phase of the Department. Thereafter there has been a succession of minor changes which have not altered substantially either of the major reorganizations. They merely have corrected oversights and the major ones according to her plan.

Mrs. Rommel, with the active assistance of Elwood Thompson of the Budget Bureau, with the passive aid of Walter Laves of the Budget Bureau, was the leading spirit in these reorganizations which have left the State Department in such disorganization, lack of responsibility, and divided authority that it is a fair question whether these actions were not a conspiracy to weaken the structure of the Department and permit the infiltration of divisive forces dedicated to a foreign way of life. Laves today is the American representative on UNESCO. Thompson is a high official in the Department or in the United Nations.

It is necessary to go into Mrs. Rommel's sympathies. Ample evidence should exist as to her association with suspected agents, her active part in promoting the entry into the Department of one Robert T. Miller, believed to be one of the most dangerous Soviet agents ever to infiltrate the Department of State. Furthermore, she was responsible for placing Robert T. Miller in a spot where he had access to the most sensitive and top-secret information in the Department during a crucial period of our relations with Russia. There is no doubt that investigators have produced this and more damaging information.

What is more inportant is that Mrs. Rommel is reputed to have been the key figure in scrambling up the Department so that it has become hopelessly overlapping, dangerously inefficient, and so divided in responsibility that quick, accurate decisions are difficult to make.

Under Mrs. Rommel's guidance, spending, demands for huge appropriations, embarking on impractical ventures became the watchword. It is no wonder that the Department's budget skyrocketed from $16,000,000 in 1939 to close to $200,000,000 asked for the next fiscal year. Commitments under international obligations accounted for some of the increase, but much of it is attributable to the unsound, visionary schemes concocted by Mrs. Rommel and her budget pals. For example, one from the Budget Bureau who assisted was William T. Stone, who worked on the Benton project while a member of the Budget Bureau and then moved into the State Department in a key position.

Reverting to Mrs. Rommel, she made her bill of goods attractive by creating a huge, expensive apparatus in the Department at tremendous expense with reclassifications in salary horizontal throughout the Depart-

ment. The key word was expansion, needless hiring, qualifications secondary—just fill up the Department with high-salaried personnel and then put them to work. Sections became divisions, divisions became offices, and then came a greatly expanded executive staff for each office to keep track of personnel and budgetary requirements. Mrs. Rommel volunteered to select the personnel of executives for each office which, if it had succeeded, would have given her a machine controlling the budget for the entire Department and, above all, would have given her a chance to select personnel when vacancies occurred. One can imagine the pressure of this scheme was terrific as Mrs. Rowena Rommel, by virtue of her influence in the State Department Management and Planning Division, could make or break, or at least curtail, the effectiveness of a given office—especially in connivance with her pals in the Budget Bureau.

After these reorganizations she helped actively at the United Nations founding in San Francisco. She was partly responsible for creating and staffing many of the new divisions in the Department attendant upon the creation of United Nations, and it is no accident that there have been repeated questions as to the loyalty of many of these persons.

Thereafter she went to Public Liaison, or the Department's public-relations office. As part of that scheme she was responsible for two noted leftists, Professor Schuman and Owen Lattimore, lecturing in the Department of State.

Presently she is in a key committee dealing with UNESCO. The United States pays $6,000,000 as its contribution for UNESCO. Russia is not even a member, yet Russia is said to be the most effectively represented nation in the world on UNESCO. There is no record that Mrs. Rommel has ever tried to rid UNESCO of subversives nor in the light of her record is she likely to do so.

Mrs. Rommel, ignorant of State Department traditions and generally of the historic policies of the United States, brought with her new concepts of foreign-office techniques. One might say that she was more than a Russia-firster; she thought the Russian experiment was a noble one worth emulating in the United States. Consequently, she set up a system, and the thought is inevitable that she has at all times been carrying out orders, whereby the Department was staffed with a strange mixture of ardent, fervent pro-Sovieters, starry-eyed one-worlders, and general incompetents. Public organizations whose representatives were brought to the Department to help put over one or another Department plan always had a generous shaving of front organizations or worse. She was responsible for bringing around the Department a few years ago representatives of some of these organizations to meet division chiefs and questioning them on foreign policy under the pretense of selling the policy of America. Some division chiefs were shocked at the bold pro-Soviet questions put to them. It was only natural, because of Mrs. Rommel's control of administrative machinery that she was in a position to exert a great deal of pressure and intimidation on these chiefs because she could hurt them when the budget came up annually if they did not go along.

Public protest over the appearance of Schuman and Lattimore under her auspices caused her to go under cover temporarily. Her connection with the Miller case and the mention of her name by Congressman DONDERO in March 1946 also caused her to be more covert, but to this day, to my knowledge, she has never altered her plans.

The machine she set up remains and it is so cumbersome and complicated that it baffles investigators. One has the feeling that the administrative structure of the Department, particularly the Office of Budget and Planning, is an extraordinarily large and expensive group, but one does not realize this was done deliberately to confuse investigators by dividing authority so that no one knows all the answers.

Rowena Rommel is probably as responsible as anyone for the huge cost of administrative machinery but her real contribution has been the clever, subtle, insidious setting up of unnecessary groups and offices, inexcusable enlargement of already existing offices, and introduction into the Department of ardent Russia-firsters.

All of the matters mentioned herein are either the product of Mr. Hamilton Robinson's administrative ability or his lack of capacity to recognize the gravity of the situation as far as security is concerned and to take corrective action.

The evidence developed in the hearings before the subcommittee of the Committee on Appropriations of the House of Representatives brought out that there are fellow-travelers, if not actually Communists, still in the State Department. The same hearings and the hearings before the subcommittee of the Committee on Expenditures in the Executive Departments amply illustrate that Mr. Robinson does not possess the necessary qualifications to pass on such important questions as loyalty and security. The information relating to the efforts of the Air Force to get the German scientists into this country further illustrates that Mr. Robinson lacks the qualifications to deal with such important matters as visas. Does the State Department now contend that Mr. Robinson was qualified and at the time of his appointment had experience to qualify him for the position of Director of Office of Controls? Does the State Department now contend that they did not have knowledge of the matters developed herein and will the State Department now deny that Mr. Robinson should have been removed from office several months ago?

Mr. HORAN. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, I have asked for this time to explain an amendment I propose to offer to the pending bill, H. R. 7313.

I draw the attention of the Members to page 5 of the bill, under the item of "Contingent expenses of the House." On page 5, in line 13, appears the following:

Special and select committees: For salaries and expenses of special and select committees authorized by the House, $800,000.

I will offer an amendment to strike the "$800,000" and insert in lieu thereof "$1,500,000." That sounds like a $700,000 increase in the appropriation for investigations by committees of the House. In fact, it is not that at all. The amount in this bill is only $800,000. That is the same amount that was carried in the 1952 appropriation bill. However, there has already been one supplemental appropriation increasing that item by $400,000, and there is now pending in the Appropriations Committee a second supplemental appropriation for $75,000. Accordingly, for the purpose of congressional investigations, for House committees, there will be a total appropriation for fiscal 1952 of $1,275,000. Therefore, my amendment would increase the allowance for committee investigations for fiscal 1953 over fiscal 1952 by only $225,000.

I would like to prove to you now, if I may, that this amendment is a real economy amendment.

It is my contention that investigation enables Congress to inform itself in detail not only on legislative subjects, but also on appropriations. Detailed knowledge permits substantial reductions in expenditures by the executive branch of the Government. The detailed knowledge developed by investigation makes possible intelligent reductions in expenditures, as contrasted with so-called meat-ax cuts.

I would like to call as my first witness in support of that proposition the former chairman of the Truman committee, the present President of the United States. Senator Truman said on the floor of the Senate on August 7, 1944—and I quote:

In my opinion, the power of investigation is one of the most important powers of the Congress. The manner in which that power is exercised will largely determine the position and prestige of the Congress in the future. An informed Congress is a wise Congress; an uninformed Congress surely will forfeit a large portion of the respect and confidence of the people.

The days when Webster, Clay, and Calhoun personally could familiarize themselves with all the major matters with respect to which they were called upon to legislate are gone forever. No Senator or Representative, no matter how able or diligent, can himself hope to master all the facts necessary to legislate wisely.

The accomplishments of the Truman committee—and I am referring now to the other members of the committee and its staff, rather than to myself—present an example of the results than can be obtained by making a factual investigation with a good staff. Similar accomplishments can be made by other special committees, as well as the standing committees of the Congress, and I particularly urge upon the Senate that it be liberal in providing ample funds for the prosecution of proper investigations. The cost of a good investigation is negligible when compared with the results which can be obtained.

I would like to emphasize that last sentence of President Truman's remarks:

The cost of a good investigation is negligible when compared with the results that can be obtained.

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

Mr. MEADER. I am glad to yield to the gentleman from New Jersey.

Mr. CANFIELD. Is it not true that the witness just quoted by the gentleman in the well of the House once castigated the military very severely for imprudent spending? I think the gentleman remembers that.

Mr. MEADER. That is true, and I will refer the gentleman to the remarks that the then Senator Truman made on the floor of the Senate on June 29, 1943, appearing in the CONGRESSIONAL RECORD. In referring to the specific investigations of the Truman committee, among other things, he said:

A week or so ago the committee held a hearing in Kansas City in connection with an ordnance plant known as the Sunflower Ordnance Plant, on which it can be conservatively stated that $25,000,000 to $30,000,000 was thrown away wastefully because the checks which the engineers are supposed to make on these expenditures are not made.

Mr. CANFIELD. I am glad the gentleman repeated that statement because the President argued last night that the military budget could not properly be cut one dollar.

Mr. MEADER. I am glad the gentleman brought up that point. I heard the President's remarks last evening, and I have heard him on previous occasions. I take note that not only the President but the Secretary of Defense and the Secretary of the Air Force have attacked the House of Representatives because of action taken within its own constitutional prerogatives in appropriating less than the budget estimates for the Defense Department. They have charged in effect that the House of Representatives is guilty of sabotage. To this day, I have yet to hear a Member of the House of Representatives stand up and defend this body in its action. I have yet to hear the leadership assert the authority of this body over the public purse and publicly resent these attacks on the House over the discharge of its responsibility and its appropriating function, vested in it by the Constitution.

Mr. Chairman, I will insert in the RECORD at this point, under permission obtained in the House, certain statistics prepared by Dr. Galloway of the Legislative Reference Service. The first table shows the number of committees of the Congress prior to the Legislative Reorganization Act of 1946 and the number in 1952. It is quite interesting to note that the House of Representatives has reduced its standing committees, special committees, and subcommittees from a total of 150 in 1945 to a total of only 95 at the present time. Total committees of the Senate, the House, and joint committees in 1945 were 230. Now there are 181.

Committees of Congress

Type	1945			1952		
	Senate	House	Joint	Senate	House	Joint
Standing	33	48	4	15	19	7
Special	7	5	2	1	4	5
Subcommittee (standing)	34	97	----	53	72	5
Total	74	150	6	69	95	17
	230			181		

Next, I will insert in the RECORD tables showing the number of employees on committee staffs and their salaries. It might be of special interest to note that in the first session of the Eighty-second Congress there were a total of 800 employees, professional, clerical, and others, for the committees of both the Senate and the House of Representatives. The Senate, incidentally, has a few more employees for its committees than does the House.

Staffing of committees (82d Cong., 1st sess.)

Committee	Professional	Clerical	Other	Total compensation (6 months)
HOUSE				
Agriculture	4	4	------	$31,170.06
Appropriations	17	19	62	179,023.90
Armed Services	4	7	2	45,756.69
Banking and Currency	3	3	------	23,475.48
District of Columbia	3	3	------	18,880.41
Education and Labor	4	5	2	39,281.25
Expenditures in Executive Departments	14	27	1	83,612.17

Staffing of committees (82d Cong., 1st sess.)—Continued

Committee	Professional	Clerical	Other	Total compensation (6 months)
HOUSE—continued				
Foreign Affairs	6	6	------	$40,213.75
House Administration	------	7	------	16,001.63
Interstate and Foreign Commerce	4	9	------	40,640.92
Judiciary	4	9	------	53,048.31
Subcommittee on Monopoly Power	------	------	10	16,294.59
Merchant Marine and Fisheries	3	3	2	31,660.79
Post Office and Civil Service	3	4	------	24,490.68
Interior and Insular Affairs	5	6	------	40,737.37
Public Works	2	12	------	32,648.80
Rules	------	5	------	19,495.25
Un-American Activities	3	18	22	122,105.12
Veterans' Affairs	3	6	------	37,028.58
Ways and Means	3	8	4	28,742.42
Subcommittee on Administration of Internal Revenue Laws	3	8	1	6,463.52
Programs Under GI Bill	4	3	6	27,706.76
Small Business	3	11	7	34,234.04
Use of Chemicals in Food	2	3	2	5,960.73
Total	97	186	121	998,673.22
SENATE				
Agriculture and Forestry	3	2	2	10,995.69
Appropriations	8	14	8	100,080.96
Armed Services	5	5	------	33,172.59
Preparedness Subcommittee	1	14	18	43,055.65
Banking and Currency	6	12	4	62,993.69
District of Columbia	2	5	------	21,284.91
Expenditures in Executive Departments	11	16	5	90,054.48
Finance	1	7	------	21,466.89
Foreign Relations	3	6	------	35,078.73
Interior and Insular Affairs	7	6	------	40,395.87
Interstate and Foreign Commerce	6	14	6	60,076.44
Judiciary	6	9	------	59,878.78
Subcommittee on Immigration	7	13	2	48,663.96
Subcommittee on Internal Security	2	5	6	27,061.54
Labor and Public Welfare	21	18	10	95,667.43
Post Office and Civil Service	5	11	4	38,447.35
Public Works	4	5	------	34,622.91
Rules and Administration	4	2	6	18,784.40
Organized Crime	16	10	17	22,598.98
Small Business	7	18	1	54,340.22
Total	125	192	89	918,721.47
CONGRESSIONAL				
House	97	186	121	$998,673.22
Senate	125	192	89	918,721.47
Total	222	378	210	1,917,394.69

Staffs of joint committees not included.
Period covered, Jan. 1, 1951 through June 30, 1951.
"Other" refers to investigators, consultants, a few messengers, and special assistants of various types.

I also insert a table showing the number of House employees for the period of July to December 1951. This table shows a total of 402 employees:

Staffing of House committees[1] *(July–December 1951)*

Committee	Number of employees	Total compensation during 6-month period
Agriculture	8	$29,077.55
Appropriations:		
Permanent	40	128,597.13
Investigators	57	94,353.87
Temporary	17	2,657.52

[1] Latest available data.

Staffing of House committees (July–December 1951)—Continued

Committee	Number of employees	Total compensation during 6-month period
Armed Services	15	$55,162.22
Banking and Currency	6	23,141.97
District of Columbia	6	23,357.25
Education and Labor	10	43,123.63
Expenditures in Executive Departments	11	44,121.71
Government Operations Subcommittee	17	36,507.35
Foreign Affairs	9	40,964.48
House Administration	6	21,475.17
Interior and Insular Affairs	10	47,244.60
Interstate and Foreign Commerce	12	43,789.84
Judiciary	15	58,372.00
Subcommittee, Monopoly Power	9	29,251.71
Merchant Marine and Fisheries	8	34,938.79
Post Office and Civil Service	7	25,715.14
Public Works	11	40,182.28
Rules	5	21,546.10
Un-American Activities	40	138,873.32
Veterans' Affairs	9	40,107.36
Ways and Means	12	30,507.94
Subcommittee, Administration of Internal Revenue Laws	31	54,466.83
Select Committee, Investigation of Katyn Forest Massacre	2	2,450.24
Select Committee, Investigation of GI Educational Program	8	16,863.20
Select Committee, Investigation of Use of Chemicals	4	12,459.04
Select Committee, Small Business	17	48,557.66
Total	402	1,187,865.90

Mr. Chairman, It is my belief that the committees of the Congress are woefully understaffed. My views appear at greater length in two law review articles I have written. One is entitled "Limitations on Congressional Investigation," volume 47, Michigan Law Review, pages 775–786, 1949. The other is entitled "Congressional Investigations: Importance of the Fact-Finding Process," volume 18, No. 3, University of Chicago Law Review, pages 449–454, 1951.

The most important value of investigation by legislative committees lies in the wiser and more clearly expressed enactments that proceed from more complete and more accurate knowledge of the subject matter.

But one of the benefits of congressional investigations today lies in the intelligent and effective reduction of the huge amounts requested for the operation of the executive branch of the Government.

Frequently, it is impossible to assess in terms of dollars the benefits derived from a serious-minded committee turning the spotlight on a Federal activity. Sometimes the mere existence of an investigating committee as the Truman-Mead committee, induces greater care and economy on the part of officials who are aware they may be investigated.

However, occasionally we can point to specific dollar savings resulting from committee work.

I have prepared a table showing the results of just one investigation of one committee, on which it has been my privilege to serve. I refer to the work of the Bonner subcommittee of the Committee on Expenditures in the Executive Departments in its investigation of mili-

tary supply management. Although this tabulation does not contain the complete results of the work of the Bonner committee, I think it will surprise the Members to know what savings that committee has made, and at what little cost.

From the 1st of January 1951 to the 1st of May 1952 the Bonner committee operated on an appropriation of $28,000. There can be traced directly from the activities of the Bonner subcommittee reductions in two appropriation bills totaling $382,522,716. The State Department appropriation bill was cut $44,991,000, and the Defense Department appropriation was cut $337,531,716. Members of the Bonner committee offered these amendments and persuaded the House of Representatives that they could safely be adopted without impairing any legitimate functions.

In addition to those tangible results from the Bonner subcommittee activities there was the recapture of surplus property in Germany which our Army had turned over the German Government. As a result of the committee's investigations the Army recaptured $100,000,000 worth of property. It thereby acquired supplies which made unnecessary the procurement of an equivalent amount from new production.

Furthermore, members of the Bonner committee sustained an amendment to the defense appropriation bill prohibiting the Air Force from establishing a third supply pipeline for common-use items which the Air Forces have heretofore received from the Army. How many hundreds of millions or billions of dollars will be saved if that provision of the defense appropriation bill sticks no one can well predict at this time.

In fact, that is true of most of the committee's activities. It is impossible to know the full value of the committee's work and the huge amount of dollar savings in the future which can be traced to its investigative work and the knowledge gained by the members in the course of that work.

For $28,000 cost just the tangible dollar savings of the Bonner committee to date exceed $482,522,716. I say the $28,000 was well invested. I say we should make more such investments. That is why I say that increasing the allowance for House investigating committees will repay itself many times in economies which are intelligently accomplished.

I insert the table to which I have referred in the RECORD at this point:

Amendments showing Bonner subcommittee cuts from State Department appropriations

	Subject		Date	Cong. Record Page No.
Representative Brownson (Indiana)	International information and educational activities:		Apr. 4, 1952	3524-3543
	Strike out	$111,066,000		
	Insert	86,575,000		
	Cut	24,491,000		
Representative Curtis (Missouri)	Delete acquisition and construction of radio facilities:		do	3543-3560
	Cut	$20,500,000		
	Total cut from State Department appropriations	44,991,000		

Amendments showing Bonner subcommittee cuts from Defense Department appropriations

	Subject		Date	Cong. Record Page No.
Representative Bonner (North Carolina)	National Security Resources Board—Salaries and expenses		Apr. 8, 1952	3729-3730
	Strike out	$1,500,000		
	Insert	500,000		
	Cut	1,000,000		
Representative Curtis (Missouri)	Emergency fund for research and development		do	3745-3746
	Strike out	$40,000,000		
	Insert	20,000,000		
	Cut	20,000,000		
Representative Bonner (North Carolina)	Army stock fund		Apr. 9, 1952	3861-3864
	Strike out (Delete entire amount.)	$140,000,000		
	Cut	140,000,000		
Representative Lantaff (Florida)	Service-wide supply and finance activities		do	3870-3871
	Strike out	$468,400,000		
	Insert	467,634,142		
	Cut	765,858		
Representative Meader (Michigan)	Major procurement other than aircraft		do	3874-3876
	Strike out	$1,130,000,000		
	Insert	1,000,000,000		
	Cut	130,000,000		
Representative Lantaff (Florida)	Maintenance and operation of Air Force		do	3877-3880
	Strike out	$3,789,817,000		
	Insert	3,761,790,142		
	Cut	28,026,858		
Representative Lantaff (Florida)	Military personnel requirements		do	3881
	Strike out	$3,150,000,000		
	Insert	3,132,261,000		
	Cut	17,739,000		
	REMARKS			
Representative Bonner (North Carolina)	Expense of transportation, packing, etc., of personal effects in excess of 7,000 pounds uncrated or 8,000 pounds crated. No part of any appropriation in act to be used for above.		do	3890
Representative Meader (Michigan)	Separate supply system for Air Force. No part of the funds herein appropriated shall be used for above.		do	3902-3903
	Total cut, Defense Department	$337,531,716		
	Total cut, State Department	44,991,000		
	Total cuts, appropriations	382,522,716		
	Recapture of Army surplus property originally turned over to Germans	100,000,000		
	Total savings	$482,522,716		

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

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

The Clerk read as follows:

For mileage and expense allowance of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, as authorized by law, $1,273,500.

Mr. McCORMACK. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCORMACK: Page 2, line 9, strike out the period and insert in lieu thereof the following: "*Provided, however,* That in the case of taxable years beginning after December 31, 1952, the place of residence of a Member of Congress (including any Delegate and Resident Commissioner) within the State, congressional district, territory, or possession which he represents in Congress shall be considered his home for the purposes of section 2 (a) (1) (A) of the Internal Revenue Code."

Mr. McGRATH. Mr. Chairman, the amendment is agreeable to the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. McCORMACK].

The amendment was agreed to.

DEDUCTIBILITY OF EXPENSES OF MEMBERS OF CONGRESS INCURRED IN THE PERFORMANCE OF THEIR DUTIES

Mr. McCORMACK. 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 Massachusetts?

There was no objection.

Mr. McCORMACK. The purpose of the amendment is to insure that Members of Congress are treated for Federal income-tax purposes comparably with other taxpayers similarly situated.

Section 23 (a) (1) (A) of the Internal Revenue Code allows to all taxpayers as deductions from gross income traveling expenses—including the entire amount expended for meals and lodging—while away from home in the pursuit of a trade or business. Such a provision was first inserted in the Revenue Act of 1921. Prior to that time taxpayers were not allowed deductions for meals and lodging even if incurred while traveling for business purposes.

Tax administrators and judges have had difficulty in arriving at a definition of the term "home" and in applying the statutory language to specific cases. On the precedent of court decisions, however, the Chief Counsel for the Bureau of Internal Revenue has ruled that—

It is the opinion of this office that the word "home," as used in section 23 (a) (1) (A) of the code, supra, means business location, post or station of the taxpayer. (General Counsel's Memorandum 23672 (C. B. 1943, 66, 67).)

As explained in the booklet, Your Federal Income Tax for Individuals, 1951 edition:

The word "home" as used in the income-tax law for traveling expenses has been interpreted by the Bureau of Internal Revenue and by several courts to mean a taxpayer's place of business, station, or post of duty, and he is not in a travel status while he is located at his principal post of duty, even though he is away from his residence. The individual is free to choose his residence. He fixes it according to his personal convenience as a matter separate and apart from business.

As further explained in the booklet, Your Federal Income Tax, a businessman engaged in activities in more than one locality may deduct the cost of travel between these localities when required for the purpose of discharging his business affairs. To quote directly from the booklet, if "a professional or businessman travels between his principal place of business and a minor place of business in another city, he may deduct the cost of such travel, provided the trips are necessary for the purpose of discharging his business at both locations." In further elaboration of how the rules of deductibility apply to businessmen, the booklet states:

If a person conducts a regular trade or business in the city in which his permanent home is located but makes occasional business trips to different localities which require his absence overnight, he is considered to be traveling away from home and the full amount of traveling expenses incurred on such trips, including the cost of meals and lodging, is deductible in computing his adjusted gross income. To illustrate, a person who runs a regular business in his home town is called upon to make occasional trips to Washington, D. C.—from which he does not return the same day—to consult with, give advice, and render other intermittent services to the Federal Government. He may deduct the full amount of his traveling expenses for such trips, even though his stays in Washington, D. C., may be of extended duration.

The foregoing principles of deductibility have even been held to apply in cases in which a businessman renders services to the Federal Government on a "substantially continuous" basis. To quote from General Counsel Memorandum, 23672, supra:

For example, if an individual engaged in business in New York City is called upon to make trips to Washington, D. C., to consult with and give advice to representatives of any governmental agency, the necessary expenses incurred in traveling between New York and Washington, including the cost of meals and lodging while in Washington, will be treated as deductible business expenses, even though his stays in the latter city may be of extended duration.

The same Federal income-tax treatment will be accorded such expenses in cases where the services rendered to the Federal Government are substantially continuous, provided the individuals have not severed their connections with the private organizations by which they have been employed and continue to render active service to such organizations. For example, if the nature of the services rendered to the United States Government requires that the individual remain in Washington the greater part of the time, but from time to time he returns to the place of business of the private organization with which he is connected in order to serve that organization, it will be considered that Washington is not his "home," and the expenses of traveling between New York and Washington, including the necessary cost of his meals and lodging while in Washington, will be treated as deductible business expenses.

Now let us see how these rules have been applied to Members of Congress. The Tax Court has held that the home of a Member of Congress for tax purposes is the District of Columbia, on the theory that this is the business location, post or station of Members of Congress. On this reasoning—which is judicial legislation if I have even seen it—the expenses of a Member of Congress while attending a session of Congress were held not to be deductible—see *George W. Lindsay* (34 B. T. A. 840 (1936)).

It it be accepted, however, that Washington is the home of a Member of Congress for tax purposes, consistent treatment would seem to require the tax authorities and the courts to recognize that traveling expenses incurred in trying to find out the views of his constituents on public affairs in his district would be recognized as properly deductible travel expenses.

Members of Congress are certainly not entitled to any better treatment under the income-tax laws than is accorded to other taxpayers. Neither should they be an object of discrimination under the tax laws. The chief counsel for the Bureau of Internal Revenue has ruled that a businessman who comes to Washington to work for the Federal Government in a nonelective capacity is allowed to deduct expenses of travel to and from Washington, including the cost of meals and lodging while in Washington, though his stays in Washington may be of extended duration and even in cases where the services rendered to the Federal Government are substantially continuous. The only qualification is that the individual must not have severed his connection back home with the private organization by which he has been employed.

Of course, most Members of Congress maintain either active businesses or investments in the districts from which they are elected. Apart from these income-producing activities, however, Members of Congress, if they are to do their jobs, must from time to time return to the district to find out what the people are thinking about the matters upon which they may be called upon to legislate. Although there is nothing to require Members of Congress to confer with their constitutents in their districts, it is hard to see how we could long represent our people without the benefit of such consultations. It would seem therefore that any Member of Congress, whether or not he carries on an independent business or profession, must be considered at least to be engaging in activities within the district in which he resides as significant, relatively, as the individuals who render substantially continuous service in Washington in a nonelective capacity, but who are allowed to deduct expenses in Washington if they do not sever their connections with the private organizations by which they have been employed.

My amendment would rectify this discrimination against a Congressman by providing that "home," for purposes of the deduction for travel expenses while away from home, shall be the home maintained in the district from which he is elected. The same rule would be applicable to the Resident Commissioner and Delegates and to Senators. There

would, of course, be no deduction for the expenses of members of the families of Congressmen, for these are in the nature of personal expenses and are not allowable to other taxpayers. In all fairness, however, Members of Congress should not be expected to absorb without deduction for tax purposes business expenses which would be deductible to other taxpayers similarly situated. The best way to provide an equitable, uniform rule for all Members of Congress is to specify that "home" for tax purposes is the home maintained in the district from which they are elected, and to thereby allow a deduction for expenses of meals and lodging while in Washington on official business on behalf of the people of the district from which they are elected.

This amendment is not a new idea with me. The Joint Committee on the Organization of Congress, the so-called La Follette-Monroney committee, recommended that the full $15,000 salary of Members of Congress should be taxable at regular rates, but that normal expense deductions, properly itemized, and allowable to business and professional men, be recognized. Where Members are required to maintain two homes, one in their district and the other in Washington, occupancy costs for one should be deductible as a legitimate expense item. In fact, when the Legislative Reorganization Act of 1946 was reported to the Senate, it carried in substance the amendment I am now proposing. The explanation as given on page 36 of Senate Report No. 1400 of the Seventy-ninth Congress, second session, is as follows:

It provides that for the purpose of section 23 (a) (1) (A) of the Internal Revenue Code (relating to the deductibility of trade and business expenses), in the case of Senators, Representatives, Delegates, and Resident Commissioners their home shall be considered to be their place of residence within the State, Territory, or possession from which they are such a Member, Delegate, or Resident Commissioner. This will in effect permit these officials to deduct business expenses, including board and lodging in Washington, and other expenses incident to their absence from home on congressional service.

Since this provision was a revenue proposal, it was stricken out of the bill in the Senate on the ground that under the Constitution it should originate in the House. After debating the matter in the House, we decided in favor of the provision for a $12,500 salary and a $2,500 tax-free expense allowance. As I recall, this latter proposal was included in an amendment offered by the distinguished gentleman from Ohio [Mr. BROWN]. Since Congress, in the Revenue Act of 1951, abolished the tax-free expense allowance, it now would be quite in conformity with the recommendations of the Joint Committee on the Organization of Congress to provide that normal-expense deductions, properly itemized, and allowable to business and professional men should be recognized in the case of the Members of Congress.

The Clerk read as follows:

Special and select committees: For salaries and expenses of special and select committees authorized by the House, $800,000.

Mr. MEADER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MEADER: Page 5, line 15, strike out "$800,000" and insert "$1,500,000."

Mr. MEADER. Mr. Chairman, I have just discussed this amendment in general debate and my remarks will be brief.

I ought to point out, however, that this is only an increase of $225,000 over the actual expenditures in 1952. Furthermore, even this amount may never be spent. It is up to the Committee on House Administration to appropriate from this fund for committee investigations. If the money is not requested and there are no investigations under way which require this sum, or if the House Administration Committee denies requests, it will remain unexpended.

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

Mr. MEADER. I yield to the gentleman from Washington.

Mr. HORAN. In reviewing the history of the supplementals that we have passed in recent years, I am inclined to go along and to agree with the gentleman.

Mr. MEADER. I thank the gentleman. I want to add one other thing. I want to mention the Hardy committee and the investigative work of the Hardy committee as illustrative of how investigations pay off in reducing expenditures in the executive branch of the Government. One investigation dealing with the mailing of monthly receipts for veterans' insurance premiums will save, it is estimated, a million dollars each year. This will be a recurring saving. While I cannot document the savings as I did for the Bonner committee, I believe it is safe to say the Hardy committee saves hundreds of millions of dollars annually.

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

Mr. MEADER. I yield to the gentleman from Pennsylvania.

Mr. SITTLER. I would like to say that I appreciate the amendment offered by the gentleman from Michigan. I think he has presented an excellent idea, in which I concur. It is a good idea to have a reserve fund for investigations of this kind.

Mr. MEADER. I thank the gentleman for his remarks and his support. Mr. Chairman, I hope the amendment will be adopted.

Mr. McGRATH. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 2 minutes.

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

There was no objection.

Mr. McGRATH. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan.

Mr. Chairman, the committee set the sum of $800,000 for this work. The proposed amendment would increase this to $1,500,000.

It must be remembered that a new Congress will be elected this fall. It will take some little time before the House is organized. At that time if the new Congress wishes to establish these committees, the Committee on Appropriations will, I am sure, allocate the funds. I see no reason at this time why the amount should be increased, and I therefore ask that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. MEADER].

The question was taken; and on a division (demanded by Mr. MEADER) there were—ayes 13, noes 30.

So the amendment was rejected.

The Clerk read as follows:

Stationery (revolving fund): For a stationery allowance of $800 for each Representative, Delegate, and the Resident Commissioner from Puerto Rico, for the first session of the Eighty-third Congress, $350,400, to remain available until expended.

Mr. BENNETT of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BENNETT of Florida: Page 5, line 25, strike out "$800" and insert "$500" and on page 6, line 2, strike out "$350,400" and insert "$219,000."

Mr. BENNETT of Florida. Mr. Chairman, this amendment continues the $500 stationery allowance which each Member was allowed before the supplemental appropriation last year. It represents a reduction of $132,900 under last year's appropriations. The amount used from my own stationery allowance in 1951 was $543.12. This leads me to believe that the stationery allowance should not be increased from $500.

I represent one of the 25 largest districts in the Nation from the standpoint of population and the House Post Office has advised me that I have one of the heaviest volumes of correspondence in the House.

In using that amount of my stationery allowance no particular effort was made to cut expenses, although we have tried to be careful. The amount spent in excess of each Member's $500 stationery allowance should be small if care is exercised and any excess of that amount could easily be absorbed from the $2,500 expense allowance.

Mr. Chairman, I presented this amendment to the committee on April 10, 1952, and asked for their opinion. Now I ask that the House approve this amendment, which will make a very material saving in the appropriations in this bill.

Mr. HORAN. Mr. Chairman, I rise in opposition to the amendment on the basis that we will have to be realistic about this. It was standard in the bill last year, the $800; it was not supplemental. I want to point out to the members of the Committee that the stationery room tells us that to replace their inventory today would require about an additional 40 percent; in other words, the cost of stationery has gone up about 40 percent. Many of our Members do have a lot of correspondence, and I think it is fitting and proper that they should have this amount. We are here most of the year and mail, therefore, carries on through the months. We can cut the bill, but all that we will have will be more red ink going to the Members' offices, or by perhaps putting

another burden on those who run the Hill up here and putting a lien against your salaries to make up for what you cannot pay down at the stationery room. So we on the subcommittee, after reviewing the evidence, feel that what is in the bill now is in itself inadequate. We are only kidding ourselves unless we face the facts of life regarding these allowances that are necessary if you are carrying out your rightful purpose in representing those folks back home.

Mr. VURSELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it would seem to me that the amendment offered by the gentleman from Florida might well be given serious consideration. It might well be approved by this House. I think in dealing with our affairs here in the House of Representatives that we ought to show particular care to try to save wherever we can. I do not know; there may be some Members who would find it a burden to have these stationery amounts reduced, which would have $132,000 according to the amendment offered by the gentleman from Florida. I represent a rather large district and have considerable correspondence. I could get along, I think, without it, and I think it would be well to adopt the amendment offered by the gentleman from Florida.

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

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

Mr. HINSHAW. Perhaps the gentleman does not mean by his recommendation that we should not answer the letters that come into our offices.

Mr. VURSELL. I do not mean that you should not answer your letters that come into your offices and take care of it in good shape.

Mr. HINSHAW. I do not know how you can save any money on stationery when the letters keep coming in by the thousands.

Mr. VURSELL. Possibly the gentleman from California has an extremely heavy mail coming in. I must say as far as I am concerned I feel I can get along if the appropriation is reduced, and in talking with some other Members I think some take the same position.

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

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

Mr. PHILLIPS. Undoubtedly the constituents of the gentleman from Illinois have such confidence in him as an able legislator that they do not write him, so I want to remind him that the gentleman does not have to spend the money appropriated in the bill, but it is certainly a great advantage to these people who do have large amounts of mail and who would like to answer the mail of their constituents.

Mr. VURSELL. Of course, that is true. I would not want to work a hardship on anyone.

Mr. BUSBEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the amendment offered by the gentleman from Florida [Mr. BENNETT], has a great deal of merit. It is true that some of the Members run over their stationery allowance. It might be attributed in some cases, at least, to a voluminous amount of so-called news letters. If that is the case the Members should be willing to at least bear a portion of that burden. I have a district with rather heavy mail coming from Chicago. Over the months my mail will run as heavy as that of any Member in this House. I believe the amendment offered by the gentleman from Florida should be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. BENNETT].

The amendment was rejected.

The Clerk read as follows:

Salaries or wages paid out of the items herein for the House of Representatives shall be computed at basic rates, plus increased and additional compensation, as authorized and provided by law.

Mr. TEAGUE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TEAGUE: On page 7, after line 16, insert the following:

"The Sergeant at Arms is authorized and directed to secure suitable office space in post offices or other Federal buildings in each district represented by a Member of the House of Representatives for the use of such Member and at a place in such district which such Member may designate: *Provided*, That in the event suitable office space is not available in such buildings and a Member leases or rents office space elsewhere, the Sergeant at Arms is authorized to approve for payment, from the contingent fund of the House of Representatives, vouchers covering bona fide statements of rentals due in an amount not exceeding $900 per annum for each such Member. For the purposes of this paragraph (1) the terms 'Member of the House of Representatives' and 'Member' include the Delegate from Alaska, the Delegate from Hawaii, and the Resident Commissioner from Puerto Rico, and (2) the term 'district' includes Alaska, Hawaii, Puerto Rico, and, in the case of a Representative at Large, a State."

Mr. McGRATH. Mr. Chairman, the committee on this side have no objection to the amendment.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

House Office Buildings: For maintenance, including equipment, waterproof wearing apparel, miscellaneous items, and for all necessary services, $961,300: *Provided*, That of the amounts made available under this head for the fiscal year 1952, $70,000 shall remain available until June 30, 1953.

Mr. BENNETT of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BENNETT of Florida: On page 13, line 9, strike out "$961,300" and insert "$899,300."

Mr. BENNETT of Florida. Mr. Chairman, the latter figure, $899,300 represents the amount actually spent in maintenance of the House Office Buildings in 1951. It seems to me we might be able to roll back the outlay for this purpose to the 1951 outlay. This might be done by eliminating new painting and unnecessary repairs, or by cleaning the offices only three times a week, to mention only a few of the possibilities for effecting savings.

This is not a saving which will hurt anybody particularly. It is one which we could do in the regular order of business. It would not effect any great sacrifice on anybody. It would help the fiscal strength of our country to the small extent represented by this amendment.

I do hope the members of the committee will agree with me that it is a sound thing to do this. It will not call for any great sacrifice. At the same time, it will be helpful in showing we are interested in a little economy in our legislative program.

Mr. McGRATH. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 2 minutes, that time to be reserved to the committee.

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

There was no objection.

Mr. McGRATH. Mr. Chairman, we must take into consideration the fact that this is an election year, and that there will be many changes in the House. Some 35 to 40 Members have already stated that they are not seeking reelection. This means that there will be Members moving from office to office, and the best estimate that we have is that this sum of $961,000 is just about sufficient to do the whole maintenance job during fiscal year 1953.

My very distinguished friend, the gentleman from Florida, made reference to having our offices cleaned three times a week. I do not think that is really worthy of debate on the floor of the House of Representatives. We recognize that this is today the capitol of the world. When people come to visit their representatives, they expect your office and mine to be clean. I think if we adopt this amendment we are going to be penny-wise, we are going to save about enough for the exterminating service. I know that the charming ladies of the House, and the gentlemen too, do not want to have their offices walking away from them. It is necessary to have our offices cleaned every day.

The offices of the Members are painted every 4 years. I do not think that is too much. I think this is going a little bit too far for economy. I trust the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. BENNETT].

The amendment was rejected.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to speak out of order.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Chairman, when the House adjourns, usually there are so few Members present on the floor that I wanted to take this opportunity to bring up this matter. I was told today that a package, a relief package, I think from CARE, or some

other philanthropic group—probably with some additional sum out of foreign aid—could be sent for 80 cents by parcel post, and I understand that a veteran's family or friends, when they send comparable packages to Korea, have to pay $2.40. I am verifying that, and I know the Members of the House would be interested in looking into it. Perhaps someone can give me that information now. I believe mail sent parcel post to our soldiers should go at a reduced rate.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Changes and improvements, Capitol Power Plant: Toward carrying out the changes and improvements authorized by the act of October 26, 1949 (Public Law 413, 81st Cong.), $3,000,000, to be expended by the Architect of the Capitol under the direction of the House Office Building Commission.

Mr. BENNETT of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BENNETT of Florida: On page 14, line 4, strike out "$3,000,000" and insert "$2,500,000."

Mr. BENNETT of Florida. Mr. Chairman, this is an amendment, which will not require any sacrifice on the part of anyone to effectuate. It is my understanding that the changes and improvements in the Capitol power plant can be postponed without serious consequences. I have looked into this matter and found that that can be done. This $500,000 reduction will postpone expenditures to that amount until later when our defense requirements are not as great as they are at the present time.

Mr. HORAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am opposed to the amendment on the grounds that we are trying to change the power plant, which is integrally a part of the Capitol itself and of the House and Senate office buildings. We are trying to change that over from a direct current plant, which was built around 1910 to an alternating current plant. It has become extremely expensive to operate. The House authorized this change, and we are now going through a period of appropriating money to speed up the time when we will have this new installation. I submit that when we have changed over completely, we will save hundreds of thousands of dollars a year in the operation, and the sooner it gets into operation the better off we all are going to be. Being penny wise at this time, in my opinion, is not the thing for this august body to do. I hope the committee will vote down the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. BENNETT].

The amendment was rejected.

The Clerk read as follows:

BOTANIC GARDEN

Salaries and expenses: For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden and the nurseries, buildings, grounds, collections, and equipment pertaining thereto, including personal services (including not to exceed $3,000 for temporary labor without regard to the Classification Act of 1949); waterproof wearing apparel; not to exceed $25 for emergency medical supplies; traveling expenses including streetcar fares, not to exceed $275; the prevention and eradication of insect and other pests and plant diseases by purchase of materials and procurement of personal services by contract without regard to the provisions of any other act; purchase and exchange of motortrucks; purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; purchase of botanical books, periodicals, and books of reference, not to exceed $100; repairs and improvements to Director's residence; and demolition and removal of small conservatory and adjoining structure from Reservation 6–B, bounded by Canal Street and Independence Avenue and Second Street; all under the direction of the Joint Committee on the Library; $218,500: *Provided*, That no part of this appropriation shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

Mr. HORAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HORAN:

On page 15, line 9, after the semicolon and after the word "and", insert the following new language: "for converting reservations 6–C and 6–E on Canal Street into a parking lot for the use of Members and employees of Congress."

On page 15, line 13, strike out the amount "$218,500" and insert in lieu thereof the amount "$69,500."

Mr. McGRATH. Mr. Chairman, I make a point of order against the amendment on the ground that it is legislation on an appropriation bill. I will reserve the point of order.

Mr. HORAN. Mr. Chairman, I merely offer this amendment to point out to the committee that for several months now we have been discussing the lack of adequate parking space for members of the press and for our secretaries and for others who work on the Hill, and also all of those who work in all of the buildings around here, such as the Congressional Library, and so on, as well as parking space for the Members of Congress. We have about 750 parking spaces available for more than 2,000 cars. Something has to be done. This amendment would convert a wide parkway, here on Canal Street, which runs from Independence Avenue in the general direction of South Capitol Street. It can be converted and we can put macadam on that wide parking space for $51,000, and can make it available for the people who work here within three blocks of the New House Office Building, and provide space for 102 automobiles. We really need this space.

Mr. McGRATH. Mr. Speaker, I insist on my point of order.

Mr. HORAN. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The gentleman from Washington concedes the point of order.

The point of order is sustained.

Mr. HORAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HORAN: On page 15, line 13, after the semicolon, strike out "$218,500" and insert "$220,012."

Mr. HORAN. Mr. Chairman, this is a slight increase merely to enable the Sergeant at Arms to get adequate new signs for the direction of traffic. I am told by Mr. Callahan that traffic control is one of his real headaches; if he has adequate new signs it will relieve the congestion very much.

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

Mr. HORAN. I yield.

Mr. McGRATH. I think the gentleman's amendment should be offered on page 3 under the item "Office of Sergeant at Arms" rather than on page 15 under "Potomac Yards."

Mr. HORAN. Mr. Speaker, I ask unanimous consent to return to page 3 and offer the amendment at the appropriate point.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HORAN: Page 3, line 2, strike out "$384,045" and insert in lieu thereof "$385,545."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The amendment was agreed to.

The Clerk read as follows:

GOVERNMENT PRINTING OFFICE

WORKING CAPITAL AND CONGRESSIONAL PRINTING AND BINDING

To provide the Public Printer with working capital for the following purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the Government Printing Office for the various branches of the Government: For salaries of Public Printer and Deputy Public Printer; for salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for, including employees necessary to handle waste paper and condemned material for sale; to enable the Public Printer to comply with the provisions of law granting holidays and half holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting leave to employees with pay, such pay to be at the rate for their regular positions at the time the leave is granted; rental of buildings and equipment; fuel, gas, heat, electric current, gas and electric fixtures; motor vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes; purchase (not to exceed two for replacement only), operation, repair, and maintenance of passenger motor vehicles for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer; freight, expressage, telegraph and telephone service, furniture, typewriters, and carpets; traveling expenses, including not to exceed $1,000 for attendance at meetings or conventions when authorized by the Joint Committee on Printing; stationery, postage, and advertising; directories, technical books, newspapers, magazines, and books of reference (not to exceed $2,000); adding and numbering machines, time stamps, and other machines of similar character; purchase of uniforms for guards; rubber boots, coats, and gloves; machinery (not to exceed $500,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty;

other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies, and Government printing plants in the District of Columbia or elsewhere (not to exceed $1,000); for salaries and expenses of preparing the semimonthly and session indexes of the CONGRESSIONAL RECORD under the direction of the Joint Committee on Printing (chief indexer at $8,800, one cataloger at $7,260, two catalogers at $6,191 each, and one cataloger at $5,517); and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work; in all, $19,000,000; to which sum shall be charged the printing and binding authorized to be done for Congress, including supplemental and deficiency estimates of appropriations; the printing, binding, and distribution of the Federal Register in accordance with the act approved July 26, 1935 (44 U. S. C. 301–310) (not to exceed $850,000); the printing and binding of the supplement to the Code of Federal Regulations as authorized by the act of July 26, 1935, as amended (44 U. S. C. 311) (not to exceed $400,000); the printing and binding for use of the Government Printing Office; the printing and binding (not to exceed $5,000) for official use of the Architect of the Capitol upon requisition of the Secretary of the Senate; in all to an amount not exceeding $9,000,000: *Provided*, That not less than $10,000,000 of such working capital shall be returned to the Treasury as an unexpended balance not later than 6 months after the close of the current fiscal year: *Provided further*, That notwithstanding the provisions of section 73 of the Act of January 12, 1895 (44 U. S. C. 241), no part of the foregoing sum of $9,000,000 shall be used for printing and binding part 2 of the annual report of the Secretary of Agriculture (known as the Yearbook of Agriculture).

Mr. BENNETT of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BENNETT of Florida: Page 24, line 20, insert "*Provided further*, That no part of this appropriation shall be used to furnish without charge more than two bound sets of the CONGRESSIONAL RECORD to any Representative, Delegate, or Resident Commissioner."

Mr. BENNETT of Florida. Mr. Speaker, this amendment would effect a possible saving of $16,644. The Government Printing Office tells me that the unit cost of these sets is $38. The figure above represents this unit cost multiplied by 438, the number of Members of Congress and the Delegates.

In my experience the third set is not needed. Those Members who need more than two sets would probably be able to arrange with their colleagues to obtain the additional set. Many Members do not even use two sets, as the record will show. Three sets I think are unnecessary. To cut out this additional set represents a saving of $16,644 and does not entail any substantial sacrifice on the part of anybody. I think it is an amendment we can all agree to.

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

Mr. BENNETT of Florida. I yield.

Mr. BUSBEY. I agree with the gentleman from Florida and believe the amendment should be adopted.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. BENNETT of Florida. I yield.

Mr. H. CARL ANDERSEN. I hope the amendment offered by the gentleman will prevail, because I doubt whether the average Member has use for more than two bound sets.

Mr. BENNETT of Florida. Many Members do not even use one set.

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

Mr. BENNETT of Florida. I yield.

Mr. BUSBEY. I think the chairman of our subcommittee the gentleman from New York [Mr. MCGRATH] will bear me out in the statement I am about to make. I went through the folding room. There is one room in the New House Office Building, one side of which is piled high with bound volumes of the CONGRESSIONAL RECORD which have been there for years and years. Eventually they are just sold for scrap paper. It is a terrible waste of the taxpayers' money.

Mr. BENNETT of Florida. Yes.

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

Mr. BENNETT of Florida. I yield to the gentleman from Illinois.

Mr. VURSELL. I concur in and support the gentleman's amendment. It would save about $16,000 and it would save the wasting of a lot of paper on top of that which has gotten to be quite an item in the economy of our country.

Mr. BENNETT of Florida. And storage space.

Mr. MCGRATH. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Florida [Mr. BENNETT].

The basic law provides how this matter shall be handled. This is another attempt to insert legislation on an appropriation bill. I have no feeling one way or the other on it. I think too often amendments are offered in the way of legislation on an appropriation bill. If you want to change this, change the basic law but do not attempt to do it in this manner.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. BENNETT].

The question was taken; and on a division (demanded by Mr. BENNETT of Florida) there were—ayes 20, noes 33.

So the amendment was rejected.

Mr. BENNETT of Florida. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. BENNETT of Florida: Page 24, line 20, insert "*Provided further*, That no part of this appropriation shall be used to print more than six pages of extension of remarks designated by a Member, Delegate, or Resident Commissioner, to be placed in the Appendix of the CONGRESSIONAL RECORD. This allowance may be transferred by one Member to another; unused portions of each Member's allowance shall be carried over to his allowance for the next succeeding year."

Mr. MCGRATH. Mr. Chairman, I make a point of order against the amendment that it is legislation on an appropriation bill, also that it places additional duties upon the Clerk of the House.

The CHAIRMAN. Does the gentleman from Florida desire to be heard on the point of order?

Mr. BENNETT of Florida. Mr. Chairman, I maintain it is a limitation on an appropriation bill; therefore appropriate.

The CHAIRMAN. The Chair is ready to rule.

The gentleman from Florida has offered an amendment as a limitation. The gentleman from New York has made a point of order against the amendment on the ground it is legislation on an appropriation bill and that it imposes additional responsibilities and duties not authorized by law.

Unquestionably the amendment does certain legislation; therefore, the point of order is sustained.

Mr. BENNETT of Florida. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. BENNETT of Florida: Page 24, line 20, insert "*Provided further*, That no part of this appropriation shall be used to furnish more than 50 copies of the daily issue of the CONGRESSIONAL RECORD for disposition without charge by the RECORD clerk at the request of any Representative, Delegate, or Resident Commissioner."

Mr. BENNETT of Florida. Mr. Chairman, this amendment would effect a possible saving of $72,270. The Government Printing Office tells me that the additional unit cost of daily copies of the CONGRESSIONAL RECORD is 6.15 cents each. By reducing the allowance by 18 daily copies and assuming 150 issues per session, the possible saving for the entire 438 House Members and Delegates comes to the above figure. The effect of this amendment would probably be to make Members more careful in keeping their lists down, and I believe no hardship would be created for any Member. Again, Members who find that their needs exceed the 50 copies allowed would be able to make arrangements with their colleagues to obtain additional copies.

I may say, Mr. Chairman, as I stated before, that I represent one of the 25 largest districts in the United States. I have one county alone which has over 300,000 people in it. There are 16 counties in the district which I represent. I am told by the Post Office Department that I have one of the heaviest mails among Members of the United States Congress. If you are careful in distributing the CONGRESSIONAL RECORD you will find you can get by with the 50 copies. This will mean a material saving to the people of our country. It will not cost a Member of Congress anything out of his pocket. It will not hurt anybody. It is a way in which we can save $72,000 without hurting our Government in any way whatsoever.

Mr. MCGRATH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the basic law provides for 68 copies of the CONGRESSIONAL RECORD that each Member is allowed to send to his constituents. In many districts the demand far exceeds that amount. I believe the American citizens have a right to know what is taking place in Congress, particularly the high school and college students who are very vitally interested in what takes place here. I say that if the point made by the gentleman from Florida is correct, the way to do it is to amend the basic law and

not by way of an appropriation bill. I submit the proper way to do it is to change the basic law and I trust the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. BENNETT].

The amendment was rejected.

The Clerk read as follows:

This act may be cited as the "Legislative Branch Appropriation Act, 1953."

Mr. H. CARL ANDERSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we accepted here an amendment known as the Teague amendment which I think should not go into this bill without thorough discussion by the proper committee of the House, and that I believe to be the House Administration Committee. It is my intention to ask for a separate vote upon that amendment when we get back into the House. But I do want the Members of the House to consider whether or not they wish to put into this particular bill a provision which really has not had very much, if any, discussion, here on the floor.

Mr. McGRATH. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to; accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. PRIEST, 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. 7313) making appropriations for the legislative branch for the fiscal year ending June 30, 1953, and for other purposes, had directed him to report the bill back to the House with sundry amendments with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 75]

Aandahl	Buffett	Dollinger
Albert	Burdick	Donohue
Allen, Calif.	Burnside	Dorn
Anfuso	Carlyle	Doyle
Auchincloss	Carrigg	Durham
Bailey	Celler	Eaton
Baring	Chatham	Ellsworth
Bates, Ky.	Chiperfield	Engle
Beckworth	Cole, Kans.	Evins
Belcher	Cox	Fallon
Boggs, Del.	Crosser	Fine
Bonner	Davis, Ga.	Forand
Boykin	Dawson	Fugate
Buckley	Dingell	Garmatz
Gore	Kilday	Riley
Granger	Klein	Robeson
Hall, Edwin Arthur	Lanham	Roosevelt
Hand	Lesinski	Sabath
Harrison, Va.	Lovre	Sasscer
Harrison, Wyo.	McIntire	Scott, Hugh D., Jr.
Hedrick	Mahon	Sheehan
Heffernan	Mason	Shelley
Heller	Miller, Calif.	Sheppard
Herter	Mitchell	Smith, Miss.
Hoeven	Morris	Stigler
Hoffman, Mich.	Morrison	Stockman
Holifield	Morton	Sutton
Hunter	Moulder	Tackett
Jackson, Calif.	Multer	Van Pelt
Jackson, Wash.	Mumma	Velde
James	Murdock	Watts
Jarman	Murphy	Welch
Johnson	O'Brien, N. Y.	Werdel
Jonas	O'Toole	Wharton
Jones, Mo.	Perkins	Wheeler
Kee	Philbin	Wickersham
Kelly, N. Y.	Potter	Williams, Miss.
Kennedy	Poulson	Wilson, Ind.
Keogh	Powell	Wood, Ga.
Kerr	Prouty	Woodruff
Kersten, Wis.	Ramsay	
	Redden	

The SPEAKER. On this roll call 306 Members have answered to their names, a quorum.

LEGISLATIVE BRANCH APPROPRIATION BILL, 1953

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. McGRATH. Mr. Speaker, I demand a separate vote on the so-called Teague amendment.

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

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment upon which a separate vote is demanded.

The Clerk read the Teague amendment.

The SPEAKER. The question is on the amendment.

The question was taken; and the Chair being in doubt, the House divided, and there were—ayes 133, noes 78.

Mr. BUSBEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So the amendment was agreed to.

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

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days to revise and extend their remarks on the legislative appropriation bill.

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

There was no objection.

UNITED STATES MARINE CORPS

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 590 and ask for its immediate consideration.

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 (S. 677) to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff. That after general debate which shall be confined to the bill and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, 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. SMITH of Virginia. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. BROWN].

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

Mr. Speaker, House resolution 590 makes in order the consideration of S. 677, a bill to fix the personnel strength of the United States Marine Corps, and to establish the relationship of the Commandant of the Marine Corps to the Joint Chiefs of Staff. I understand that this bill will come up for general debate tomorrow in the hope debate and action on the measure may be concluded by tomorrow evening.

Mr. Speaker, I have no further requests for time.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS GRANTED

Mr. DENNY asked and was given permission to address the House for 5 minutes today, following any special orders heretofore entered.

Mr. O'KONSKI asked and was given permission to address the House for 20 minutes on Wednesday next, at the conclusion of the legislative program and following any special orders heretofore entered.

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. JAVITS] is recognized for 20 minutes.

EIGHTY-SECOND CONGRESS—SECOND SESSION — FIRST REPORT, RECORD AND FORECAST

Mr. JAVITS. Mr. Speaker, our people are on the threshold of great decisions. For this purpose they require the greatest amount of information and enlightenment. I consider it the duty of every public servant to afford this to the people he represents particularly, and to the country as a whole.

PROSPECTS FOR PEACE

The present temper of our country may best be described as perplexed. We face enormous problems and are in a questioning mood as to whether we are pursuing the right ways to deal with them. Our efforts to bring about peace in Korea and to assure peace for the rest of the world are based upon the following six points:

First. Resistance to Communist aggression wherever manifested as in Korea.

Second. Regional organization of the free world for defense as in the North Atlantic Treaty Organization, the Rio Pact, the mutual security treaties with the Philippines, Japan, Australia, and New Zealand, and the proposed Middle East Command.

Third. Aid to other free peoples to arm themselves for defense against Communist aggression as in Indochina, Iran, and Formosa.

Fourth. Economic and technical aid to underdeveloped areas notably in south and southeast Asia, the Near East, Africa, and Latin America, to improve standards of living and strengthen free institutions.

Fifth. A campaign of truth through the Voice of America and other means of education and information.

Sixth. Strong support of the United Nations to make it an effective organization to preserve the peace, to provide international police forces, to establish workable control over atomic and other weapons of mass destruction, and progressive disarmament.

Two major problems have arisen in our carrying out this program: First, the extent to which we can follow our traditional policy of favoring self-determination for non-self-governing peoples even though when they attain independence they may not be able to meet the Communist challenge which faces every new nation nowadays. Second, to head off and counteract Communist internal subversion in areas which are underdeveloped and depressed and where a great deal of social and economic reform is needed.

THE FAR EAST

This area continues to be the focal point of Communist aggression. All efforts to bring about a truce in Korea have been frustrated by the Communist intransigeance and are apparently regarded by the Communists on a political level—a truce to be concluded only when it suits them. Neither the United States nor the United Nations can jeopardize the American or international forces there by inadequate or vulnerable truce arrangements nor jeopardize the action which has driven the North Koreans and Chinese Communists and their Soviet masters out of South Korea and deprived them of the fruits of the aggression they began in June 1950. I am for continuing efforts to conclude a truce while protecting our forces and checking the enemy from getting too strong.

Other United Nations forces in the Korean fighting than our own—British, French, Australian, Turkish, Greek, Colombian, Ethiopian, Italian, Puerto Rican, and others—have been somewhat augmented but are still limited. It is a fact, however, that these other countries are mounting defense efforts of their own—notably the NATO countries of Western Europe—that France is fighting a full-scale war against the Communists in Indochina and Great Britain is fighting a similar full-scale action against the Communists in Malaya. It is to be noted that the cost to France of the Indochina action, estimated at over $1,000,000,000 a year is alone more than the amount we provide for France under the mutual security program.

Our Far Eastern policy urgently needs a Pacific Pact, a mutual defense arrangement for the free peoples of the Pacific, and an economic development program, a Far East recovery program.

The Japanese Peace Treaty and the security treaty between the United States and the new Japan providing for the maintenance of defense forces there have taken effect. The mutual security program for this fiscal year seeks $408,000,000 for economic and technical aid and $611,230,000 for military aid in the Far East. United States obligations to aid the Nationalist Chinese to defend Formosa continue.

India remains a key factor in Asia as far as the United States is concerned. Should India go the way of China, it could very well mark the end of the free world in the Far East. It is for this reason that I have applied myself diligently to developing good relations between the United States and India.

EUROPE

The mutual security program for this coming fiscal year 1952–53 calls for $3,360,000,000 for military aid and $1,637,300,000 for defense support aid to Europe. Great progress has been made in building Europe's defenses through NATO under General Eisenhower. We have a right to look forward with confidence to the work of his successor, General Ridgway. United States equipment to the extent of over $3,000,000,000 has materially helped to build the NATO defenses. The NATO powers themselves spent over $8,000,000,000 for defense in the fiscal year 1950–51, will have spent over $11,000,000,000 in the fiscal year 1951–52, and will spend over $14,000,000,000 for defense in the fiscal year 1952–53. By the end of this year it is expected that Western Europe will have 25 equipped and ready divisions of its own for defense, and by the end of 1953 this is expected to be increased to 50 divisions. Defense support is aid with goods and materials instead of guns, ships, planes, and tanks designed to enable Europe to carry on its own part of the defense program. With the program going forward in this magnitude we ought to be over the hump in terms of Europe's vulnerability to aggression from the east by the end of 1953.

West Germany is a necessary part of European defense so long as she can be made part of it without compromising free Europe's security. Great strides have been made in this respect with confirmation of German participation in the Schuman Plan for the pooling of Europe's resources of coal and steel and in progress with the European defense community for the pooling of the defense forces of France, West Germany, Italy, Belgium, Holland, and Luxemburg, and the contractual arrangement with the German Federal Government.

West Germany is gradually being brought by these means into terms of equality with the other European countries on a basis of regional organization which I believe goes a long way to prevent Germany's becoming again an aggressor threat in Europe.

There are three points which still need careful attention: First, the recognition by the German people of their obligations of restitution and indemnification to the victims of the Nazis or their families; second, to guard against a recurrence of ultra-nationalist control in Germany by giving the allies the "reserve power" to step back into occupation authority if this happens; and, third, to prevent the Soviet offers of unification of East Germany with West Germany from blocking the cooperation of West Germany in free Europe's security.

NEAR EAST, NORTH AFRICA, AND ISRAEL

This is probably the tinder-box area of the world. Tension exists in Iran over oil nationalization, in Egypt over the Suez Canal and the Sudan and in Tunisia and Morocco over self-governing status. The failure of the Arab States to negotiate peace with Israel continues. Yet the proposal for a Middle East command, the United Nations plan for aid to the Palestine Arab refugees, aid for refugees in Israel and the technical assistance programs both of the United Nations and the United Nations offer a fundamental opportunity for stabilizing and vastly improving social and economic conditions in this area.

United States aid to Israel and Israel refugees in the current fiscal year is $64,500,000 with an equal amount to the Arab States and Palestine Arab refugees. Israel continues to be the hard core of effective defense against aggression from the east in that area outside of Turkey. Until the Middle East Command can be formed Israel should be invited to become a member of NATO like Greece and Turkey and for substantially the same reason. The Mutual Security Program for 1952–53 calls for $79,000,000 of assistance for refugees and technical aid to Israel and for $89,500,000 for assistance to Palestine Arab refugees and technical aid to the Arab States. It marks the backing by the United States of the $250,000,000 United Nations program just promulgated for the resettlement of the Palestine Arab refugees. Our objective in this area continues to be peace between Israel and the Arab States and mutual development for social and economic improvement.

Nationalist aspirations like those in Iran and Egypt would have our sympathy provided they were responsible and did not endanger the free world. The Cairo riots were very disquieting. It is gratifying that the Egyptian people took measures to prevent a recurrence. A solution of these situations can be attained through mediation and the United States should use its best offices accordingly.

In respect of self-determination in Morocco and Tunisia the United Nations

has a great role to play as it had in establishing the independence of Libya and in dealing with Somaliland and Eritrea in other areas of Africa. It is for this reason that I questioned the abstention of the United States from voting in the United Nations Security Council which blocked consideration of the Tunisian question.

PUERTO RICO

The problems of Puerto Rico have been crystallized through the adoption by the people of Puerto Rico of a constitution putting them in the status of a fully self-governing territory, which is up for approval before the Congress. Without anticipating the result of the review of this document it is yet gratifying that the opportunity has been afforded to and availed of by the people of Puerto Rico to provide for their self-government. It is a test of the way in which we will run our whole policy for the Americas.

UNITED NATIONS

The United Nations continues to be the world's best—perhaps last—hope for peace. I have supported the continuing efforts of the United States to bring about implementation of the resolution for the consideration of measures for disarmament passed by the last General Assembly. I have also urged our representatives to see if discussions for the control of atomic and other mass destruction means of warfare cannot be resumed.

The whole question of the veto in the Security Council should be reviewed in the United Nations, at least as it applies to the pacific settlement of disputes and a real effort should be made to set up international police forces, the need for which is so dramatically shown by the experience in resisting aggression in Korea. The United Nations should be encouraged to take a greater place in determining the destiny of non-self-governing peoples and those in colonial status. The United Nations has shown its flexibility through the regional organizations for defense which it has been possible to establish without violating its structure.

ARMED SERVICES

Our Armed Forces objectives continue to be about 3,700,000 men and women. A pay raise for military personnel has been voted which calls for a basic 4 percent increase in pay, plus a 14 percent increase in allowances for subsistence and quarters. It will be of especial benefit to those with dependents.

Implementation of the universal military training plan came up for consideration but was returned to the Armed Services Committee without action at this time. I supported this move because the legislation before us, due to a parliamentary situation which developed, had no terminal date and was otherwise of a kind not intended by a majority of the people. It is possible that the measure may be brought up again even this year and it will certainly be brought up again in 1953.

I supported legislation, which passed the House, to enlarge the opportunities for citizenship of noncitizens serving in the armed services on or after June 25, 1950, and not later than June 30, 1955, on a petition filed before December 31, 1952. The bill awaits Senate action. Such citizenship may now be applied for only after 3 years of service.

VETERANS

The law just passed authorizes a 5-percent increase in service-connected disability compensation for veterans of all wars who are less than 50 percent disabled and a 15-percent increase for those more than 50 percent disabled.

It increases from $60 to $63 and from $72 to $75 the monthly non-service-connected disability pensions available to 65-year-old veterans or disabled veterans of World Wars I and II and Korea. For veterans who require the constant aid and attendance of another person at all times, it provides for an increase from $120 to $126 in the monthly non-service-connected disability pension.

The pension eligibility income limitations for a veteran without dependents or a widow without children are raised from $1,200 to $1,400. For a veteran with dependents or a widow with children the limitation is raised from $2,500 to $2,700.

Legislation, of which I am also a sponsor, is at long last about to come up to extend to Korean veterans similar benefits under the GI bill of rights to those enjoyed by World War II veterans.

PRICES AND CONTROLS

The price-wage control law is coming up for extension soon, as it expires June 30, 1952. I shall support such extension while at the same time seeking to strengthen the law. The Consumers Price Index recently leveled off and even receded a bit reflecting slight reductions in living costs, but this must be compared with the meteoric rise in the price index since the Korean action started in June 1950, which has placed grave disabilities on moderate income families, particularly attributable to the very high increase in food prices. I will also join in seeking to take out of the law provisions giving guaranteed profit margins to distributors and manufacturers—the Herlong and Capehart amendments.

Wage stabilization has been gravely affected by the situation in steel which is discussed under the labor section of this report. I introduced legislation for a Joint Congressional Committee on Consumers as I consider the consumers' interests to be the most neglected in the Congress.

The bill permitting prices stipulated by the manufacturer or distributor to be charged for goods bearing a brand or trade-mark—fair trade—has passed. I supported it and endeavored to bring about an amendment which would have insured consumer protection while meeting the needs of small business. I have impressed upon retailer trade associations the obligation they have to protect the consumer.

RENT CONTROL AND HOUSING

The people of our district have now had experience with the New York State rent-control law and can appreciate my views expressed last year that it is likely to give greater protection than the people of New York could get under the present or any new Federal rent-control law. This is proving out as the Federal rent control law was greatly weakened in 1951 and is likely to be even more weakened again this year. I shall support Federal rent control and try to strengthen it, as it is badly needed in many areas not served by State rent-control law as we are in New York.

My congressional rent clinics continue to function throughout our district under a published schedule and the chairmanship of Hyman W. Sobell, Esq., serviced by volunteer lawyers who are serving thousands of tenants effectively without charge.

As happened last year the program for federally-assisted low-rent housing was again cut in the House of Representatives to only 5,000 units for the whole country. I fought against this cut and will continue to do so and believe that it may well be restored back to 45,000 units. But this is still not nearly enough for our problems in New York City. It compares with 50,000 units finally authorized last year of which New York's share was about 10,000. The resulting diminution in publicly-assisted low-rent housing can only be made up for by greater State and city housing activity and by a middle income housing program for the families earning $3,500 to $4,500 per year who are caught in the squeeze due to high construction costs today.

A housing development—of both public and cooperative housing—is proposed for the Morningside-Manhattanville area in our district and is pending before the city and Federal authorities. Naturally, we want to see our area improved but this can and must be accomplished without serious hardship to the affected families and indeed with a view to materially improving their housing conditions.

CIVIL RIGHTS

Existing international tensions have tended to encourage some who have always entertained these ideas to seek to bring about changes in our institutions emphasizing racial and religious differences. This is shown by difficulties in breaking down segregation in housing in such widely separated places as San Francisco and Chicago; in the new emphasis on segregation in education as in the District of Columbia.

A resolution was adopted by the House to investigate the purposes for which tax exempt educational and philanthropic organizations are using their funds. I opposed it as I felt it carried implications that the social policies and objectives of the foundations might be in effect censored.

The bombing which resulted in the death of Mr. and Mrs. Moore at Mims, Fla., and the desecration of synagogues and Catholic churches in Miami and Philadelphia occurring early in the year caused me to introduce at the opening of this session of Congress an omnibus civil-rights bill dealing with segregation and discrimination in opportunities for employment, housing, and education, and in interstate travel, segregation in the armed services, and antilynching and antipoll tax. Presenting as it did all the civil rights issues under one cover it has had a marked effect here.

I have also joined with a bipartisan group of my colleagues in reintroducing a bill making it unlawful to defame any racial or religious group of our citizens by material sent through the mails or shipped across State lines. The United States Supreme Court has recently sustained an Illinois group libel statute and I believe this is a valuable means to protect our society against bigotry.

IMMIGRATION

The codification of the immigration laws recently passed by the House may become law this year. Though codification is desirable, I found it necessary to oppose this bill because it contained a new emphasis on racial distinctions while purporting to deal with some of the old. The eligibility of all people from the Far East for citizenship was established by the bill, but on a very limited quota basis for immigration of 100 per year for each country. In return, however, the immigration laws were materially revised putting Negroes from the West Indies on the same very limited quota of 100 per year per British colony instead of coming in as they have for years under the practically open British quota. The bill also created a special quota of 100 per year for any immigrant, no matter where born, if he had half or more Asiatic blood. In addition, changes were made by the bill in the quota system and in the laws regarding admission, deportation, and naturalization of immigrants, greatly restricting these oportunities over even what they are now and jeopardizing the status of every immigrant and making him subject to deportation even after he had been here for many years. I am continuing my fight in the expectation that the bill may be changed for the better before it becomes law.

BUDGET AND TAXES

There are no material changes in the personal income tax laws and the details regarding these laws detailed in my previous report remain in effect. Vital matters still need correction and these include equalizing the tax burden for those on retirement pensions with those receiving social security by granting the former a $2,000 exemption, giving the physically handicapped the same additional $600 exemption now extended to the blind, providing for the traveling expenses of working people to and from work and other reforms. It is unlikely that income taxes will be either decreased or increased this year.

A very great problem remains—the budget. The President's proposed expenditures of $85,500,000,000 against estimated receipts at $71,000,000,000 were figured to result in a likely deficit of $14,500,000,000. Present estimates indicate a deficit of about $5,000,000,000 and perhaps less. Our people still wish to be on a pay-as-you-go basis for defense mobilization; hence further efforts are called for consistent with the national security to come as close as possible to bringing about budget balance.

The major element in the budget, appropriations for the armed services, has already been passed by the House at approximately $43,000,000,000. This represents a cut of $4,713,945,216 from the budget request of $50,921,022,770. Also, expenditure for the armed services was limited by the House to $46,000,000,000. I supported the cuts made and in fact voted for a cut of an additional $2,500,000,000 which did not carry, but I opposed the expenditure ceiling because I felt it would result in making unavailable to us great amounts of defense material which we urgently need and payment for which would come out of past rather than present appropriations.

The House has taken action on all appropriation bills except those for foreign aid, military construction and some miscellaneous items, and has cut about $6,000,000,000, 10 percent, from the total of $66,721,108,411—the budget requests in these bills. Budget requests of over $12,000,000,000 remain to be acted on. I anticipate that final cuts will be about the same percentage.

The aggregate of goods and service produced in the United States, our gross national product, is now running at an all-time high of $339,000,000,000. The aggregate national debt of $258,336,700,000—$1,649.25 per capita—is of proper concern to every American, but comparison with our past indebtedness is not valid. This is so in view of the enormous increase in our gross national product, over three times what it was in 1939, when it was $91,339,000,000 and our national debt was $40,439,532,411—$308.98 per capita. While we make every effort in the highest spirit of patriotism to pay as we go in the defense mobilization, we should at the same time realize that our country is solid and carrying the defense mobilization effort very well indeed.

True rather than false economy continues to dictate substantial cuts in rivers and harbors and pork barrel projects generally—other than those needed to relieve the tragic Midwest river floods—cuts in agricultural conservation payments and appropriations for agricultural price supports. I am not supporting cuts to deprive us of needed medical research, public health or veterans' services or to jeopardize fair treatment for post office or other Federal employees.

SOCIAL SECURITY AND UNEMPLOYMENT INSURANCE

Social security payments raised in the last Congress, but inadequately, need to be raised again. The social security system should be extended to the self-employed, farm workers, and those in the armed services. The allowable monthly income limitations for social security recipients should be raised from the present $50 per month to $100 per month—I have joined in sponsoring such legislation—to make the situation reasonably conform to present standards of living. Legislation increasing social security payments by a $5 per month base increase with up to $18.75 per month increase in the higher brackets and making other needed reforms, including added protection for those serving in the Armed Forces, and increase of the income ceiling to $70 per month is likely to become law this year.

Measures are pending to have the Federal Government supplement the resources of States threatening to exhaust their unemployment insurance reserves; also, to add an additional 50 percent to State unemployment insurance benefits where unemployment is attributable to defense mobilization. There are also measures pending to enlarge the whole unemployment insurance system by including employees of practically all establishments and increasing the coverage. Unemployment insurance is one of the great reforms of our time. I am very sympathetic to making the system as beneficial as possible.

Problems of older workers are attracting increasing attention, resulting in the inclusion in an appropriation bill passed by the House of a provision wiping out age limitations for the hiring of employees by the Federal Government under civil service. My bill to prohibit age discrimination in employment opportunities is gaining increasing support.

POST OFFICE AND CIVIL SERVICE

The Post Office Department deficit for the current fiscal year is estimated to be $768,008,261 and for the ensuing fiscal year it is expected to be $669,332,000. However, despite increased rates users of the mails are still faced with one-a-day home deliveries and other onerous restrictions in service. I have intensified my efforts to get adequate postal services restored. There has been an improvement of mail pick-up service in the area north of West 125th Street which I believe was helped by this effort. Our postal employees are doing an outstanding job and are now obliged to work harder than ever. What the Post Office Department urgently requires is modernization, adequate pay and conditions, and merit promotion for its employees—a measure which I am sponsoring, H. R. 3398—reorganization of the Department in accordance with recommendations of the Hoover Commission and realistic rates for third-class mail—newspapers and periodicals.

I have opposed curtailment of annual and sick leave granted Federal employees as this is a false economy which is in effect a reduction in wages. I have also opposed the Whitten amendment making promotions and appointments temporary. Government workers should have the opportunity for permanent promotion to higher grades now as before where their service and ability entities them to it.

The increasing cost of living imposes its heaviest burdens on those who live on fixed incomes and I am supporting increases in payments to those receiving annuities and pensions from the Federal Government.

MANAGEMENT AND LABOR

The seizure of the steel plants as the result of the inability of labor and management to get together on wages and working conditions has profoundly disturbed our country, the courts will probably have passed on the question when this report is received.

I have repeatedly pointed out that Taft-Hartley injunctions are not necessarily a solution as a strike can still come at the end of the 80-day injunction period and such injunctions are also offensive to labor. Neither is an investigation of the Wage Stabilization Board a solution. I have sponsored for this reason the National Emergency Sei-

zure Act of 1952—H. R. 7449—setting the conditions of seizure in a national emergency, providing that no one should profit from it and that operations only to the extent essential to the national security and health should be continued. I feel the responsibility in this matter is that of the Congress and that Congress should take the authority and use it.

A great many working people have felt that the Wage Stabilization Board is not acting quickly enough in passing on wage-increase cases requiring its decision. I have made and will continue to make every effort to see that the Board gives prompt and realistic action in view of drastically increased living costs.

MISCELLANEOUS ISSUES

More alarming revelations of corruption in the Federal Government have come out since my last report particularly in the Internal Revenue Bureau, the Commodity Credit Corporation, and the Department of Justice. Our higher officials cannot avoid the responsibility for shocking conditions under their administration even if not personally involved and must take the responsibility also for letting out the Honorable Newbold Morris. I am sponsoring a bill for an Office of Government Investigation to deal with this situation of honesty in Government on a year-round basis.

The great interest in nominations for the Presidency, in both parties, has emphasized the value of presidential primaries now available in only 17 of our 48 States. I have given support to the extension of this effort in addition to my continuing efforts to bring about televising and broadcasting of important congressional proceedings and to materially increase voting participation in our country. I have introduced new legislation to improve the opportunities for voting by the men and women in our Armed Forces.

Our national resources have suffered during the war years. We must take all conservation measures to restore them and all measures to greatly increase the availability of raw materials from abroad. I am continuing my opposition to the tidelands bill granting the offshore oil reserves to the States rather than to the Nation. Our country must give very careful consideration to the St. Lawrence seaway and power development project as it is in the interest of all Americans to be sure that we do not overlook the potential inherent in the development of any great part of our country.

New York City has suffered in certain of its major industries, like construction, men's clothing and other soft goods manufacturing due to defense mobilization. I have joined with others of my colleagues in vigorous efforts to get the Federal Government to take special measures to help with these problems.

In our local community problems we have been able to effect some reforms in traffic conditions and to make some progress with crime conditions. But there is still a long way to go. The community has been aroused; cooperation between citizens, public officials, and police authorities has been better and these will bring about increasing improvement.

CONCLUSION

The exigencies which face us are so great that we cannot afford to pause. It is a tribute to the strength of our people and our institutions that few Americans doubt that we shall come to the great decisions on the Presidency without any lessening of our efforts to defend and preserve free institutions and human liberty.

(Mr. JAVITS asked and was given permission to revise and extend his remarks and include extraneous matter.)

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. DENNY] is recognized for 5 minutes.

CHRISTMAS IN THE POST OFFICE

Mr. DENNY. Mr. Speaker, there has long been a policy in the Post Office Department to employ temporary employees at Christmas time on account of the large volume of mail. On the face of it and to all intents and purposes it is an economy move. However, it has been a matter of robbing Peter to pay Paul.

There is legislative authority to hire so-called "temps" in times of emergency in addition to the regulars and the "subs" to carry on the extra work. As a matter of fact the postmasters are discouraged from paying overtime to regulars except when absolutely necessary.

The act of February 23, 1919, provided that whenever practicable, in case of emergency or otherwise, if a substitute is available the postmaster shall not employ a regular clerk overtime. The act of July 6, 1945, chapter 274, section 2, provides for not more than 8 hours' service in one day, but section 4 permits the use of regulars for overtime in emergencies if the needs of the service require, on a basis of 150 percent of pay.

Therefore, Christmas becomes a field day for the Washington and local politicians and a red-letter calendar date for handing out small plums to the friends of small ward heelers and overlord bigwigs. The pretense is that the regulars and substitutes are exhausted after their regular 8-hour day and so local favorites—a very large percentage of whom have already worked for 8 hours at other jobs—are brought in to finish the job. And how they do it.

Entirely green and inexperienced men are charged with the sorting and delivery of sacks and sacks of mail in all the large cities with a result that can be expected. Letters, postcards, and Christmas greetings are spread all over the cities to the wrong districts and the wrong addresses. Bags of mail, many containing important communications, are found lying on street corners and it is quite customary for deliveries to be made within a large town five or more days after the piece is mailed. Confusion and disorganization are rampant. It is impossible even for conscientious temporary carriers to do a really efficient job from lack of training and expert supervision. Sadly enough, all of them are not conscientious. They just have a political job.

This inefficient program is not the fault of the local postmasters, practically all of whom are dead against the whole system. In the city of Pittsburgh we have a most efficient postmaster who has come up through the ranks, is an expert organizer and has no tinge of politics. It is reported to me on excellent authority that last Christmas he offered to surrender 30,000 auxiliary hours for 12,000 overtime hours and was summarily turned down by Washington. Instead of granting his reasonable request, they reduced his auxiliary allowance by 30,000 hours. This required a lot of thoughtful planning by the policy makers of the Department. The net result was more confusion than usual, more careless disregard of the convenience of the taxpayers and, as always, the local postmaster is blamed and openly criticized for the whole performance.

Imagine for one moment a large corporation engaged in an important job that requires speed, skill, and extra time, hiring inexperienced and untrained men who have no interest in the service or the quality of the work. It is just inconceivable that anyone should regard such a process as economy. It is evident that a job poorly done that has to be done over is a far more costly operation than one efficiently accomplished with a larger initial cost, such as overtime.

The employees of our post offices have long considered themselves the most willing and efficient servants of our people. They have had a long record of service to the public. The carriers and clerks are proud of their past record, and their morale has been of the highest. There are signs, however, of a lowering of morale, and it is rapidly becoming more difficult to hire the quality of men that the post office has had in the past and that they boast of.

There are many things the employees do not relish. In addition to politics and confusion, they do not like the once-a-day delivery. They have no opportunity for performing the kind of service that they know their people like. The carriers develop a complete loyalty for their people; they have a strong desire to please their customers even if it means more work and longer hours for themselves. They are well aware that if an important air-mail letter arrives too late to make the morning delivery and lies in the post office until the next day, someone is not going to like it. They, being the contact men, hear all the complaints, and they are the ones who know that they are doing their work well and conscientiously. That is another cause of lower morale.

All but the men who work and labor for the reputation and former glory of their Department have apparently forgotten the Post Office Department's motto, that famous quotation from Herodotus:

> Neither snow, nor rain, nor heat, nor gloom of night stays these couriers from the swift completion of their appointed rounds. (Herodotus, History Book 8, p. 98.)

PERSONAL ANNOUNCEMENT

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

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, during roll call No. 72 today, I was called out of the Chamber on official business and did not get back in time to vote. I wish to state for the RECORD, if I had been present I would have voted "aye."

PATENT RIGHTS FOR MEMBERS OF THE ARMED FORCES

Mr. BRYSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1537) to amend the act entitled "An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II."

The Clerk read the title of the bill.

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

Mr. McCORMACK. Mr. Speaker, reserving the right to object, and simply for the RECORD, may I state that our colleague has consulted with me and the Speaker. May I inquire of him as to whether he has taken the matter up with the leadership on the minority side?

Mr. BRYSON. It has been taken up with them.

Mr. McCORMACK. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. BRYSON]?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the act entitled "An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II," approved June 30, 1950 (Public Law 598, 81st Cong.) is amended by adding at the end thereof the following new section:

"SEC. 5. (a) No person shall be held not to be the sole owner of a patent within the meaning of this act, by reason of any interest of his spouse in such patent.

"(b) Notwithstanding the provisions of the first section fixing the time for filing application for an extension under this act, such application, in the case of any patent held by the applicant and his spouse as property under the laws of any State, Territory, or possession, may be filed at any time within 1 year following the date of enactment of this section."

Mr. BRYSON. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BRYSON: Strike out all after the enacting clause and insert "That the act entitled 'An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II,' approved June 30, 1950 (Public Law 598, 81st Cong.), is amended by adding at the end thereof the following new section:

"SEC. 5. (a) No person shall be held not to be the sole owner of a patent within the meaning of this act, by reason of any interest of his spouse in such patent.

"(b) Notwithstanding the provisions of the first section fixing the time for filing application for an extension under this act, such application, in the case of any patent held by the applicant and his spouse may be filed at any time within 6 months following the date of enactment of this section."

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

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

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

The bill was passed.

A motion to reconsider was laid on the table.

THE "GET OUT THE VOTE" CAMPAIGN, BOY SCOUTS OF AMERICA

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. HAYS of Arkansas. Mr. Speaker, I am sure that many Members are already familiar with the "get out the vote" campaign which is being conducted by the Boy Scouts of America. This entirely nonpartisan effort is being undertaken in cooperation with the Freedoms Foundation, and should result in arousing our citizens to the importance of exercising their sacred American heritage and going to the polls to vote next November.

At present the Scouts are distributing car cards and posters throughout the various States, emphasizing the importance of registering in accordance with State laws so as to be eligible to vote in November.

On November 1 the Scouts will distribute 30,000,000 door-knob hangers to the homes of America, reminding adult voters to go to the polls on November 4, and vote for the candidates of their choice.

This national good turn by the Boy Scouts is a part of their program, Forward on Liberty's Team, which has certain specified objectives for boys, the Scout movement and the Nation.

The present membership of the Boy Scouts of America is close to 3,000,000 and it is their belief that through this campaign they can exert a strong influence among parents, relatives, and neighbors in producing a record vote.

This nonpartisan and patriotic effort deserves support.

SPECIAL ORDER GRANTED

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

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. LANE in three instances and to include extraneous matter.

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

Mr. MANSFIELD and to include a resolution calling on the Committee on Armed Services to investigate the Koje situation.

Mr. O'NEILL.

Mr. RIVERS and to include an article entitled "Naval and Marine Corps Dental Activities."

Mr. ASPINALL and to include extraneous matter.

Mr. DEANE and to include a statement.

Mr. SHAFER (at the request of Mr. SMITH of Wisconsin) and to include an address by General MacArthur.

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

Mrs. BOLTON in two instances, to include in one testimony given by Mr. McDonald on the machine-tool situation and in the other a speech delivered by Mrs. Harden on Mother's Day.

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

Mr. SEELY-BROWN and to include extraneous matter.

Mr. COLE of New York and to include extraneous matter.

Mr. McCULLOCH and to include an essay by Marvin Smith.

Mr. BOW and to include extraneous matter.

Mr. MACK of Washington and to include extraneous matter.

Mr. BEAMER and to include an editorial.

Mr. KELLEY of Pennsylvania and to include an article from the Pittsburgh (Pa.) Press.

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

Mr. McDONOUGH and to include extraneous matter.

Mr. POULSON and to include extraneous matter.

Mr. McCONNELL (at the request of Mr. GRAHAM).

Mr. DAGUE and to include a radio transcript.

Mr. EBERHARTER and to include extraneous matter.

Mr. MADDEN and to include extraneous matter.

Mr. KERSTEN of Wisconsin in five instances, in each to include extraneous matter.

Mr. TOLLEFSON in two instances, in each to include extraneous matter.

Mr. KENNEDY (at the request of Mr. HOWELL) and to include extraneous matter.

Mr. ROSS.

Mr. JENKINS.

Mr. JUDD in three separate instances.

Mr. ANGELL and to include extraneous matter.

Mr. GROSS and to include extraneous matter.

Mr. WEICHEL (at the request of Mr. BROWN of Ohio) in two instances.

Mr. VORYS (at the request of Mr. BROWN of Ohio).

Mr. BROWNSON (at the request of Mr. BROWN of Ohio) and to include extraneous matter.

Mr. BENTSEN.

Mr. PATMAN and to include certain statements and excerpts.

Mr. ELSTON and to include an editorial from the Cincinnati Enquirer.

Mr. MILLER of New York in three instances.

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

Mr. FLOOD in two instances.

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

Mr. REES of Kansas in two instances and in one to include an address.

Mr. BENDER in eight instances and to include extraneous matter.

Mr. MANSFIELD and include a newspaper editorial.

Mr. MANSFIELD to include in the remarks he expects to make in general debate tomorrow certain extraneous material.

Mr. HORAN and to include a letter.

Mrs. ROGERS of Massachusetts to extend in the Appendix a copy of a bill she introduced today, together with an explanation thereof and a letter from General Gray.

Mr. CURTIS of Nebraska.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2307. An act for the relief of Holger Kubischke;

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

S. 2521. An act to revive and reenact section 6 of the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," approved December 22, 1944; and

S. 2672. An act for the relief of Elisabeth Mueller (also known as Elizabeth Philbrick).

BILLS AND JOINT RESOLUTION 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 and a joint resolution of the House of the following titles:

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;

H. R. 4262. An act relating to the height of the building known as 2400 Sixteenth Street NW., Washington, D. C.;

H. R. 4551. An act to provide for the acquisition of a site for the new Federal building in Newnan, Ga., adjoining the existing Federal building there as an economy measure before land value has increased as a result of land improvement;

H. R. 4902. An act to permit the importation free of duty of racing shells to be used in connection with preparations for the 1952 Olympic games;

H. R. 5282. An act to amend section 2800 (a) (5) of the Internal Revenue Code;

H. R. 5998. An act to amend the excise tax on photographic apparatus;

H. R. 6863. An act to make provision for suitable accommodations for the Bureau of Customs and certain other Government services at El Paso, Tex., and for other purposes;

H. R. 7189. An act to amend the provisions of the Internal Revenue Code which relate to machine guns and short-barreled firearms, so as to impose a tax on the making of sawed-off shotguns and to extend such provisions to Alaska and Hawaii, and for other purposes;

H. R. 7230. An act to amend the Internal Revenue Code so as to make nontaxable certain stock transfers made by insurance companies to secure the performance of obligations; and

H. J. Res. 422. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the Washington State-Far East International Trade Fair, Seattle, Wash., to be admitted without payment of tariff, and for other purposes.

LEAVES OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HARRISON of Virginia, for today, on account of official business.

Mr. MULTER (at the request of Mr. MCCORMACK), for 1 week, on account of the death of his mother.

Mr. BRAMBLETT, for approximately 3 weeks, on account of official business.

Mr. D'EWART, for May 19 through May 29, 1952, on account of official business.

Mr. MUMMA (at the request of Mr. SITTLER), for 2 days, Thursday and Friday, on account of official business.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes p. m.) the House, under its previous order, adjourned until tomorrow, Friday, May 16, 1952, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1433. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1952 in the amount of $15,000,000 for the Department of Agriculture (H. Doc. No. 468); to the Committee on Appropriations, and ordered to be printed.

1434. A letter from the Assistant Secretary of Defense, transmitting a draft of legislation entitled "A bill to authorize the loan of two submarines to the Government of the Netherlands"; to the Committee on Armed Services.

1435. A letter from the Under Secretary of the Navy, transmitting a letter from Gerre Stewart Voden, CTC, United States Naval Reserve, requesting that the planned rental rate increase for Navy-owned housing, where forfeiture of the basic allowance for quarters was not involved, be prohibited, and that a more equitable distribution of rental rates thus furnishing relief to personnel in the first four, or lower, pay grades; to the Committee on Armed Services.

1436. A letter from the Secretary of Commerce, transmitting a letter relative to requesting authority to make grants for the development and improvement of certain class 4 and larger airport projects that should be undertaken during the fiscal year 1953, pursuant to section 8 of the Federal Airport Act, Public Law 377, Seventy-ninth Congress, as amended by Public Law 445, Eighty-first Congress; to the Committee on Interstate and Foreign Commerce.

1437. A letter from the Under Secretary of the Interior, transmitting a draft of a bill entitled "A bill to amend section 6 of the act of July 31, 1950, relating to appropriations for construction by the Secretary of the Interior of the Eklutna project, Alaska"; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. CANNON: Committee on Appropriations. H. R. 7860. A bill making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes; without amendment (Rept. No. 1929). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Tennessee: Committee on Public Works. H. R. 7817. A bill to provide for emergency flood-control work made necessary by recent floods, and for other purposes; without amendment (Rept. No. 1930). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANKIN: Committee on Veterans' Affairs. H. R. 7783. A bill to increase certain rates of veterans' compensation provided for specific service-incurred disabilities, and for other purposes; without amendment (Rept. No. 1931). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 640. Resolution for consideration of H. R. 7005, a bill to amend the Mutual Security Act of 1951, and for other purposes; without amendment (Rept. No. 1932). Referred to the House Calendar.

Mr. DINGELL: Committee on Ways and Means. H. R. 7593. A bill to amend paragraph 1774, section 201, title II, of the Tariff Act of 1930; without amendment (Rept. No. 1933). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Ways and Means. H. R. 7594. A bill to amend the Tariff Act of 1930 with respect to the importation of the feathers of wild birds, and for other purposes; with amendment (Rept. No. 1934). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. CANNON:

H. R. 7860. A bill making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1952, and for other purposes; to the Committee on Appropriations.

By Mr. BRAMBLETT:
H. R. 7861. A bill to amend the Internal Revenue Code so as to prohibit the deduction from gross income of bad debts owed by political parties and political organizations; to the Committee on Ways and Means.

By Mr. BUDGE:
H. R. 7862. A bill to amend the Fair Labor Standards Act of 1938 to include in the definition of "agriculture" the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained and operated for farming purposes, and for other purposes; to the Committee on Education and Labor.

By Mr. CELLER:
H. R. 7863. 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. McGRATH:
H. R. 7864. A bill to amend section 4527, Revised Statutes; to the Committee on Merchant Marine and Fisheries.

By Mr. MAGEE:
H. R. 7865. A bill providing for construction of a highway, and appurtenances thereto, traversing the Mississippi Valley; to the Committee on Public Works.

By Mr. MILLER of New York:
H. R. 7866. 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. MOULDER:
H. R. 7867. A bill for the relief of the city of Glasgow, Mo.; to the Committee on the Judiciary.

By Mr. POAGE:
H. R. 7868. A bill to authorize the Secretary of Agriculture to cooperate with States and local agencies in the planning and carrying out of works of improvement for soil conservation, and for other purposes; to the Committee on Agriculture.

By Mr. PRIEST:
H. R. 7869. 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. REED of Illinois:
H. R. 7870. A bill to authorize the Supreme Court of the United States to make and publish rules for procedure on review of decisions of the Tax Court of the United States; to the Committee on the Judiciary.

By Mr. REES of Kansas:
H. R. 7871. A bill to authorize the Postmaster General to grant permission for the use in first- and second-class post offices of special canceling stamps or postmarking dies in order to encourage voting in general elections; to the Committee on Post Office and Civil Service.

By Mr. SHELLEY:
H. R. 7872. 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. STEED:
H. R. 7873. A bill to establish a temporary commission to investigate the costs and effects of watershed programs for flood control in agricultural watersheds; to the Committee on Public Works.

By Mr. TOLLEFSON:
H. R. 7874. A bill to amend the Social Security Act, as amended, to permit individuals entitled to old-age or survivors insurance benefits to earn $100 per month without deductions being made from their benefits; to the Committee on Ways and Means.

By Mr. D'EWART (by request):
H. R. 7875. A bill to declare that the United States holds certain lands in trust for the Fort Belknap Indian community of Montana; to the Committee on Interior and Insular Affairs.

By Mr. DOUGHTON:
H. R. 7876. A bill relating to the taxation of life insurance companies; to the Committee on Ways and Means.

By Mr. LANTAFF:
H. R. 7877. A bill to amend section 1699 of title 18 of the United States Code, relating to the unloading of mail from vessels; to the Committee on Post Office and Civil Service.

By Mr. MANSFIELD:
H.R. 7878. A bill to amend the act of October 30, 1951, in order to retain the present minimum per-piece rate for bulk mailings of third-class matter addressed for local delivery; to the Committee on Post Office and Civil Service.

By Mr. MITCHELL:
H. J. Res. 450. Joint resolution to designate the lake to be formed by the McNary Lock and Dam in the Columbia River, Wash. and Oreg., as Lake Wallula; to the Committee on Public Works.

By Mr. GWINN:
H. J. Res. 451. Joint resolution proposing an amendment to the Constitution of the United States relative to the taxation and borrowing powers of the Congress; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:
H. J. Res. 452. Joint resolution making temporary appropriations for certain veterans' benefits for the fiscal year 1952, and for other purposes; to the Committee on Appropriations.

By Mr. MANSFIELD:
H. Res. 641. Resolution to authorize the Committee on Armed Services to investigate and study the capture of Brig. Gen. Francis T. Dodd by Communist prisoners at Koje Island, and the concessions made to such prisoners in return for his release; to the Committee on Rules.

By Mr. POULSON:
H. Res. 642. Resolution requesting the Secretary of the Interior for certain information regarding the lands of the Agua Caliente Band of Indians; to the Committee on Interior and Insular Affairs.

MEMORIALS

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

By Mr. GOODWIN: Memorial of the Massachusetts Legislature urging Congress to enact H. R. 6437, making possible aid to Massachusetts in cases of severe unemployment; to the Committee on Ways and Means.

By Mr. HESELTON: Resolutions of the General Court of the Commonwealth of Massachusetts, urging the Congress of the United States to enact H. R. 6437, making possible aid to Massachusetts in cases of severe unemployment; to the Committee on Ways and Means.

By Mr. MARTIN of Massachusetts: Memorial of the General Court of Massachusetts, urging enactment of H. R. 6437, making possible aid to Massachusetts in cases of severe unemployment; to the Committee on Ways and Means.

By Mrs. ROGERS of Massachusetts: Memorial of the General Court of Massachusetts urging the Congress to enact H. R. 6437, making possible aid to States in cases of severe unemployment; to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States, relative to requesting enactment of H. R. 6437, making possible aid to Massachusetts in cases of severe unemployment; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BERRY:
H. R. 7879. A bill to reimburse the South Dakota State Hospital for the Insane for the care of Indian patients; to the Committee on the Judiciary.

By Mrs. BOLTON:
H. R. 7880. A bill for the relief of Barbara Jeanne Kane; to the Committee on the Judiciary.

By Mr. DONOVAN:
H. R. 7881. A bill for the relief of Theresa Mire Piantoni; to the Committee on the Judiciary.

H. R. 7882. A bill for the relief of Dr. and Mrs. A. Isaac Burnstein; to the Committee on the Judiciary.

By Mr. KERSTEN of Wisconsin:
H. R. 7883. A bill for the relief of Stefan Virgilius Issarescu; to the Committee on the Judiciary.

By Mr. KILDAY:
H. R. 7884. A bill for the relief of Mrs. Lydia Fahlbusch Wilson; to the Committee on the Judiciary.

By Mr. McGRATH:
H. R. 7885. A bill for the relief of Louis C. Guastella; to the Committee on the Judiciary.

By Mr. MITCHELL:
H. R. 7886. A bill for the relief of Antonio Vasilios Zarkadis; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:
H. R. 7887. A bill for the relief of Pietro Di Filippo; 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:

731. By Mr. SMITH of Wisconsin: Resolution, by the Dairyland Cooperative Association urging the Wisconsin delegation in Congress to do all in their power to keep section 104, known as the Andresen amendment in the War Production Act; the appropriation of money to build a laboratory within the confines of the United States for study and research to combat the hoof-and-mouth disease; and supporting the St. Lawrence seaway project and further condemning the action of the Senate Armed Services Committee for approving a bill which would make oleomargarine a permissible part of the Navy ration as very detrimental to the dairy industry of the United States; to the Committee on Banking and Currency.

732. By Mr. SMITH of Wisconsin: Resolution of the American Legion, department of Wisconsin, endorsing the provisions of legislation now known as the Internal Security Act, which was introduced in Congress as the Mundt-Nixon-Ferguson-McCarran bills and resolve to continue and support the work of the McCarran committee until the need therefor no longer exists; to the Committee on the Judiciary.

733. By Mr. SMITH of Wisconsin: Resolution of the Northeast Wisconsin Industrial Association condemning the President's unjustifiable seizure of the steel industry in violation of constitutional rights and his failure to act under laws provided by Congress; condemning also the presumptuous and unauthorized attempt by the Wage Stabilization Board to impose the union shop on industry and further urging the Wisconsin delegation in Congress to take aggressive action for the purpose of enacting appropriate legislation designed to prevent further such action by the President or by any board; to the Committee on the Judiciary.