copy of an interstate civil defense compact, as entered into and ratified by the State of Colorado, pursuant to subsection 201 (g) of the Federal Civil Defense Act of 1950 (Public Law 920, 81st Cong.); to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Minnesota, memorializing the President and the Congress of the United States relating to legislation integrating the study of soil conservation into grade- and high-school education which is now before the Congress; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BENTLEY:

H. R. 4560. A bill for the relief of Janusz Plucinski; to the Committee on the Judiciary.

By Mr. BURDICK:

H. R. 4561. A bill for the relief of Paul E. Haller; to the Committee on the Judiciary.

By Mr. DORN of New York (by request):

H. R. 4562. A bill for the relief of Ellin M. Mulholland; to the Committee on the Judiciary.

By Mr. FINE:

H. R. 4563. A bill for the relief of Zabel Vartanian; to the Committee on the Judiciary.

By Mr. FORAND:

H. R. 4564. A bill for the relief of Julie Nicola Frangou; to the Committee on the Judiciary.

By Mr. HERLONG:

H. R. 4565. A bill for the relief of Cornelis Zyderveld; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 4566. A bill for the relief of Mario Iannuzzi; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 4567. A bill for the relief of Ignaz and Feiga Gruwnzweig; to the Committee on the Judiciary.

H. R. 4568. A bill for the relief of Ng Hing; to the Committee on the Judiciary.

H. R. 4569. A bill for the relief of Mieczyslaw Labocha; to the Committee on the Judiciary.

By Mr. MARTIN of Iowa:

H. R. 4570. A bill for the relief of Marie Louise C. Parker; to the Committee on the Judiciary.

By Mr. LESINSKI:

H. R. 4571. A bill for the relief of Ahmed Mokbil; to the Committee on the Judiciary.

By Mr. O'HARA of Minnesota:

H. R. 4572. A bill for the relief of George Kitaguchi; to the Committee on the Judiciary.

By Mr. PHILLIPS:

H. R. 4573. A bill for the relief of Neil De Wilde; to the Committee on the Judiciary.

H. R. 4574. A bill for the relief of Ulf Krabbe; to the Committee on the Judiciary.

H. R. 4575. A bill for the relief of Erich Wolf, also known as Ladislov Wolfenstein; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 4576. A bill for the relief of Karin Elisabeth Lang and Jurgen Michael Peter Lang; to the Committee on the Judiciary.

By Mr. SAYLOR:

H. R. 4577. A bill for the relief of Edith Maria Gore; to the Committee on the Judiciary.

By Mr. SAYLOR (by request):

H. R. 4578. A bill for the relief of Eric Haak; to the Committee on the Judiciary.

By Mr. SCOTT (by request):

H. R. 4579. A bill for the relief of Panagiotis Kousounis and Athena Kousounis; to the Committee on the Judiciary.

By Mr. SIKES:

H. R. 4580. A bill for the relief of the Florida State Hospital; to the Committee on the Judiciary.

By Mr. TABER:

H. R. 4581. A bill to legalize the entry of Solomon Joseph Sadakne, a native of Syria; to the Committee on the Judiciary.

By Mr. WILSON of California:

H. R. 4582. A bill for the relief of Eileen Beatrice Wilson; to the Committee on the Judiciary.

By Mr. GRAHAM:

H. J. Res. 238. Joint resolution granting the status of permanent residence to certain aliens; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

165. The SPEAKER presented a petition of Suema Matsuyama and 99 others, Kumamoto Junior College, Kumamoto, Japan, requesting release of the Japanese people who are serving prison terms as war criminals, which was referred to the Committee on Foreign Affairs.

SENATE

WEDNESDAY, APRIL 15, 1953

(Legislative day of Monday, April 6, 1953)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

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

O merciful God, whose law is truth and whose statutes stand forever: We beseech Thee to grant unto us, who in the morning seek Thy face, fervently to desire, wisely to trace and obediently to fulfill all that is pleasing unto Thee. Grant unto Thy servants who here serve in the ministry of public affairs, by the will of the people, that laying aside any mere partisan divisions they may be given tallness of stature to see above the walls of prideful opinion the good of the largest number.

In these days so freighted with destiny grant that those who here speak to the Nation may be so true to their high calling as servants of the common good, that radiant joy may transfigure the drudgery of duty and that on this new day appointed tasks may be met with purity of purpose, without moral compromise or craven fear. Amen.

THE JOURNAL

Mr. TAFT. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of yesterday, April 14, be dispensed with.

The VICE PRESIDENT. Without objection——

Mr. MORSE. Mr. President——

The VICE PRESIDENT. Is there objection?

Mr. MORSE. Yes. Reserving the right to object——

Mr. TAFT. Mr. President, I withdraw my request.

The VICE PRESIDENT. The request is withdrawn.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 710. An act for the relief of Dr. Louis J. Sebille;

H. R. 788. An act for the relief of Beryl Williams;

H. R. 813. An act for the relief of Jane Loraine Hindman;

H. R. 814. An act for the relief of Lt. Thomas C. Rooney and Mrs. Thomas C. Rooney, his wife;

H. R. 888. An act for the relief of Francesca Servello;

H. R. 889. An act for the relief of Scarlett Scoggin;

H. R. 937. An act for the relief of the estate of Frank DeNuzzi and Cecelia Melnik Burns;

H. R. 1103. An act for the relief of Maria Buffoni and Emma Botta;

H. R. 1127. An act to validate a conveyance of certain lands by the Central Pacific Railway Co. and its lessee, Southern Pacific Co., to the Union Ice Co. and Edward Barbera;

H. R. 1128. An act authorizing the Secretary of the Interior to issue to Jake Alexander a patent in fee to certain lands in the State of Alabama;

H. R. 1180. An act for the relief of Virgil N. Wing;

H. R. 1187. An act for the relief of Mother Anna DiGiorgi;

H. R. 1200. An act for the relief of Ronald J. Palmer and Ronda Kay Palmer;

H. R. 1456. An act for the relief of Susan Kay Burkhalter, a minor;

H. R. 1482. An act for the relief of Hildegard Schoenauer;

H. R. 1495. An act for the relief of Louis M. Jacobs;

H. R. 1517. An act for the relief of Cpl. Predrag Mitrovich;

H. R. 1695. An act for the relief of Irene Proios (nee Vagianos);

H. R. 1752. An act for the relief of William Robert DeGrafft;

H. R. 1769. An act for the relief of Oscar F. Brown;

H. R. 1780. An act for the relief of Edward F. Shea;

H. R. 1880. An act to authorize the sale of certain public lands in Alaska to the Catholic bishop of northern Alaska for use as a mission school;

H. R. 1887. An act for the relief of Marjorie Goon (Goon Mei Chee);

H. R. 1888. An act for the relief of Gary Matthew Stevens (Kazuo Omiya);

H. R. 1952. An act for the relief of Cecile Lorraine Vincent and Michael Calvin Vincent;

H. R. 2018. An act for the relief of Daryl L. Roberts, Ade E. Jaskar, Terrence L. Robbins, Harry Johnson, and Frank Swanda;

H. R. 2154. An act authorizing the issuance of a patent in fee to Leona Hungry;

H. R. 2176. An act for the relief of Norma Jean Whitten;

H. R. 2201. An act for the relief of Constantinous Tzortzis;

H. R. 2214. An act for the relief of Jaroslav, Bozena, Yvonka, and Jarka Ondricek;

H. R. 2364. An act to terminate restrictions against alienation on land owned by William Lynn Engles and Maureen Edna Engles;

H. R. 2368. An act for the relief of Richard E. Rughaase;

H. R. 2881. An act for the relief of Mrs. Rosaline Spagnola;

H. R. 3012. An act for the relief of the Sacred Heart Hospital;

H. R. 3042. An act for the relief of Anna Bosco Lomonaco;

H. R. 3244. An act for the relief of Patricia Ann Dutchess;

H. R. 3275. An act for the relief of the Bracey-Welsh Co., Inc.;

H. R. 3276. An act for the relief of Mrs. Margaret D. Surhan;

H. R. 3358. An act for the relief of Erna Meyer Grafton;

H. R. 3678. An act for the relief of George Prokofieff de Seversky, and Isabelle Prokofieff de Seversky;

H. R. 3724. An act for the relief of Anthony Lynn Neis;

H. R. 3757. An act for the relief of Dorothy Kilmer Nickerson;

H. R. 3758. An act for the relief of Stavrula Perutsea; and

H. R. 3832. An act for the relief of Mrs. Orinda Josephine Quigley.

ENROLLED BILLS SIGNED

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

S. 147. An act for the relief of Sizuko Kato and her minor child, Meechiko;

S. 516. An act for the relief of Ronald Lee Oenning;

S. 682. An act for the relief of George Rodney Giltner (formerly Joji Wakamiya); and

S. 954. An act for the relief of Robert Harold Wall.

OFFICIAL AND JOURNALISTIC INDIFFERENCE TO ETHICAL DETERIORATION IN HIGH PLACES

The VICE PRESIDENT. Under the unanimous-consent agreement of last Monday, the Senator from West Virginia [Mr. NEELY] is recognized.

Mr. NEELY. Mr. President——

Mr. CLEMENTS. Mr. President, will the Senator from West Virginia yield?

Mr. NEELY. I yield.

Mr. CLEMENTS. I make the point of no quorum.

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Kentucky for the purpose of suggesting the absence of a quorum?

Mr. NEELY. Certainly, if I may do so without losing the floor. Therefore, Mr. President, I ask unanimous consent to yield without prejudice.

The VICE PRESIDENT. Is there objection to the unanimous-consent request? The Chair hears none; the Senator from West Virginia may retain the floor, and the Secretary will call the roll.

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

Aiken	Ferguson	Johnston, S. C.
Anderson	Flanders	Kefauver
Barrett	Frear	Kennedy
Beall	Fulbright	Kerr
Bennett	George	Kilgore
Bricker	Gillette	Knowland
Bridges	Goldwater	Kuchel
Bush	Gore	Langer
Butler, Nebr.	Green	Lehman
Byrd	Griswold	Long
Capehart	Hayden	Malone
Carlson	Hendrickson	Mansfield
Case	Hennings	Martin
Clements	Hickenlooper	Maybank
Cooper	Hill	McCarran
Cordon	Hoey	McCarthy
Daniel	Holland	McClellan
Dirksen	Hunt	Millikin
Douglas	Ives	Monroney
Duff	Jackson	Morse
Dworshak	Jenner	Mundt
Eastland	Johnson, Colo.	Neely
Ellender	Johnson, Tex.	Pastore
Payne	Smith, Maine	Tobey
Potter	Smith, N. J.	Watkins
Purtell	Smith, N. C.	Welker
Robertson	Sparkman	Wiley
Russell	Stennis	Williams
Saltonstall	Symington	Young
Schoeppel	Taft	
Smathers	Thye	

Mr. SALTONSTALL. I announce that the Senator from Maryland [Mr. BUTLER] is necessarily absent.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ] is necessarily absent.

The Senator from Wyoming [Mr. HUNT] is absent by leave of the Senate because of a death in his family.

The Senator from Washington [Mr. MAGNUSON] is absent by leave of the Senate because of official committee business.

The Senator from Montana [Mr. MURRAY] is absent by leave of the Senate.

The PRESIDING OFFICER (Mr. BUSH in the chair). A quorum is present. The Senator from West Virginia has the floor.

Mr. NEELY. Mr. President, 2 years ago a Senate subcommittee, of which it was my privilege to be a member, made a report of extensive hearings it had held on a resolution proposing the establishment of a Commission on Ethics in the Federal Government. That report was unanimously signed by Chairman DOUGLAS, Senators HUMPHREY, AIKEN, MORSE, and me. It contained many things, including the following medieval English stanza relative to the nobility's outrageous misuse of public lands—

> The law locks up both man and woman
> Who steals the goose from off the common,
> But lets the greater felon loose
> Who steals the common from the goose.

With these lines for my text, let me supply a recent illustration of a new variation of stealing the common from the goose and also of what appears to be a rapidly growing journalistic and official indifference to ethical deterioration in high places.

It is a notable fact, which the press has treated with profound silence, that during the 7 weeks that have passed since the so-called Wes Roberts scandal became known throughout the Nation not a single prominent Democratic official in Washington has attempted to make capital of this Republican visitation. The circumstances of the case were such as to render the temptation to Democratic exploitation alluring, but those on this side of the aisle resisted it and declined to emulate the conduct of their Republican predecessors by raising a hue and cry about a Kansas gang, or demanding a congressional investigation of the artificer of the latest 10-percent racket.

From the beginning of this session of the Congress to the present hour the Democrats subject to few, if any, exceptions have meticulously refrained from contributing fuel to the flames of Republican discord, disappointment and distress that have persistently plagued the Eisenhower administration, which the world now knows is being operated by neophytes without experience in civilian governmental affairs and who do not know where they are going or what they ought to do if they should eventually happen to reach their unknown destination.

I would not discuss the Republican National Chairman Roberts scandal were it not for the fact that the press has already begun to distort the matter and write its history in a manner designed to relieve not only the President but also the Republican Party of any responsbility in relation to this deplorable affair.

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

Mr. NEELY. I yield, if I may do so without losing the floor.

Mr. TOBEY. The Senator is a gentleman and a scholar. I refer to the old Latin proverb, "De mortuis nil nisi bonum." [Laughter.]

Mr. NEELY. For fear that some on the Republican side of the aisle may not understand the learned and distinguished Senator's Latin quotation, I venture to ask him to translate it.

Mr. TOBEY. I am glad to translate it: "Concerning the dead, nothing but good."

Mr. NEELY. Mr. President, anyone who thinks I have contended that the Republican Party is dead—particularly in the Senate—has completely misunderstood me.

Mr. MORSE. Mr. President, will the Senator from West Virginia yield to me?

Mr. NEELY. Yes; I gladly yield, if I may do so without losing the floor.

Mr. MORSE. Am I correct in understanding that all the Senator from West Virginia is trying to do is cover up the smell?

Mr. NEELY. For once the able Senator from Oregon is mistaken. The Senator from West Virginia is endeavoring to reveal—not conceal.

In view of the vast amount of deceptive political writing during the past 4 years—especially during the last campaign—both patriotic duty and political decency demand that an effort be promptly made to end the widespread journalistic practice of distorting political history and perverting political truth so as to make Democratic white as black as ink and Republican black as white as snow.

Every mature and thoughtful reader of the New York Herald Tribune must have been amazed at its comment on the resignation of Republican National Chairman Roberts on the 29th of March. It was as follows:

> He (Roberts) immediately submitted his resignation and President Eisenhower, who had meticulously avoided prejudging the case or attempting to influence its outcome by public statements, applauded the wisdom of the decision. It was an unhappy situation to confront the Republicans so soon after their victory, but it has been met with vigor, speed, and effectiveness by the party leadership.

Before these myths about the role of the President and his party leaders in this matter are completely crystallized into face-saving devices for the present and testimonials of political virtue for use in future campaigns, let us correct the record by substituting fact for fiction and by restoring truth to its throne from which it has been exiled by the minions of misrepresentation.

First, it is clear that Mr. Roberts' appointment as chairman of the Republican National Committee had President Eisenhower's wholehearted support. On the 17th of January the reliable New York Times reported the Roberts nomination as follows:

Wesley Roberts, of Kansas, was nominated without opposition yesterday to be chairman of the Republican National Committee and the choice received the immediate and hearty approval of his fellow Kansan, Gen. Dwight D. Eisenhower, the President-elect.

Second, with unfeigned regret, candor compels me to say that the famous, fair, and usually thoroughly dependable Herald Tribune's assertion that the President "meticulously avoided prejudging" the Roberts case is in complete conflict with the truth. The fact is that the White House waited less than 24 hours to express its entire satisfaction with Chairman Roberts' personal explanation of his conduct in his sale to the State of Kansas of a building which was reverting and which would inevitably have completely reverted to the State without cost. In the belief that the Herald Tribune's error was unintentional and that it must have been due to a hiatus in its files, let me read an account of the statement made by the White House as it appeared in Colonel McCormick's Washington Times-Herald on the 14th of February, as follows:

The White House said yesterday it is satisfied with Republican National Chairman Roberts' statement explaining compensation he received in connection with the sale of a building to the State of Kansas.

In response to reporters' questions, Presidential Press Secretary Hagerty said Roberts covered the matter in a statement Thursday night and that the White House had no further comment. Asked if the White House was satisfied with Roberts' statement, Hagerty replied, "Yes, sir."

If anyone knows that the White House called for a full inquiry, or any inquiry into the Roberts case, let him speak, for him have I offended. If anyone knows that the White House said the President withheld judgment until all the facts in the case had been ascertained, let him speak. If anyone knows that the White House made or had anyone else to make an investigation of the misconduct which culminated in Chairman Roberts' resignation, let him speak, for him have I offended.

No, Mr. President, so far as the public knows, all that was said by the White House about this matter after the press reported Roberts' explanation was to the effect that it was satisfied. The Times-Herald concluded its report with the following:

Hagerty's comments indicated the White House regards the case as a closed incident.

A number of other press reports were similar to that carried by the Times-Herald. Happily for the country, the people of Kansas did not consider the Roberts case "a closed incident," as attested by the fact that former Republican presidential candidate, Alf Landon, said:

President Eisenhower's satisfaction with the ridiculous explanation of * * * Roberts * * * does not satisfy the people of Kansas by a long shot.

The Kansas Legislature investigated the building sale, and found that Mr. Roberts, in failing to register under the Kansas Lobby-Registration Act, violated the spirit, if not the letter of the law, and that "the protection which it was designed to afford the people of the State was deliberately and intentionally frustrated by Wes Roberts." This is, of course, the same Roberts who recently retired as chairman of the Republican National Committee.

The foregoing findings have been written in the official records of Kansas, and as usual,

The moving finger * * * having writ,
Moves on; nor all your piety nor wit
Shall lure it back to cancel half a line,
Nor all your tears wash out a word of it.

Third, it is unquestionably clear that at no time, either before or after the committee of the Kansas Legislature issued its findings, did the President or any other prominent Republican leader in Washington demand, recommend, or suggest an investigation of the case or a reproof, suspension, or removal of Mr. Roberts as chairman of the Republican National Committee. In the circumstances, to say that President Eisenhower or the party leadership met the situation "with vigor, speed, and effectiveness," as the Herald Tribune asserted, is simply to distort the facts and mangle the truth. Both Mr. Roberts and the President in their public statements made it crystal clear that the gentleman's resignation was in no way requested, prompted, or encouraged by the President. Said Mr. Roberts:

My decision is my own personal one, and I have been influenced by no one in reaching it.

The President said:

Resignation was decided upon by Mr. Roberts on his own initiative.

The President further said that he had read Mr. Roberts' "forthright public statement" regarding his resignation; and that Mr. Roberts "was selected for that post"—the chairmanship—"in January by the Republican National Committee with my concurrence because of our confidence in his abilities, integrity, and character." But the President did not say that he had read the findings of the legislative committee of the State of Kansas, or that his confidence in Mr. Roberts' "integrity and character" had been shaken in the slightest degree by the findings of the Kansas committee. The President merely accepted Mr. Roberts' resignation with the observation that it was "a wise one."

Ordinarily natural reluctance to the discharging or rebuking of a subordinate whom one has chosen or approved is understandable and praiseworthy. But President Eisenhower is in a special category and in circumstances quite unusual. He not only led a political party to victory, but also a moral crusade to rid the Nation of every taint of political wrongdoing.

This great crusader said in a speech in Knoxville, on the fifteenth of October:

Ladies and gentlemen, the purposes of those who are associated with me in this crusade—and my purposes—are simple and are simply stated. * * * We want to substitute good government for bad government.

At Des Moines, on the eighteenth of September, the great crusader said:

When it comes to casting out the crooks and their cronies, I can promise you that we won't wait for congressional proddings and investigations. The prodding this time will start from the top.

This presumably meant that it would start from President Eisenhower. Yet in his statement a few days ago he emphasized the fact that there had been no prodding from the top to bring about the resignation of Mr. Roberts.

At Worcester, the crusader said on the 20th of October:

I believe that corruption in government is not something to be shrugged off. I further believe that when corruption is discovered the faster and more firmly it is rooted out, the less likely it is to appear again.

Not only did the President fail to root out firmly or otherwise the wrongdoing in the case of Mr. Roberts, but he has so far failed to utter a single word of censure of Mr. Roberts' deliberate and intentional frustration of the laws of Kansas.

On the second day of September, the crusader said at Miami:

If charges of corruption were ever made against anyone serving by your appointment, would you allow those charges to be stifled or buried? Would you wait 18 months until someone forces the corruption into the open? You wouldn't wait 18 minutes. Neither would I.

That was a very lofty, patriotic statement, which was generally endorsed. All would have applauded if the President had lived up to it in the Roberts case. But it now appears that it was made solely for campaign purposes without the slightest intention of conforming to it after the White House had been recaptured by the Republican Party.

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

Mr. NEELY. I will, if I may do so without losing the floor.

Mr. KNOWLAND. Mr. President, I ask that the Senator from West Virginia be allowed to yield without losing his right to the floor.

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

Mr. KNOWLAND. I would first like to ask the distinguished Senator from West Virginia whether he is familiar with the fact—as I assume he is—that this administration has been in power less than 90 days?

Mr. NEELY. I am aware of that fact. But it has seemed to be a much longer time.

Mr. KNOWLAND. Mr. President, I should like to ask the distinguished Senator, since I assume that he wants to be fair and accurate in his statement——

Mr. NEELY. That assumption is thoroughly justified.

Mr. KNOWLAND. I should like to ask whether or not he is familiar with the fact that this alleged representation—or activity—of Mr. Roberts did not take place while he was national chairman, did not take place while he was Republican State chairman, or holding

any position of responsibility in the Republican Party, or in the Government, either nationally or in Kansas. Is the Senator familiar with that fact?

Mr. NEELY. He is.

Mr. KNOWLAND. I should like to ask the distinguished Senator whether he is familiar with the fact that Mr. Roberts is no longer national chairman of the Republican Party.

Mr. NEELY. The world knows that.

Mr. KNOWLAND. I would now like to ask the distinguished Senator whether he is familiar with the fact that, on September 2, 1939, information was brought to the Government of the United States, then under the Roosevelt administration, and to its State Department, that Alger Hiss was a part of a conspiracy——

Mr. NEELY. Mr. President, I refuse to yield to the Senator for the purpose of dragging a communistic red herring across the Roberts trail.

Mr. KNOWLAND. Mr. President——

Mr. NEELY. Mr. President, I refuse to yield.

Mr. KNOWLAND. Mr. President, the Senator yielded to me. And it took 9 years——

Mr. NEELY. No, Mr. President, I do not yield.

Mr. KNOWLAND. It took 6 years to get him out of the Department.

Mr. MORSE. Mr. President, I ask for the regular order.

The PRESIDING OFFICER. The Senate will be in order. The regular order is that the Senator from West Virginia has the floor.

Mr. KNOWLAND. Mr. President——

Mr. NEELY. Mr. President, I will not yield.

Mr. KNOWLAND. I do not wonder that the Senator does not yield.

Mr. NEELY. Mr. President, I ask that the Senator from California take his seat, and that he be required to remain in order while I continue my address.

The PRESIDING OFFICER. The Senator from West Virginia will proceed.

Mr. NEELY. Mr. President, according to the Washington Daily News, our modern crusading Peter the Hermit, General Eisenhower, as he boarded the train at Denver on the third of last July bound for the Republican National Convention in Chicago, said: "I'll tell you this. I'm going to roar clear across the country for a clean, decent operation. The American people deserve it." This threatened roaring was to be against certain Republicans who were opposing the crusader's nomination, as indicated by a statement made by the distinguished senior Senator from Ohio, "Mr. Republican," himself, which appeared in The New York Times as follows:

> I only hope that he roars out against Truman, Acheson, and Brannan * * * as well as against Republicans.

The Roberts case afforded the President an unusual opportunity to "roar out" against corruption and impropriety and in favor of the purity of politics for which he crusaded during the campaign. But if he has, at any time or place, "roared out" against the disgraced and displaced chairman of the Republican National Committee, he has done it after the manner suggested by the bumpkin Bottom in Twelfth Night—he has roared about Roberts "as gently as a sucking dove."

So far as the crusader's action relative to the unlawful and unethical conduct of Chairman Roberts is concerned, it is in harmony with that of those ancient ones who stood idly by while recreant governmental officials turned loose the felon who stole the common from the goose. And please note that there is little difference between stealing the common, on the one hand, and, on the other, collecting an $11,000 commission for selling public property to the State that owns it or is in the process of acquiring it without cost.

Mr. President of the United States, you can, with unlimited pride and unsurpassable justification, declare that from a military point of view you have, like the great apostle, fought a good fight. But in the Roberts case you cannot declare that you have kept the faith by living up to your profuse campaign promises which millions of the American people accepted as gospel truth.

As one of the minority, it is my hope that during the remainder of your administration you will redeem your preelection pledges with a zeal comparable to the diligence and effectuality with which you made them, and if you justify this hope, your every effort to render an official service to a majority of the American people will, in my opinion, receive unstinted and enthusiastic democratic support.

Mr. KNOWLAND. Mr. President, in view of the fact that the Senator from West Virginia was unwilling to yield a few moments ago, I thought that for the benefit of the RECORD, because the testimony came out a few days ago before the Committee on Foreign Relations, I should say that on September 2, 1939, information was first brought to Mr. Berle, then as Assistant Secretary of State, in the State Department, that Mr. Alger Hiss belonged to a group dealing in the transmission of official documents of the Government of the United States into the hands of the Soviet Union and the Communist Party.

Six years later, in February 1945, still representing the Government of the United States, Mr. Hiss sat as a member of the American delegation at Yalta. Six months later he was serving, by selection of the Truman administration, as the General Secretary of the United Nations, in the city of San Francisco.

This is a very remarkable story, Mr. President, because not 60 days or 90 days had elapsed from the time the information had been given to the Government of the United States, but 6½ years had passed. But, despite the fact that the files of the Federal Bureau of Investigation had the information, and the State Department had it, the Government of the United States did not take steps to remove Mr. Alger Hiss. He was allowed to retire voluntarily from the Government of the United States.

Mr. President, I would not have raised this question save for the fact that the spokesman for at least a group of Senators on the other side of the aisle, the Senator from West Virginia, in the general technique of Charley Michaelson, was attacking the President of the United States because of an incident which did not involve the Federal Government. It did not involve Mr. Roberts at a time he held any position in the Government of the United States, and it did not involve a period of time when he was a holder of either an official position in the Republican Party in the State of Kansas or in the Republican Party as a national party.

Mr. MORSE. Mr. President, will the Senator from California yield for a question?

Mr. KNOWLAND. I do not excuse what Mr. Roberts has done. The Legislature of the State of Kansas, a Republican legislature, went into the matter and made its report. Mr. Roberts resigned, his resignation has been accepted by the Republican National Committee, and there is a new chairman of the Republican Party. But in view of the fact that the Senator from West Virginia has attacked the President of the United although a period of less than 90 days has elapsed since he assumed office, I think the record should be clear that 6½ years passed in the Alger Hiss case, and neither the distinguished Senator from West Virginia nor any other Senator on the other side of the aisle rose in the Senate to suggest that there should have been accelerated action in that case.

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

The PRESIDING OFFICER (Mr. BUSH in the chair). The Chair would remind the Senate that the order of yesterday entitles the Senator from Alabama to the floor.

Mr. HILL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield?

Mr. HILL. Mr. President, I think it is only fair that the Senators conclude the discussion. I am glad to yield if I may do so without prejudicing my rights to the floor.

Mr. JOHNSON of Texas. Mr. President, I inquire who has the floor?

The PRESIDING OFFICER. The Senator from Alabama has the floor, and has yielded for a few questions without prejudicing his rights to the floor.

Mr. MORSE. Mr. President, I ask unanimous consent that the Senator from Alabama may yield without prejudicing his rights to the floor.

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

Mr. MORSE. Mr. President, I will say to the Senator from California [Mr. KNOWLAND] that I completely agree with the observations he has made with regard to the Hiss case. No brief can be held for the failure of the Democratic Party to clean up that matter. Does not the Senator also think that at that time the now Secretary of State, Mr. Dulles, ought to have familiarized himself with the Hiss case instead of supporting Mr. Hiss, as the record shows he did, in the position he occupied in connection with the Peace Foundation?

Mr. KNOWLAND. I will say to the Senator from Oregon that it is my information and belief that the information which was delivered to Mr. Berle at the time by Mr. Whittaker Chambers

was not made available to Mr. Dulles. There was a considerable number of persons in the State Department to whom it was not made available, but it was in the Department of State. Since access was not given to certain of the files dealing with both corruption and communism in the Government, it is entirely possible that Mr. Dulles had no knowledge whatsoever of the matter.

Mr. MORSE. It is a question of chronology, and I respectfully suggest that an examination of the chronology will show that Mr. Dulles certainly had due notice of it at the time he made his recommendation of Mr. Hiss. I think wise precaution would have caused Mr. Dulles to investigate the facts before he gave that recommendation.

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

Mr. HILL. Mr. President, I think it is only fair, since I yielded to the Senator from Oregon, that I now yield to the Senator from West Virginia, without prejudicing my rights to the floor.

Mr. NEELY. Mr. President, let me say, in response to the statement made by the Senator from California [Mr. KNOWLAND] regarding the time when the present Secretary of State learned of Alger Hiss' misconduct, that, to the best of my knowledge and belief, Mr. Dulles recommended Hiss after the first Hiss trial. It is my further understanding that after that trial the Carnegie Peace Foundation, of which General Eisenhower was then a member, also recommended Hiss. Of course, I had no firsthand information about the internal affairs of the Department of State. Senators at that time were not administering them.

No one regrets more than I that Alger Hiss was ever a Government employee. In my opinion, he should have been convicted of treason and punished for that infamy to the limit of the law.

Mr. KNOWLAND. I may say to the Senator from West Virginia that, in my judgment, Mr. Hiss never would have been tried and convicted had it not been for the action of a House committee upon which then served our present colleague, the junior Senator from South Dakota [Mr. MUNDT], the present Vice President of the United States, and certain other Representatives who, by congressional action, finally cleaned up the situation which was endangering the security of the United States.

I may say to the distinguished Senator from West Virginia—and I desire no longer to trespass upon the time of the Senator from Alabama—that inasmuch as the Senator from West Virginia has made so much ado about the fact that for a period of less than 90 days a gentleman served as chairman of the Republican National Committee who is no longer chairman of that committee, and as to whose activities, if any, the Kansas Legislature raised some question, the gentleman was not engaged in such activities during the period of time when he held either an official position in the United States Government, or a party position in either Kansas or in the National Republican Party.

For the enlightenment of the distinguished Senator from West Virginia, I will furnish a documentation of the length of time that was taken to get action on a number of persons holding high positions in the United States Government. I think the Senator, in all fairness, will agree that it took far more than 90 days for the Truman administration to move in these cases.

Mr. NEELY. Mr. President, let me remind the distinguished Senator from California that intellectual illumination, like charity, ought to begin at home. I shall not need the documents to which he has referred.

The Truman administration doubtless made mistakes. But they were not superimposed upon a basis of Nationwide roaring for transcendental political purity, or extravagant promises of ushering in a political millennium overnight. Furthermore, two wrongs, even though one of them be Democratic, can never make a right.

Mr. WELKER. Mr. President, will the Senator from Alabama yield so that I may ask the distinguished Senator from West Virginia a question?

Mr. HILL. I am glad to yield.

Mr. WELKER. I regret that I missed a portion of the Senator's remarks, but I have been informed that they had to do with one Wesley Roberts, from the State of Kansas.

Able lawyer that he is, can the Senator tell us what the President of the United States could have done with respect to a violation of purely a State statute in the State of Kansas?

Mr. NEELY. Mr. President, he could, like the prophets of old, have cried out, or, in the President's words, "roared out," against the misconduct of Mr. Roberts and demanded that he bring forth fruits meet for repentance. The President could have thus preserved his popularity and encouraged the people to help him eradicate political impurity from ocean to ocean.

Mr. WELKER. Will the Senator from West Virginia be so kind as to advise me when the report was made by the Kansas Legislature, a report that did not find Mr. Roberts guilty of any crime, but, as I understand, found that he had violated the spirit of a State statute but not the letter of a State statute?

Mr. NEELY. I do not remember the date of the report. The legislature found that Mr. Roberts had frustrated the antilobby law of Kansas.

Mr. WELKER. He violated the spirit of the antilobby law of Kansas. I will ask the Senator from West Virginia if it is not a fact that upon the very day of the action of the Kansas Legislature Mr. Roberts resigned voluntarily?

Mr. NEELY. Mr. Roberts did resign. The President stated that the resignation was "a wise one."

Mr. WELKER. Does the distinguished Senator desire to leave with this body the impression that President Eisenhower had adequate information on the subject prior to the action on the part of the Kansas Legislature?

Mr. NEELY. I make no such imputation because I do not know when the President first learned of the Roberts matter.

Mr. WELKER. The Senator certainly has spoken many words which so indicate.

Mr. NEELY. The Congress generally knew about it. But I do not pretend to know when the President first learned of either the Roberts misconduct or the action in relation to it which was taken by the Legislature of Kansas.

TRANSACTION OF ROUTINE BUSINESS

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

Mr. HILL. Does the Senator desire to make an insertion in the RECORD?

Mr. HUMPHREY. Yes.

Mr. HILL. I yield for that purpose.

Mr. TAFT. Mr. President, I wonder if the Senator from Alabama will yield for a general request?

Mr. HILL. Without prejudicing my rights to the floor, I yield to the distinguished majority leader for the purpose of allowing him to make any request he desires to make.

Mr. TAFT. I ask unanimous consent that, without the Senator from Alabama losing the floor, Senators may have the right to present petitions and memorials, to introduce bills, submit resolutions, make unanimous-consent requests, and present other matters that would be in order during the morning hour, their speeches not to exceed the usual 2-minute limit.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPEAL OF CERTAIN ACTS RELATING TO COOPERATIVE AGRICULTURAL EXTENSION WORK

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to repeal certain acts relating to cooperative agricultural extension work and to amend the Smith-Lever Act of May 8, 1914, to provide for cooperative agricultural extension work between the agricultural colleges in the several States, Territories, and possessions receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture (with an accompanying paper); to the Committee on Agriculture and Forestry.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. CARLSON and Mr. JOHNSTON of South Carolina members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"Senate Joint Resolution 17

"Joint resolution relative to motor vehicle fuel taxes collected by the Federal Government

"Whereas a critical need exists for immediate modernization of the highways of the Nation for the security and economic welfare of the people; and

"Whereas additional funds are sorely needed to accomplish this vital improvement of our highways; and

"Whereas the Federal Government is imposing taxes on motor vehicle fuels for general purposes, constituting an invasion of a tax resource that might better be reserved to the States which have demonstrated their ability to collect motor vehicle fuels taxes effectively and economically; and

"Whereas the general principle that revenues collected from highway users as such should be expended for their benefit on the highways, roads and streets is recognized by the Federal Government in its dealings with the States but is violated by the Federal Government in its own fiscal policy; and

"Whereas in the interests of the national economy and defense it is desirable that Federal aid for highways should, at the very least, equal the amount of motor vehicle fuels taxes collected by the Federal Government: Now, therefore, be it

"Resolved by the Senate and the Assembly of the State of California (jointly), That the Legislature of California urgently requests the Federal Government to abandon the field of excise taxes on motor fuels or, in the alternative, to provide that the amount of Federal aid for highways be increased at least to the amount of motor vehicle fuels taxes collected by the Federal Government, and that such increase in Federal aid be distributed among the individual States in proportion to the amount of motor vehicle fuels taxes collected in such States; and be it further

"Resolved, That the secretary of the senate is directed to transmit copies of this resolution to the President of the Senate, the Speaker of the House of Representatives and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Public Works:

"Senate Joint Resolution 22

"Joint resolution relative to flood-control works on Butte and Little Chico Creeks

"Whereas the lives and property of the residents of the city of Chico, the town of Durham, and the Durham Land Colony, as well as extensive lands bordering on the upper Butte and Little Chico Creeks in Butte County, are threatened by the ravages of floods; and

"Whereas Congress, by the Flood Control Act of December 22, 1944, as amended by the Flood Control Act of May 17, 1950, has authorized remedial flood-control works as a part of a project referred to as 'Sacramento River, major and minor tributaries' for construction in cooperation with the State of California, which would afford protection to the people in this area; and

"Whereas the California Legislature has, by the State Water Resources Act of 1945, authorized the works contemplated by Congress; and

"Whereas Congress has made $946,000 available to accomplish authorized work on the lower reaches of Butte Creek, which work has been completed; and

"Whereas it is estimated that $700,000 of additional Federal funds will be required to complete the authorized works on the upper reaches of Butte Creek and the diversion structure on Little Chico Creek; and

"Whereas the Legislature of California has made available all funds necessary to carry out the State's participation in the construction of the works; and

"Whereas the additional work contemplated by the congressionally authorized project is necessary if more than minimum protection is to be afforded to the residents in the area concerned; and

"Whereas the State water resources board has included in its recommendation to Congress for Federal flood-control funds for the 1954 fiscal year, sufficient funds to complete the flood-control works on the Butte and Little Chico Creeks, thus recognizing its importance to the welfare and safety of the people of this State: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That Congress is urged to make available the necessary funds to complete the construction of the vitally needed flood-control works on the Butte and Little Chico Creeks; and be it further

"Resolved, That the secretary of the senate is directed to transmit a copy of this resolution to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, to each Senator and Representative from the State of California in the Congress of the United States, and to the Chief Engineer of the United States Army."

A joint resolution of the Legislature of the State of California; ordered to lie on the table:

"Senate Joint Resolution 26

"Joint resolution relative to submerged lands

"Whereas the several States have from their inception claimed and exercised full ownership and control of the lands and resources beneath both inland and offshore waters within their historic boundaries; and

"Whereas, the several States, including many municipalities, public port authorities and private individuals acting under authority granted by the States, have spent enormous sums of money reclaiming and improving these lands and natural resources relying on the validity of their titles; and

"Whereas under this State and local control the constitutional powers delegated by the States to the Federal Government respecting national defense, navigation, commerce, and international relations have in no way been impaired; and

"Whereas in three separate lawsuits brought by the United States against California, Texas, and Louisiana, the United States Supreme Court held that these States had no rights of ownership in the so-called marginal sea belt or the lands and resources beneath it; and

"Whereas the Supreme Court also held that the Federal Government has paramount rights in and full dominion and power over the submerged lands and resources beneath this marginal sea belt by which it can take, without compensating the owners, any resources of value that might be discovered; and

"Whereas these decisions overrule earlier decisions and are contrary to the spirit of the fifth amendment to the Constitution which prohibits taking private property for public use without just compensation and the 10th amendment which protects the sovereignty and rights of the several States; and

"Whereas this 'paramount rights' doctrine threatens the nationalization of all natural resources and lands, including forests, minerals, and fisheries, whether State or privately owned; and

"Whereas the jurisdiction of several California State agencies, including the fish and game commission, public utilities commission, and lands commission, has already been encroached upon by the Federal Government under this 'paramount rights' doctrine; and

"Whereas Congress has the constitutional right and power to enact legislation fully restoring the rights of the States: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Congress of the United States is respectfully memoralized to enact such legislation as will be necessary to restore the ownership of the States to all lands and resources beneath navigable waters, both inland and offshore, within their historic boundaries; and be it further

"Resolved, That the secretary of the senate is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Member of the United States Congress."

A joint resolution of the Legislature of the Territory of Alaska; to the Committee on Appropriations:

"Senate Joint Memorial 21

"To the President of the United States, the President of the Senate, and the Speaker of the House of Representatives of the Congress of the United States, the Attorney General, the Postmaster General, the Secretary of the Interior, the Director of the Public Buildings Administration, and the Delegate to Congress from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska, in 21st regular session assembled, respectfully represents that:

"Whereas on a night in December of the year 1940, the combined courthouse, jail, and Federal building at Valdez, Alaska, was totally destroyed by fire; and

"Whereas ever since the above occurrence, the town of Valdez and embracing area has been without adequate facilities for housing or maintaining prisoners and holding terms of the district court; and

"Whereas all pertinent records and valuable documents pertaining to the Department of Justice, Post Office Department and other Federal agencies located at Valdez are scattered throughout the town in various frame buildings, with a constant threat of fire endangering their safekeeping; and

"Whereas the population of Valdez has trebled over the past 3-year period; and

"Whereas to cite a relative example, the volume of mail received at the Valdez Post Office has increased to the point where facilities available do not afford the postmaster or her assistants opportunity to make available to the public the usual efficient dispersing of the mails to the public when shipments of mail are being assorted, nor, do the present facilities allow the usual safety from theft that citizens of the United States generally accept as being in keeping with the high standards of the United States postal service; and

"Whereas in reply to previous memorials directed to them by the Alaska Legislature, the Secretary of the Interior, the Attorney General, and the Postmaster General of the United States have individually recognized the necessity for construction of a fireproof Federal building at Valdez, Alaska:

"Now, therefore, your memorialist, the Legislature of the Territory of Alaska, respectfully prays that the United States officers and Delegate to Congress from Alaska, to whom this memorial is submitted, lend

their united effort toward obtaining a congressional appropriation enabling the construction of a combined courthouse, jail, postoffice, and general Federal office building at Valdez, Alaska.

"And your memorialist will ever pray."

A resolution of the House of Representatives of the Territory of Alaska; to the Committee on Banking and Currency:

"House Memorial 15

"To the Congress of the United States; the Chairman of the United States Senate Committee on Interior and Insular Affairs; the Secretary of the Interior; the Administrator, Housing and Home Finance Agency; the Administrator, Federal Housing Administration; and the Delegate to Congress from Alaska:

"Your memorialist, the House of Representatives of the Territory of Alaska, in 21st regular session assembled, respectfully submits that:

"Whereas by congressional act (48 U. S. C. A. 484, 63 Stat. 58) the legislature was authorized to create a public corporation under the name of the Alaska Housing Authority; and

"Whereas by said act the Congress of the United States appropriated the sum of $15 million, in addition to funds appropriated by the Territory of Alaska, to be used as a revolving fund, for the development of housing facilities in areas of housing shortage in Alaska; and

"Whereas under said act, the Legislature of the Territory of Alaska adopted enactments extending and supplementing the authority conferred, and created a public corporate authority to promote, construct, and administer development of the housing program in Alaska; and

"Whereas the housing needs of the Territory of Alaska have been alleviated by the Authority principally in the heavily populated areas through mass housing projects; and

"Whereas Alaskan capital available for financing individual housing development is limited and home loans insured by the Federal Housing Administration through Alaskan banking institutions have been made principally to preferred risks in the larger centers of population; and

"Whereas loans in excess of $500 by the Alaska Housing Authority through congressional act are limited to public agencies, private nonprofit or limited dividend corporations, or private corporation, or private corporations which are regulated or restricted as to rents on sales charges, capital structure, rate of return and methods of operations by the Authority; and

"Whereas the housing needs of the Territory could be met more effectively through individual loans administered by and through the Alaska Housing Authority, thus enhancing the economy of the Territory by the utilization of small Alaskan contractors and local manpower:

"Now, therefore, your memorialist, the House of Representatives of the Territory of Alaska, urges that congressional act (48 U. S. C. A. 484, 63 Stat. 58) be amended to provide for mortgage loans to individuals through the Alaska Housing Authority, and providing for commitment limits as prescribed by the Federal Housing Administration, for housing development in Alaska, which are now limited in amounts to $500 per dwelling in order that:

"1. Housing requirements may be met on an individual basis.

"2. The smaller villages and communities of Alaska may participate in the program to alleviate the obvious housing shortages which now exist.

"3. Local Alaskan contractors and local manpower might be utilized in the home development program, thus enhancing the economy of the Territory of Alaska.

"And your memorialist will ever pray."

A letter from the Director, Colorado Civil Defense Agency, Denver, Colo., notifying the Senate of a civil-defense compact entered into between that State and other States and the District of Columbia (with an accompanying paper); to the Committee on Armed Services.

A resolution adopted by the City Council of the City of Redonda Beach, Calif., urging the appropriate agencies of the Federal Government be requested to take the necessary steps to provide offshore rescue facilities for airplanes; to the Committee on Interstate and Foreign Commerce.

CITATION OF RUSSELL W. DUKE FOR CONTEMPT OF SENATE

Mr. McCARTHY. Mr. President, from the Committee on Government Operations, I report favorably an original resolution citing Russell W. Duke for contempt of the Senate, and I submit a report (No. 143) thereon.

The PRESIDING OFFICER (Mr. BUSH in the chair). The report will be received, and the resolution will be placed on the calendar.

The resolution (S. Res. 103) was placed on the calendar, as follows:

Resolved, That the President of the Senate certify the report of the Committee on Government Operations of the United States Senate as to the willful default of Russell W. Duke in failing to appear to testify before the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations of the United States Senate in response to a subpena, together with all the facts in connection therewith, under the seal of the United States Senate, to the United States Attorney for the District of Columbia to the end that the said Russell W. Duke may be proceeded against in the manner and form provided by law.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, April 15, 1953, he presented to the President of the United States the following enrolled bills:

S. 147. An act for the relief of Sizuko Kato and her minor child, Meechiko;

S. 516. An act for the relief of Ronald Lee Oenning;

S. 682. An act for the relief of George Rodney Giltner (formerly Joji Wakamiya); and

S. 954. An act for the relief of Robert Harold Wall.

BILLS INTRODUCED

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

By Mr. MARTIN:

S. 1633. A bill authorizing the appropriation of funds to provide for the completion of certain projects for flood control and related purposes in the Columbia River Basin; to the Committee on Public Works.

By Mr. THYE:

S. 1634. A bill for the relief of Alton Bramer; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 1635. A bill to exempt State departments of agriculture and State marketing bureaus from the increase in postage rates on third-class mail provided by section 3 of the act of October 30, 1951; to the Committee on Post Office and Civil Service.

By Mr. FREAR:

S. 1636. A bill to require a determination by the Tax Court of the existence of a prima facie case of fraud prior to the administrative imposition of an addition to an income-tax deficiency based upon fraud; to the Committee on Finance.

By Mr. KERR (for himself and Mr. MONRONEY):

S. 1637. A bill to authorize the sale of certain lands to the State of Oklahoma; and

S. 1638. A bill to authorize the sale of certain lands to the State of Oklahoma; to the Committee on Public Works.

S. 1639. A bill to authorize the sale of certain lands to the State of Oklahoma; to the Committee on Interior and Insular Affairs.

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

By Mr. SALTONSTALL (by request):

S. 1640. A bill to amend the act of April 29, 1941, to authorize the waiving of the requirement of performance and payment bonds in connection with certain Coast Guard contracts;

S. 1641. A bill to retrocede to the State of Oklahoma concurrent jurisdiction over the right-of-way for U. S. Highways 62 and 277 within the Fort Sill Military Reservation, Okla.;

S. 1642. A bill to authorize the Secretaries of the Army, the Navy, and the Air Force, with the approval of the Secretary of Defense, to cause to be published official registers for their respective services;

S. 1643. A bill to authorize the Post Office Department to designate enlisted personnel of the Army, Navy, Air Force, Marine Corps, and Coast Guard as postal clerks and assistant postal clerks, and for other purposes;

S. 1644. A bill to amend the act of May 27, 1940 (54 Stat. 223), as amended, to remove the limitation upon the rank of the director of music, the leader of the Military Academy Band, and for other purposes;

S. 1645. A bill to clarify the status of citizens or nationals of the Republic of the Philippines who are retired members of the uniformed services and who hold offices of profit or trust under the Republic of the Philippines, and for other purposes;

S. 1646. A bill to amend section 301, Servicemen's Readjustment Act of 1944, to further limit the jurisdiction of boards of review established under that section; and

S. 1647. A bill to amend the act of August 3, 1950, as amended, to continue in effect the provisions thereof relating to the authorized personnel strengths of the Armed Forces; to the Committee on Armed Services.

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

SALE OF CERTAIN LANDS TO STATE OF OKLAHOMA FOR PARK PURPOSES

Mr. KERR. Mr. President, on behalf of myself, and my colleague, the junior Senator from Oklahoma [Mr. MONRONEY], I introduce for appropriate reference three bills which pertain to the acquisition of Federal lands by the State of Oklahoma for park purposes.

I ask unanimous consent that a statement by N. R. Graham, vice chairman of the Oklahoma Planning and Resources Board, be printed in the RECORD at the conclusion of my remarks on this subject. Mr. Graham's statement fully explains the purpose of the bills and the programs of the State of Oklahoma for developing State parks and recreational areas.

Oklahoma is becoming very conscious of her recreational resources and is setting the pattern for development of these resources by the States themselves, with a minimum of assistance from the Federal Government.

The May issue of Holiday magazine features the State of Oklahoma. If

you will acquire a copy and read the article, you will understand why Oklahoma has been so successful in developing her State parks system.

We take great pride in the fact that Lake Texoma on Red River in Oklahoma had over 3 million visitors during the last calendar year—more than any other recreational or park area in the United States.

My colleague [Mr. MONRONEY] has joined me in the introduction of the bills and we hope that prompt action can be secured in their passage.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The statement referred to is as follows:

STATEMENT OF N. R. GRAHAM, VICE CHAIRMAN, OKLAHOMA PLANNING AND RESOURCES BOARD, OKLAHOMA CITY, OKLA.

The government of the State of Oklahoma has engaged in a major way in the development of State parks and recreational areas since 1935. This is being accomplished both through substantial State appropriations and by the sale of self-liquidating bonds with which to construct modern lodges and cabins. To date the State of Oklahoma has in excess of $5 million invested in State parks, exclusive of land and roads.

The first of these bond projects was constructed at Lake Murray State Park at a cost of $850,000. Income from concessions have far exceeded bond requirements, the demands being so large as to require an additional investment of $480,000 for additional air-conditioned rooms and other improvements.

Based on this experience the legislature has authorized the issuance of approximately $5 million in self-liquidating bonds for the construction of modern recreational facilities at 4 other State parks, 3 of which are located on lands adjacent to Corps of Engineer projects and 1 on land adjacent to a Bureau of Reclamation project.

These projects have been carefully engineered as to economic feasibility and bond buyers have agreed to take the issue under certain circumstances. The properties will be leased to private operators and will be operated by them on a concession basis. The principal requirement of the bond buyers is that permanent structures built from their funds be located on land owned by the State. It is also a requirement of Oklahoma law.

At present the State of Oklahoma now holds long-term leases on the Federal lands involved in these parks. The State has in some cases purchased lands back from the shoreline when necessary to round out the park area.

Desirable location of the proposed lodges is naturally dictated by topography. In each case the desirable site is on a high elevation but close to the water edge. While there are many sources of attraction for recreation seekers in the semiarid Southwest, the predominant attraction is water; hence our desire to build in the indicated locations.

In the case of Sequoyah Park on the Fort Gibson Dam and Reservoir project, the State needs to purchase approximately 50 acres of land, all of which is above the flood pool. In the Texoma area on the Denison Reservoir project our needs call for the purchase of some 70 acres, while at Lake Altus under the Bureau of Reclamation, we will need to buy some 87 acres.

Of course, we expect the Federal Government to retain all authority necessary to protect the Federal interest in these projects and to further protect the public by requiring that the land purchased by the State be used only for public-park purposes.

Time has not permitted a search of old records to find the cost of this property to the Federal Government but whatever it be, the State will be glad to reimburse the Treasury. Since the State now holds long-time leases on this and surrounding land, it can have no other value.

In conferences with the Corps of Engineers and the Bureau of Reclamation, it has been determined that the recreational development proposed by the State in no way interferes with their operation, but complements it.

Because the payment of interest is involved, time is an important element. It will take nearly a year to build these projects. Our vacation season starts in May. If the cost of interest during construction is not to become excessive, we must be ready to serve the public not later than May 1, 1954.

It is, therefore, our sincere hope that the legislative authority for the sale of these small tracts to the State of Oklahoma can be expedited.

The bills, introduced by Mr. KERR (for himself and Mr. MONRONEY), were received, read twice by their titles, and referred as indicated:

S. 1637. A bill to authorize the sale of certain lands to the State of Oklahoma; and

S. 1638. A bill to authorize the sale of certain lands to the State of Oklahoma; to the Committee on Public Works.

S. 1639. A bill to authorize the sale of certain lands to the State of Oklahoma; to the Committee on Interior and Insular Affairs.

ARMED SERVICES LEGISLATION

Mr. SALTONSTALL. Mr. President, by request, I introduce for appropriate reference eight bills relating to the Armed Services.

Each of the bills is accompanied by a letter of transmittal from the department concerned which explains the purpose of the bill.

I ask that the accompanying letters in each case be printed in the RECORD immediately following the listing of bills introduced.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the letters will be printed in the RECORD, as requested by the Senator from Massachusetts.

The bills introduced by Mr. SALTONSTALL, by request, were received, read twice by their titles, and referred to the Committee on Armed Services, as follows:

S. 1640. A bill to amend the act of April 29, 1941, to authorize the waiving of the requirement of performance and payment bonds in connection with certain Coast Guard contracts.

The letter to accompany Senate bill 1640 is as follows:

TREASURY DEPARTMENT,
Washington, March 25, 1953.

The PRESIDENT OF THE SENATE.

SIR: There is enclosed a draft of proposed bill "to amend the act of April 29, 1941, to authorize the waiving of the requirement of performance and payment bonds in connection with certain Coast Guard contracts."

The act of April 29, 1941, 55 Stat. 147 (40 U. S. C. 270e), authorizes the Secretary of the Army and the Secretary of the Navy, in their discretion, to waive the requirements for performance and payment bonds contained in the act of August 24, 1935, 49 Stat. 793 (40 U. S. C. 270a–d), the so-called Miller Act, with respect to contracts for the manufacturing, producing, furnishing, construction, alteration, repair, processing, or assembling of vessels, aircraft, munitions, materiel, or supplies of any kind or nature for the Army or the Navy. The Miller Act requires performance and payment bonds in connection with any contract exceeding $2,000 for the construction, alteration, or repair of any public buildings or public work of the United States. The purpose of the proposed bill is to permit the Secretary of the Treasury to waive these requirements for performance and payment bonds on Coast Guard contracts to the same extent and under the same circumstances as is now authorized in connection with the contracts of the Army and Navy.

A proposed bill relating to the same subject matter was submitted to the 82d Congress by the Treasury Department, and was introduced in the House of Representatives as H. R. 2394 and in the Senate as S. 948. After holding hearings on H. R. 2394, the House Committee on the Judiciary reported the bill favorably, with amendments making the legislation applicable to the Department of the Air Force, and expressly authorizing waiver of Miller Act bonds on cost-plus-a-fixed-fee contracts (H. Rept. No. 269, 82d Cong.). The bill, as amended, was passed by the House of Representatives on April 2, 1951. The proposed legislation now submitted by the Treasury Department is in the form in which H. R. 2394 was passed by the House of Representatives, except as hereinafter indicated.

The Coast Guard's procurement procedure, like that of the Navy, Army, and Air Force, is established pursuant to the Armed Services Procurement Act of 1947, 62 Stat. 21 (41 U. S. C. 151–161). One of the aims of that act was to provide for uniformity in purchase procedures by the armed services. Contractors bidding on Coast Guard requirements, who also supply similar needs of other branches of the armed services, justifiably expect the basic procurement procedures of the Coast Guard to be in conformity with the procedures followed by the other armed services. In some instances contractors have declined to perform services for the Coast Guard on any different basis from that established for use by the other services. Contractors in certain cases have refused to furnish the Coast Guard with performance and payment bonds, citing the fact that such bonds are not required for similar work for the Army or Navy.

Since both the Navy and the Army have invoked the waiver authority contained in the act of April 29, 1941, with respect to certain types of contracts, it becomes increasingly more difficult for the Coast Guard to require contractors to furnish performance and payment bonds in cases where such bonds are not required on similar Army or Navy contracts.

At the request of the Atomic Energy Commission, that Commission has been included within the provisions of the proposed legislation. The Atomic Energy Commission has advised that it is now engaged in a major construction program which will involve the expenditure of several billions of dollars in the course of the next few years; that much of this work will be performed under cost-type contracts; and that as the Committee on the Judiciary of the House of Representatives pointed out in H. Rept. 269, 82d Congress, there is adequate assurance under cost-type contracts that materialmen and workmen will be paid, and that Miller Act payment bonds are, in such situations, unnecessary and a waste of Government money. Accordingly, the Atomic Energy Commission desires express authority to waive the requirements of the Miller Act to the same extent as such authority would be possessed by the Departments of the Army, Navy, Air Force, and the Coast Guard, under this proposed legislation.

It would be appreciated, therefore, if you would lay the proposed bill before the Senate. A similar proposed bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this proposed legislation to the Congress.

Very truly yours,

H. CHAPMAN ROSE,
Acting Secretary of the Treasury.

S. 1641. A bill to retrocede to the State of Oklahoma concurrent jurisdiction over the right-of-way for United States Highways 62 and 277 within the Fort Sill Military Reservation, Oklahoma.

The letter accompanying Senate bill 1641 is as follows:

OFFICE OF THE SECRETARY
OF DEFENSE,
Washington, D. C., April 7, 1953.

Hon. LEVERETT SALTONSTALL,
Chairman, Committee on Armed Services, United States Senate.

DEAR MR. CHAIRMAN: There is forwarded herewith a draft of legislation "To retrocede to the State of Oklahoma concurrent jurisdiction over the right-of-way for United States Highways 62 and 277 within the Fort Sill Military Reservation, Oklahoma."

This proposal is a part of the Department of Defense legislative program for 1953 and the Bureau of the Budget has advised that it has no objection to the presentation of this proposal to the Congress. The Department of Defense recommends that it be enacted.

PURPOSE OF THE LEGISLATION

This proposed legislation will retrocede to the State of Oklahoma, upon acceptance thereof, concurrent jurisdiction over the right-of-way for United States Highways 62 and 277 within the Fort Sill Military Reservation. The United States now has exclusive jurisdiction over this area, ceded by the State of Oklahoma March 17, 1913 (Oklahoma, Sessions Laws, 1913, ch. 52, p. 90). Permission to use a part of Fort Sill Military Reservation as highway right-of-way was granted to the State of Oklahoma by the Assistant Secretary of War by permit dated October 13, 1932. This measure will permit proper control of the highway, jointly, by the Federal Government and the State, thereby obviating problems which might arise out of military policing of highways heavily traveled by the civilian public. At the same time concurrent jurisdiction will allow appropriate military control of an area within a military reservation.

DEPARTMENT OF DEFENSE, ACTION AGENCY

The Department of the Army has been designated as the representative of the Department of Defense for this legislation.

Sincerely yours,

ROGER KENT,
General Counsel.

S. 1642. A bill to authorize the Secretaries of the Army, the Navy, and the Air Force, with the approval of the Secretary of Defense, to cause to be published official Registers for their respective services.

The letter accompanying Senate bill 1642 is as follows:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., January 5, 1953.

Hon. ALBEN W. BARKLEY,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation, "To authorize the Secretaries of the Army, the Navy, and the Air Force, with the approval of the Secretary of Defense, to cause to be published official registers for their respective services."

This proposal is a part of the Department of Defense legislative program for 1953 and the Bureau of the Budget has no objection to the presentation of the proposal to the Congress. The Department of Defense recommends that it be enacted.

PURPOSE OF THE LEGISLATION

The Army and Navy Registers are mentioned in various laws, parts of laws, and resolutions dating as far back as 1812. The only legal basis for the publication of an Air Force Register is an assumption that the laws relating to the Army Register are applicable to the Air Force, and the references to an Air Force Register in sections 201 and 301 (a) of Public Law 810, 80th Congress (62 Stat. 1081). This proposed legislation would repeal the miscellaneous statutes relating to the contents of the registers and enact one provision of law applicable to all the military departments.

The statutes or parts thereof which are repealed by section 2 of the attached draft require the following information to be included in the appropriate register:

(a) Lineal rank for each arm; enlisted service; volunteer service of Regular Army officers.

(b) Highest volunteer rank of Regular Army officers.

(c) Retired officers of the Army.

(d) Disabled emergency officers of the Army and of the Navy and Marine Corps.

(e) Names of certain persons who submitted to yellow fever experiments (Army Register).

(f) Retired Regular Army and Regular Air Force officers.

(g) Retired officers of the Army of the United States and the Air Force of the United States other than Regulars.

(h) Retired Navy officers.

(i) Warrant officers of the Navy.

(j) Members of uniformed services who are on a temporary disability retired list.

LEGISLATIVE REFERENCES

Legislation identical with this proposal was included in the Department of Defense legislative program for consideration by the 81st Congress' second session, approved by the Bureau of the Budget, and introduced in the Congress (S. 3390 and H. R. 8087). No further action was taken by the 81st Congress with respect to S. 3390 and H. R. 8087.

It was resubmitted for consideration by the 82d Congress and was introduced (S. 321 and H. R. 1183). The House of Representatives passed H. R. 1183, without amendment, on June 18, 1951, but the Senate did not act upon either bill.

COST AND BUDGET DATA

The average annual cost of this legislation will approximate $94,000 per year. This figure does not represent any increase in cost for the publication of the Army Register and the Navy Register, but does contemplate an expenditure of $22,000 for the publication of the Air Force Register.

DEPARTMENT OF DEFENSE ACTION AGENCY

The Department of the Army has been designated as the representative of the Department of Defense for this legislation.

Sincerely yours,

ROGER KENT.

S. 1643. A bill to authorize the Post Office Department to designate enlisted personnel of the Army, Navy, Air Force, Marine Corps, and Coast Guard as postal clerks and assistant postal clerks, and for other purposes.

The letter accompanying Senate bill 1643 is as follows:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., January 5, 1953.

Hon. ALBEN W. BARKLEY,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation, "To authorize the Post Office Department to designate enlisted personnel of the Army, Navy, Air Force, Marine Corps, and Coast Guard as postal clerks and assistant postal clerks, and for other purposes," and a sectional analysis thereof.

This proposal is a part of the Department of Defense legislative program for 1953 and the Bureau of the Budget has no objection to the presentation of this proposal to the Congress. The Department of Defense recommends that it be enacted.

PURPOSE OF THE LEGISLATION

This proposal is to authorize the United States Post Office Department to designate as postal clerks and assistant postal clerks certain enlisted personnel of the Army, Navy, Air Force, Marine Corps, or Coast Guard who have been selected for such designation by the Secretary of the Department concerned. Such designated personnel shall be authorized to receive and open pouches and sacks of mail addressed to the post offices, stations, vessels, and installations of the Departments concerned; deliver such mail; sell postage stamps; make up and dispatch mails; and perform other postal duties authorized by the Postmaster General in accordance with prescribed rules and regulations.

Each postal clerk or assistant postal clerk so designated shall take a proper oath and shall give bond to the United States in such penal sum as the Postmaster General may direct. However, the Secretary of the service concerned may terminate such bond and is authorized specifically to waive the giving of any bond by such postal clerks or assistant postal clerks.

The proposed legislation further provides that the Department concerned shall annually reimburse the Post Office Department for funds and postal stocks embezzled, or lost through negligence, errors, or defalcations on the part of unbonded postal clerks, unbonded assistant postal clerks, persons acting in those capacities, or commissioned or warrant officers of the Army, Navy, Air Force, Marine Corps, and Coast Guard who have been designated as custodians of postal effects by the appropriate commanding officers. Reimbursement shall be made also for funds expended by the Post Office Department in payment of claims arising from such losses occasioned by such personnel, and the Secretary concerned is authorized to proceed against such personnel to recover amounts so paid.

At present, the Departments of the Army and the Air Force are confronted with an undesirable factor of the law (the act of August 21, 1941, ch. 392, 55 Stat. 656, as amended, 39 U. S. C. 138), which requires that persons performing the duty of mail clerk or assistant mail clerk be bonded. This requirement often creates inequities, retards expeditious handling of the mails, increases administrative costs, and brings about an injustice in many instances. In the latter connection there have been instances in which the service concerned has found a mail clerk or assistant mail clerk to be entirely free of blame for the shortage of funds and the Post Office Department has subsequently made demand for payment upon the surety. In such instances it is incumbent upon the individual to make final settlement with the surety notwithstanding the finding of his innocence.

The Navy, Marine Corps, and Coast Guard operate their postal services pursuant to the act of May 27, 1908 (ch. 206, 35 Stat. 417–418), as amended (39 U. S. C. 134), and section 3 of the act of August 24, 1912 (ch. 389, 37 Stat. 554), as amended (39 U. S. C. 135). The latter act was amended by the act of July 2, 1945 (ch. 226, 59 Stat. 315), to provide that the Secretary of the Navy may waive the giving of bond by Navy mail clerks and assistant Navy mail clerks. It is provided further that the Post Office Department shall be reimbursed annually by the Department of the Navy for funds embezzled or claims paid, arising from errors, losses, or defalcations by such clerks. The Department of

the Navy advises that the handling of mail pursuant to the act of July 2, 1945, has been most satisfactory.

This proposal is designed along the same basic lines as the above-cited acts of May 27, 1908, and August 24, 1912, as amended, in order that the equities and procedures therein established may be extended uniformly to the other services.

LEGISLATIVE REFERENCES

Legislation identical with this proposal was included in the Department of Defense Legislative Program for 1951 and, with the approval of the Bureau of the Budget, was presented for the consideration of the 82d Congress (H. R. 5066 and S. 1995). The Congress took no further action on the bills.

COST AND BUDGET DATA

It is estimated that this proposal would obligate the United States with respect to the Army and Air Force for an amount of approximately $35,000 per annum. It is further estimated that this amount would be set off by savings resulting from decreased administration costs. As the Department of the Navy and the Treasury Department (insofar as the Coast Guard is concerned) have been operating under procedures similar to those provided for in this legislation, no additional cost to the Government will result with respect to these Departments.

DEPARTMENT OF DEFENSE ACTION AGENCY

The Department of the Army has been designated as the representative of the Department of Defense for this legislation.

Sincerely yours,

ROGER KENT,
General Counsel.

SECTIONAL ANALYSIS OF A BILL TO AUTHORIZE THE POST OFFICE DEPARTMENT TO DESIGNATE ENLISTED PERSONNEL OF THE ARMY, NAVY, AIR FORCE, MARINE CORPS, AND COAST GUARD AS POSTAL CLERKS AND ASSISTANT POSTAL CLERKS, AND FOR OTHER PURPOSES

Section 1 provides that enlisted personnel of the Army, Navy, Air Force, Marine Corps and Coast Guard, and the reserve components thereof, may upon selection by the Secretaries of the Departments concerned be designated by the Post Office Department as postal clerks and assistant postal clerks who shall be authorized to perform the usual duties of a postal clerk and any other postal duties as may be authorized by the Postmaster General. The duties would be performed in accordance with rules and regulations as may be prescribed by the appropriate Army, Navy, Air Force, Marine Corps or Coast Guard authority. These postal clerks and assistant postal clerks would be required to take the oath of office prescribed for members of the postal service and would be required to give bond to the United States in such amount as the Postmaster General may deem sufficient. The Secretaries concerned, however, may waive the giving of bond.

Section 2 provides that the Post Office Department be reimbursed annually by the department concerned for losses chargeable to unbonded postal clerks and assistant postal clerks, persons acting in these capacities, or commissioned or wararnt officers who have been designated custodians of postal effects.

Section 3 would require that postal clerks and assistants shall be amenable to the discipline of the respective services except that as to their duties as such clerks they shall be governed by postal rules and regulations of the United States and of such supplemental postal directives and regulations as may be prescribed by appropriate authorities.

Section 4 would provide for the termination by the secretary of the department concerned, of any bond given by Army, Navy or Coast Guard mail clerks or by Army, Navy, Air Force, Marine Corps or Coast Guard postal clerks or assistant postal clerks. Such termination of bond would not affect the liability of any person or surety thereunder for losses occurring prior to such termination.

Section 5 would direct the Secretaries of the Army, Navy, Air Force, and Treasury to take appropriate action to effect recovery of amounts paid under the provisions of this legislation from the persons responsible for the losses or shortages.

Section 6 repeals laws and parts inconsistent with this legislation.

S. 1644. A bill to amend the Act of May 27, 1940 (54 Stat. 223), as amended, to remove the limitation upon the rank of the director of music, the leader of the Military Academy Band, and for other purposes.

The letter accompanying Senate bill 1644 is as follows:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., Jan. 5, 1953.

Hon. ALBEN W. BARKLEY,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation, "To amend the act of May 27, 1940 (54 Stat. 223), as amended, to remove the limitation upon the rank of the director of music, the leader of the Military Academy Band, and for other purposes."

This proposal is a part of the Department of Defense legislative program for 1953. The Bureau of the Budget has advised that there is no objection to the presentation of this proposed legislation for the consideration of the Congress. The Department of Defense recommends that it be enacted.

PURPOSE OF THE LEGISLATION

The act of May 27, 1940, as amended (10 U. S. C. 1086), provides that "the teacher of music, the leader of the Military Academy Band, shall have the rank of captain * * * and shall be entitled to receive the pay and allowances of an officer in the grade of captain." It is the purpose of this proposed legislation to amend that statute to authorize the teacher of music and leader of the band at the Academy to have such rank as may be prescribed by the Secretary of the Army and to save the retirement and other benefits to which he and his dependents are now entitled under the present provisions of that act.

The present statutory limitation is not only unduly restrictive but also unjustly discriminatory against the present incumbent of that position. The officer currently occupying that position was appointed thereto in 1934 after having been selected from among several hundred aspirants for the post and has held the rank of captain since the effective date of the act, May 27, 1940. Since no authority exists for the promotion of this officer, he has been forced to remain in that grade for more than 12 years without any opportunity for advancement, even though he is qualified for and deserving of promotion.

In addition the responsibilities of the teacher of music and leader of the band at the Military Academy include command authority over a detachment of considerable size, duties of teacher of music for the cadet corps, and the leadership of a professional band of national importance, and clearly warrants his advancement to a grade commensurate with his responsibilities and professional attainments.

LEGISLATIVE REFERENCES

With one exception, H. R. 6138, 82d Congress, is identical to this proposed legislation and to a draft of proposed legislation which the Department of Defense recommended to the Congress on March 7, 1952, as a part of its legislative program for 1952. That exception is the inclusion in this proposal of a provision requiring at least 6 months' service in grade in order to retire in the highest grade in which the officer served.

DEPARTMENT OF DEFENSE ACTION AGENCY

The Department of the Army has been designated as the representative of the Department of Defense for this legislation.

Sincerely yours,

ROGER KENT.

(Enclosure.)

S. 1645. A bill to clarify the status of citizens or nationals of the Republic of the Philippines who are retired members of the uniformed services and who hold offices of profit or trust under the Republic of the Philippines, and for other purposes.

The letter accompanying Senate bill 1645 is as follows:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., January 5, 1953.

Hon. ALBEN W. BARKLEY,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation, "to clarify the status of citizens or nationals of the Republic of the Philippines who are retired members of the uniformed services and who hold offices of profit or trust under the Republic of the Philippines, and for other purposes."

This proposal is a part of the Department of Defense legislative program for 1953 and the Bureau of the Budget has no objection to the presentation of this proposal to the Congress. The Department of Defense recommends that it be enacted.

PURPOSE OF THE LEGISLATION

This proposal is designed to provide statutory authority for retired members of the uniformed services of the United States who are nationals or citizens of the Republic of the Philippines to accept under certain conditions offices and emoluments from the Philippine Republic. Retired members of the regular components and some of the nonregular components of the Armed Forces of the United States are prohibited from accepting such offices and emoluments by article 1, section 9, clause 8 of the United States Constitution, wherein it is provided: "No title of nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state."

This proposal would eliminate that prohibition, so far as concerns Philippine nationals who are on retired status from the uniformed services of the United States, including the Philippine Scouts, by giving congressional consent to such employment. The proposal will specifically affect Philippine nationals who are retired personnel of the Philippine Scouts, whose retired status is provided for under laws of the United States and whose retired pay is authorized to be paid from funds appropriated by the Congress.

This bill is made retroactive to July 4, 1946, the date of the President's proclamation declaring the Philippine Commonwealth to be a free and sovereign nation. By making this proposal retroactive, it would validate payments which may have been made to such persons who, since the date of Philippine independence, may have accepted and held offices or received emoluments from the Philippine Republic.

It is believed that this legislation will result in a benefit to the Philippine Republic and may be an important factor in fostering favorable American-Filipino relations and the continued influence and interest of the United States in that country.

LEGISLATIVE REFERENCES

Legislation identical to this proposal was included in the Department of Defense legislative program for 1952, was approved by the Bureau of the Budget, and introduced

in the 82d Congress (H. R. 6337). The Congress took no further action on the proposal.

COST AND BUDGET DATA

This proposal would cause no increase in budgetary requirements for the Department of Defense.

DEPARTMENT OF DEFENSE ACTION AGENCY

The Department of the Army has been designated as the representative of the Department of Defense for this legislation.

Sincerely yours,

ROGER KENT,
General Counsel.

S. 1646. A bill to amend section 301, Servicemen's Readjustment Act of 1944, to further limit the jurisdiction of boards of review established under that section.

The letter accompanying Senate bill 1646 is as follows:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., January 5, 1953.

Hon. ALBEN W. BARKLEY,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation, to amend section 301, Servicemen's Readjustment Act of 1944 to further limit the jurisdiction of boards of review established under that section.

This proposal is a part of the Department of Defense legislative program for 1953. The Bureau of the Budget has advised that there is no objection to the presentation of this proposed legislation for the consideration of the Congress. The Department of Defense recommends that it be enacted.

PURPOSE OF THE LEGISLATION

The purpose of the proposed legislation is to remove the review of punitive discharges or dismissals from the armed services as the result of court-martial sentences from the jurisdiction of the so-called Discharge Review Boards established under the provisions of section 301 of the Servicemen's Readjustment Act of 1944. The effect thereof would be to limit the jurisdiction of such boards to a review of administrative separations from the service and to limit the review of punitive discharges or dismissals, except as noted below, to the procedures prescribed in the Uniform Code of Military Justice (Public Law 506, 81st Cong.).

At the time of enactment of the Servicemen's Readjustment Act of 1944, the only discharges and dismissals from the Army, including the Air Corps, resulting from court-martial sentences were those based on sentences of general courts-martial, the review of which was expressly excluded from the jurisdiction of the discharge-review boards established under section 301 of that act. Title II of the Selective Service Act of 1948, the effective date of which was February 1, 1949, introduced the bad-conduct discharge to the Army and the Air Force as an additional punitive discharge. This bad-conduct discharge has been continued under the new Uniform Code of Military Justice for all three services; and it may be imposed by sentence of either a special or a general court-martial, whereas the dishonorable discharge may only be imposed by sentence of a general court-martial. Thus, a bad-conduct discharge, if imposed by a special court-martial, in addition to the reviews provided by the Uniform Code of Military Justice, is also subject to an additional review by a discharge-review board under section 301 of the Servicemen's Readjustment Act of 1944. As the Uniform Code of Military Justice clearly provides for the finality of court-martial judgments with appropriate appellate review, it is considered neither appropriate nor desirable that the additional review afforded by the Servicemen's Readjustment Act, in the case of bad-conduct discharge imposed by reason of special court-martial sentences, be continued in effect.

It should be noted that under section 12 of the act of May 5, 1950, the first section of which is the Uniform Code of Military Justice, the Judge Advocate General of any of the Armed Forces is authorized, inter alia, to substitute for a dismissal, dishonorable discharge, or bad-conduct discharge, a form of discharge authorized for administrative issuance, in any court-martial case involving an offense committed during the period of World War II and until May 31, 1951, provided the accused submits a petition before May 31, 1952, or within 1 year after completion of appellate review of his case, whichever is the later. In addition, the enactment of this proposal would not affect the review authority conferred by section 207 of the Legislative Reorganization Act of 1946, under which the Secretaries of the military departments, acting through boards of civilian officers or employees, may correct military or naval records where necessary to correct an error or remove an injustice. This authority has been considered to extend to the review and correction of entries in records resulting from the action of courts-martial and to the issuance of a new discharge. Thus, there are other means by which possible injustices resulting from punitive discharges may be corrected, in addition to the review authority presently afforded by section 301 of the Servicemen's Readjustment Act of 1944 in the case of bad-conduct discharges imposed by sentence of special courts-martial.

LEGISLATIVE REFERENCES

This proposed legislation was presented for the consideration of the 82d Congress as part of the Department of Defense legislative program for 1952. It was introduced in the House as H. R. 6769 and in the Senate as S. 2730, and it passed the House on May 5, 1952.

DEPARTMENT OF DEFENSE ACTION AGENCY

The Department of the Army has been designated as the representative of the Department of Defense for this legislation.

Sincerely yours,

ROGER KENT.

S. 1647. A bill to amend the act of August 3, 1950, as amended, to continue in effect the provisions thereof relating to the authorized personnel strengths of the Armed Forces.

The letter accompanying Senate bill 1647 is as follows:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., January 5, 1953.

Hon. ALBEN W. BARKLEY,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation, "To amend the act of August 3, 1950, as amended, to continue in effect the provisions thereof relating to the authorized personnel strengths of the Armed Forces."

This proposal is a part of the Department of Defense legislative program for 1953. The Bureau of the Budget has advised that there is no objection to the presentation of this proposed legislation for the consideration of the Congress. The Department of Defense recommends that it be enacted.

PURPOSE OF THE LEGISLATION

The proposed legislation is designed to extend until July 31, 1958, the provisions of the act of August 3, 1950 (Public Law 655, 81st Cong.; 64 Stat. 408), as amended by section 3, 1951 Amendments to the Universal Military Training and Service Act (Public Law 51, 82d Cong.) which suspended until July 31, 1954, the limitation on the authorized active-duty personnel strength of the Armed Forces of 2,005,882, as well as other limitations on the authorized personnel strength of other components and branches of the Armed Forces.

In many respects the international situation under which this suspension was originally granted has not changed—at times it approaches the critical. The Armed Forces must achieve and maintain a strength commensurate with United States commitments, the world situation in general, and the capabilities of our allies. Operations in Korea must be aggressively supported and essential civil affairs and military government services must be provided in active combat areas under United States military commanders and in certain currently occupied areas. The Armed Forces must be assured of an adequate military capability necessary to support United States foreign policy for a period which at this time is indefinite.

Failure to continue the suspension of the limitation on the authorized active-duty personnel strength of the Armed Forces would automatically force the strength of the Armed Forces downward to 2,005,882. This would mean the demobilization of approximately one-half of the active combat and supporting elements and cause our present commitments to be completely unacceptable from a military security point of view. It is believed that in view of the need for long-range Department of Defense planning in this area and the fact that the Department of Defense program for the fiscal year 1953 is based upon an active-duty personnel strength which is greatly in excess of 2 million, the further suspension of the authorized personnel strength of certain components and branches of the Armed Forces should be for a minimum of 4 years. The Congress has declared that an adequate strength must be achieved and maintained to insure the security of this Nation. The continued suspension of the limitations on the authorized active-duty strengths is essential to the achievement of that goal.

DEPARTMENT OF DEFENSE ACTION AGENCY

The Office of the Secretary of Defense is the representative of the Department of Defense for this legislation.

Sincerely yours,

ROGER KENT.

TITLE TO CERTAIN SUBMERGED LANDS—AMENDMENTS

Mr. IVES submitted amendments intended to be proposed by him to the amendment proposed by Mr. ANDERSON as a substitute for the committee substitute for the joint resolution (S. J. Res. 13) 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, which were ordered to lie on the table and to be printed.

Mr. ANDERSON. Mr. President, I submit amendments intended to be proposed by me to the Senate Joint Resolution 13. The amendments follow a suggestion made yesterday by the junior Senator from Kansas [Mr. CARLSON] when he spoke about the rights of the State of Kansas.

The amendments provide that, if Senate Joint Resolution 13, granting 100 percent of all oil revenues from the various States to the States that happen to be on the coast, is passed, the same privilege shall extend to the States of the interior.

I ask unanimous consent that the amendments be printed in the RECORD.

There being no objection, the amendments intended to be proposed by Mr. ANDERSON to Senate Joint Resolution 13 were ordered to lie on the table and to

be printed, and to be printed in the RECORD, as follows:

On page 19, line 14, insert "Titles I and II of", after "Nothing in."

At the end of such joint resolution insert the following new title:

"TITLE III

"REVENUES FROM PUBLIC LANDS

"SEC. 12. Notwithstanding any provisions of law other than those contained in this joint resolution—

"(a) Ninety percent of all revenues received after the date of the enactment of this joint resolution from any public land of the United States, including revenues from the sale, lease, or use of such lands or the products thereof, bonuses, rentals, royalties, permits, licenses, or any other source, shall be paid by the Secretary of the Treasury at the end of the fiscal year in which received to the State or Territory in which such land is situated to be used by such State or Territory for any purposes it may deem proper; and

"(b) Ten percent of all such revenues shall be covered into the Treasury of the United States as miscellaneous receipts."

Amend the title so as to read: "Joint resolution 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; to provide for the use and control of said lands and resources; to confirm the jurisdiction and control of the United States over the natural resources of the seabed of the Continental Shelf seaward of State boundaries; and for other purposes."

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 710. An act for the relief of Dr. Louis J. Sebille;

H. R. 788. An act for the relief of Beryl Williams;

H. R. 813. An act for the relief of Jane Loraine Hindman;

H. R. 814. An act for the relief of Lt. Thomas C. Rooney, and Mrs. Thomas C. Rooney, his wife;

H. R. 888. An act for the relief of Francesca Servello;

H. R. 889. An act for the relief of Scarlett Scoggin;

H. R. 937. An act for the relief of the estate of Frank DeNuzzi and Cecelia Melnik Burns;

H. R. 1103. An act for the relief of Maria Buffoni and Emma Botta;

H. R. 1180. An act for the relief of Virgil N. Wing;

H. R. 1187. An act for the relief of Mother Anna DiGiorgi;

H. R. 1200. An act for the relief of Ronald J. Palmer and Ronda Kay Palmer;

H. R. 1456. An act for the relief of Susan Kay Burkhalter, a minor;

H. R. 1482. An act for the relief of Hildegard Schoenauer;

H. R. 1495. An act for the relief of Louis M. Jacobs;

H. R. 1517. An act for the relief of Corp. Predrag Mitrovich;

H. R. 1695. An act for the relief of Irene Proios (nee Vagianos);

H. R. 1752. An act for the relief of William Robert DeGrafft;

H. R. 1769. An act for the relief of Oscar F. Brown;

H. R. 1887. An act for the relief of Marjorie Goon (Goon Mei Chee);

H. R. 1888. An act for the relief of Gary Matthew Stevens (Kazuo Omiya);

H. R. 1952. An act for the relief of Cecile Lorraine Vincent and Michael Calvin Vincent;

H. R. 2018. An act for the relief of Daryl L. Roberts, Ade E. Jaskar, Terrence L. Robbins, Harry Johnson, and Frank Swanda;

H. R. 2176. An act for the relief of Norma Jean Whitten;

H. R. 2201. An act for the relief of Constantinous Tzortzis;

H. R. 2214. An act for the relief of Jaroslav, Bozena, Yvonka, and Jarka Ondricek;

H. R. 2368. An act for the relief of Richard E. Rughaase;

H. R. 2881. An act for the relief of Mrs. Rosaline Spagnola;

H. R. 3012. An act for the relief of the Sacred Heart Hospital;

H. R. 3042. An act for the relief of Anna Bosco Lomonaco;

H. R. 3244. An act for the relief of Patricia Ann Dutchess;

H. R. 3275. An act for the relief of the Bracey-Welsh Co., Inc.;

H. R. 3358. An act for the relief of Erna Meyer Grafton;

H. R. 3678. An act for the relief of George Prokofieff de Seversky and Isabelle Prokofieff de Seversky;

H. R. 3724. An act for the relief of Anthony Lynn Neis;

H. R. 3757. An act for the relief of Dorothy Kilmer Nickerson;

H. R. 3758. An act for the relief of Stavrula Perutsea; and

H. R. 3832. An act for the relief of Mrs. Orinda Josephine Quigley; to the Committee on the Judiciary.

H. R. 1127. An act to validate a conveyance of certain lands by the Central Pacific Railway Co., and its lessee, Southern Pacific Co., to the Union Ice Co. and Edward Barbera;

H. R. 1128. An act authorizing the Secretary of the Interior to issue to Jake Alexander a patent in fee to certain lands in the State of Alabama;

H. R. 1880. An act to authorize the sale of certain public lands in Alaska to the Catholic Bishop of Northern Alaska for use as a mission school;

H. R. 2154. An act authorizing the issuance of a patent in fee to Leona Hungry; and

H. R. 2364. An act to terminate restrictions against alienation on land owned by William Lynn Engles and Maureen Edna Engles; to the Committee on Interior and Insular Affairs.

H. R. 1780. An act for the relief of Edward F. Shea; and

H. R. 3276. An act for the relief of Mrs. Margaret D. Surhan; to the Committee on Finance.

TEMPORARY ECONOMIC CONTROLS—PERMISSION TO SUBMIT MINORITY OR INDIVIDUAL VIEWS

Mr. CAPEHART. Mr. President, I ask unanimous consent that, as a member of the Committee on Banking and Currency, I may submit my individual views, and that the Senator from Ohio [Mr. BRICKER], the Senator from Utah [Mr. BENNETT], and the Senator from Arizona [Mr. GOLDWATER], members of the Committee on Banking and Currency, may submit minority views on the bill (S. 1081) to provide authority for temporary economic controls, and for other purposes.

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

Mr. DOUGLAS. Mr. President, I hope the Senator from Indiana will not leave the room for a moment. I should like to repeat on the floor of the Senate what I said in committee, that no man could have been more fair, more open-minded, than was the distinguished Senator from Indiana in the hearings on the controls bill.

Mr. CAPEHART. I thank the Senator from Illinois.

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. BUSH:

Address entitled "Justice for Poland," delivered over the radio by Hon. John Lodge, Governor of Connecticut, before Polish-American Congress, together with introductory remarks by Paul Flak.

By Mr. MUNDT:

Transcript of discussion of academic freedom on the American Forum of the Air, in New York City, April 12, 1953.

By Mr. BYRD:

Article regarding a memorial to Rochambeau, written by Charles Parmer, and published in the Washington Post of Sunday, April 12, 1953.

By Mr. MARTIN:

Editorial entitled "Two Different Things," published in the Oil City (Pa.) Derrick of April 13, 1953, relating to the St. Lawrence seaway and power project.

By Mr. THYE:

Editorial entitled "The Embarrassed Cow," published in the Farm Journal for May 1953, dealing with prices of dairy products.

OFFSHORE OIL—INCREASED INTEREST RATE ON LONG-TERM GOVERNMENT BORROWING—INCREASED COST OF HOME LOANS

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a commendatory article entitled "Offshore Oil," written by Mr. Marquis Childs, and published in this morning's Washington Post.

The article is an analysis of the argument made by the Senator from Illinois [Mr. DOUGLAS]. While I have the opportunity to present this very worthy article for the RECORD, I desire to commend the Senator from Illinois for what I consider to be one of the most brilliant presentations I have ever read, and part of which I heard, upon this very vital and important question.

I think the debates on the question of offshore oil have been outstanding, and my statement applies to both the proponents and the opponents of the Holland joint resolution.

I also ask unanimous consent to have printed in the body of the RECORD an article entitled "Eccles Warns of Economic Dangers," written by Marquis Childs, and published in the Washington Post of April 14, 1953.

This article points out that Marriner S. Eccles, a very distinguished American, and a former member of the Federal Reserve Board, and for some time Chairman of the Board, makes note of the fact that the economic pressures in the American economy at the present moment are deflationary rather than inflationary.

I note what Mr. Eccles has to say in regard to the recent decision of the Treasury Department increasing the interest rates on Government bond issues, namely, that the justification in the

main, or at least the partial justification, is that at least some inflationary pressures are indicated and may be continuing.

Further, I ask unanimous consent to have included at the same point a feature article entitled "Increase in Cost of Homes Seen in Suspension of Government's Purchases of VA and FHA Paper," published in the Wall Street Journal of April 14, 1953.

This article relates to one aspect of the interest-rate problem. The Government has suspended the purchases of Veterans' Administration, GI housing-loan paper, and FHA paper. The article points out that the agency best known or commonly known as "Fanny May"—FNMA—will suffer a very serious loss. I point out that some economies we are now attempting to make—economies that go to agricultural research and soil conservation; economies that may go into every aspect of our vocational education and health program — are being totally erased, first, by a rise in interest rates; and, second, the losses to some of the loan agencies of the Government because of finagling of the fiscal policy.

I desire the RECORD to speak for itself. The article in the Wall Street Journal is conclusive proof of the events to which I invite attention.

I ask unanimous consent that there be printed in the RECORD at the same point a statement entitled "National Debt Policy—Long-Term Implications of Rise in Interest Rate Examined," written by Seymour E. Harris, an eminent economist, of Harvard University, and the author, among other books, of The National Debt and the New Economics.

The PRESIDING OFFICER (Mr. CASE in the chair). The Chair wishes to advise the Senator from Minnesota that the 2-minute time limit has expired.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to be allowed at least to complete my statement. I shall be finished in a moment.

Mr. MORSE. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. HUMPHREY. I yield.

Mr. MORSE. I think the 2-minute requirement is a good one, but my parliamentary inquiry is whether it applies to the total number of items a Senator desires to place in the RECORD or to each item.

The PRESIDING OFFICER. The Chair is advised that under the order it applies to each particular item.

Mr. MORSE. In that event, the Senator from Minnesota is just starting another item, and the 2-minute limitation would not have run against him.

The PRESIDING OFFICER. The Chair had not submitted to the Senate any unanimous-consent request with relation to the first item. The Chair was endeavoring to find out whether the Senator from Minnesota made a unanimous-consent request.

Mr. HUMPHREY. I think the RECORD will reveal that I asked unanimous consent to have each item printed in the RECORD as I spoke of it.

The PRESIDING OFFICER. The Senator from Minnesota is a very rapid speaker. At the time he submitted his request the attention of the Chair was diverted by conversation with the distinguished minority leader [Mr. JOHNSON of Texas], and the request was submitted to the Senate. The Senator from Minnesota then went on to review the statement in some detail, and the Chair was uncertain whether or not the Senator wished to obtain unanimous consent to have the item printed in the RECORD. Without objection, such consent is granted, and the first two items mentioned may be printed in the RECORD, as requested.

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

OFFSHORE OIL DEBATE—ATTACK BY DOUGLAS SHOWED CHARACTERISTIC SKILL

(By Marquis Childs)

One of the most vigorous opponents of the measure to transfer title to the offshore oil from the Federal Government to the States is Senator PAUL H. DOUGLAS, Democrat, of Illinois. With characteristic skill in marshaling facts and figures, DOUGLAS talked for 2 days against the administration's bill.

Yet, his remarks caused scarcely a ripple in the stream of the news. A deep source of frustration to those fighting to block what they denounce as a colossal giveaway is their inability to stir any widespread public excitement over the issue.

The most effective weapon has been the Hill amendment which provides that the royalties paid to the Federal Government for sale of the oil would go to all the States for education, thereby helping to make up for the gaping financial deficit in almost every State educational system. The States off whose shores the oil lies would receive a much larger share.

Some progress has been made in alerting the States that have no offshore wealth. The legislatures of five States—West Virginia, Rhode Island, Minnesota, Tennessee, and Arizona—have adopted resolutions calling on Congress to reject the oil bill. These resolutions refer to the urgent need for school funds. The resolution passed by the Arizona House of Representatives says it is estimated that Arizona alone needs $120 million "to take care of urgent school needs." The Tennessee House in its resolution referred to the proposal as "detrimental to the schoolchildren of Tennessee."

The Tennessee Senate adopted a resolution taking the opposite line. But both houses in Arkansas supported the Hill amendment to use the oil revenues received by the Federal Government for education.

The States with the vast oil wealth off their shores—California, Texas, Louisiana, and Florida—are naturally determined to keep what they insist has always been theirs. The revenue they would receive would go a long way to ease the tax burden and provide new and modern schools. In Texas, oil from school lands has been a bonanza for higher education.

One reason for the public apathy is the legal tangle which surrounds the issue. Discussion is likely to be lost in complexities about historic boundaries and the Continental Shelf which merely confuse the average citizen.

The administration has maintained a consistent viewpoint in pressing for action to live up to President Eisenhower's stand for States rights on the oil issue during the campaign. Attorney General Herbert Brownell, both able and conscientious, has sought to limit action to the historic boundaries. He is concerned, of course, lest Congress go so far as to make it probable that the Supreme Court would reject on constitutional grounds a law granting to the States authority beyond the historic boundaries. On the point of outright ownership Brownell in his testimony had this to say:

"My recommendation would mean, in legal terms, that instead of granting the States a blanket quitclaim title to the submerged lands within their historic boundaries, the Federal Government would grant to the States only such authority as required for the States to administer and develop their natural resources."

Some of the most ardent proponents of the transfer of the oil wealth have also consistently taken this position. Thus Senator SPESSARD HOLLAND, Democrat, of Florida, in his bill proposes that the Federal Government quitclaim to the States only the submerged lands within their historic boundaries. For California, this boundary is the 3-mile limit. Texas and Florida claim a 10½-mile limit by virtue of the terms under which those States were admitted to the Union.

By far the greater part of the potential oil wealth, however, lies in the Continental Shelf beyond even the 10½-mile boundary. The United States Geological Survey has estimated the value of potential reserves in the Continental Shelf off California, Texas, and Louisiana at $37,890 million.

The pressure from powerful interests with a well-organized lobby in Washington is to get the jurisdiction of the States extended beyond the historic boundaries on which the Eisenhower administration stands. There are suspicious souls who believe a quitclaim bill within the historic limits is only the first step. The second step would be control over the Continental Shelf. Among both Republicans and Democrats in Congress are advocates, under the same States' rights principle, of turning over the public lands in the West, or the mineral wealth of those lands, to the individual States. That could be step No. 3.

The Rhode Island Legislature has granted authority for a suit to be carried through the Federal courts challenging the first step. So, in any event, the Supreme Court will pass once more on a question long in controversy.

ECCLES WARNS OF ECONOMIC DANGERS

(By Marquis Childs)

All through the inflationary boom of the Truman administration a wiry little man with a far-reaching knowledge of finance provided a sober commentary for those who cared to listen on the mistakes that he thought were being made. That was Marriner S. Eccles, of Salt Lake City, Utah, a Governor of the Federal Reserve Board, who finally came into prolonged and bitter conflict with President Truman and his Secretary of the Treasury, John Snyder.

In the controversy over interest rates Eccles felt that the independence of the Board was at stake. He resigned in July of 1951, although his term as a member of the Federal Reserve did not expire until 1958.

After an unsuccessful effort to defeat Utah's Senator ARTHUR V. WATKINS in the Republican primary, Eccles became chairman of the board of the First Security Corp., the system of banks he and his brother built up in Utah, Wyoming, and Idaho. Back in Washington the other day for a visit, he talked with old friends the same kind of shrewd realism about the course of the American economy.

But now Eccles feels that most of the influences are in the direction of a deflation. In the annual report of his company Eccles expressed it as follows, after pointing out that the budget-balancing, tax-cutting program of the Eisenhower administration is in itself deflationary:

"Other developments which indicate that we may be approaching a very advanced stage in the business cycle may be enumerated as follows: Production, employment, and income are at new highs after a prolonged and spectacular rise; money rates have been

gradually tightening for several years in spite of the fact that individual and corporate savings—including depreciation, depletion, and retained earnings—have been increasing and are now running at the high combined total of about $40 billion annually; inventories are being maintained at high levels and are not likely to be increased; automobile and consumer durable goods generally are being produced as fast and in many cases faster than they can be absorbed by the market; the peak of home building has been reached and houses are now being built in many areas more rapidly than they are being sold; Government expenditures are scheduled to reach their peak this year and then start to decline; the capital outlay of American business has been running at abnormally high levels since the end of the war and will likely taper off this year."

In his report, Eccles implied criticism of the new administration for undertaking at this time to shift a large part of the short-term debt to a long-term basis at higher interest rates. Privately, in his talks here, he was much more critical of the policy now being pursued by the Treasury, feeling that it will add one more deflationary pressure to those he listed.

To some this may seem to concern only a few Wall Street bankers and brokers—the Wall Street which is a favorite target for demagogues. Actually the state of the American economy and whether it will be sustained at more or less the present high levels is directly related to high policy and high politics at home and abroad.

The specialists searching for motives for the peace drive launched by Russia's new Premier, Georgi Malenkov, have studied closely a speech made by Malenkov in November of 1949. That was at the time when there were signs of a slump in this country. Unemployment had begun to increase.

Malenkov in his speech gloated over these signs of decline. He held out hope to the Moscow Soviet that he was addressing that the long-awaited American depression was about to begin. Communism would prove, said Malenkov, that it was the superior system. He went on to give the familiar mish-mash of claims and statistics.

But it is quite possible that one of the principal targets for the peace offensive is American prosperity. A fixation of Communist thinking is that this prosperity is dependent on war or preparation for war.

So, with the whole world watching—and the free nations conscious of a direct relationship with America's economic well-being—it is supremely important to show that peace and prosperity are compatible. The robust, unflinching optimism of Secretary of Commerce Sinclair Weeks may be a helpful tonic.

But something more than this is necessary from Government. In the past decade Government has intervened on a colossal scale. Largely with the aid of Government tax writeoffs and with Government war and defense contracts, total production has been increased 2½ times. After that kind of intervention for war and preparedness the Government cannot just walk away while invoking natural economic laws. A little common sense of the Eccles variety will be helpful at this point.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent that the article from the Wall Street Journal to which I have referred be printed in the RECORD.

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

MORTGAGE RATES—INCREASE IN COST OF HOME LOANS SEEN IN SUSPENSION OF GOVERNMENT'S PURCHASES OF VA AND FHA PAPER

WASHINGTON.—Government mortgage rates soon will be boosted.

Such was the strong implication of an announcement yesterday that the Federal National Mortgage Association had temporarily suspended purchases of mortgages insured by the Federal Housing Administration or guaranteed by the Veterans' Administration.

The FNMA merely said its "action was a precautionary measure pending a necessary review of the purchase policies of the association in a changing market."

Interest rates now are fixed at 4 percent on VA mortgages and 4¼ percent on FHA loans. Builders and mortgage bankers for months have complained that these rates are unrealistic in terms of the present investment market.

OVER-THE-COUNTER PURCHASES AFFECTED

The FNMA action applies to over-the-counter purchases by the agency. It does not affect mortgages covering defense, military, disaster, or Alaska housing, nor does it apply to mortgages covered by FNMA commitment contracts or delivered against FNMA purchase receipts.

Government officials—who asked not to be named—said the FNMA has stopped buying the 4 percent and 4¼ percent FHA mortgages "so it wouldn't be stuck with more millions of such home loans when rates are boosted."

These officials explain that if VA rates are raised, say, to 4¼ percent, FNMA couldn't sell its vast holdings of 4-percent VA loans except at a discount. Such selling would mean a loss to the association. At present FNMA holds $2.3 billion of mortgages, about 85 percent of which are 4-percent VA loans. The other 15 percent are 4¼-percent FHA loans.

If these officials are correct in predicting a boost in Government mortgage rates, the Administration must decide what FNMA must do with its mortgage holdings.

Sale of its present holdings at 2 or 3 cents off on the dollar would mean that FNMA could sell its holdings and raise cash with which to buy new mortgages.

On the other hand, FNMA could simply hold onto its present mortgages until they mature, which would mean that no loss would result. If such is the case, Federal appropriations might be necessary to provide money to FNMA to buy new mortgages.

Housing officials said that FNMA has about $170 million available to buy mortgages in the open market. It has some $313 million already committed for the purchase of mortgages, and these commitments will be carried out.

BUILDERS AND BANKERS FAVOR BOOST

Builders and mortgage bankers have repeatedly asked the present and past administrations to boost the VA and FHA rates in line with rising interest rates in other sectors.

Heavy demand for loans, far in excess of supply, has brought about a "tight" money situation and increased interest rates. Government borrowing costs have been rising for months and business borrowing charges have pretty much followed suit.

With such heavy demand by borrowers, lenders have ample places to loan their money at fancier yields than the 4-percent and the 4¼-percent Government mortgage rate. Since these Government mortgage rates have not risen with other yields, builders and mortgage bankers have complained that lenders have shied away from making such loans.

The Treasury decision to issue a 30-year 3¼-percent bond issue—the highest rate in nearly two decades—has made the need for a mortgage rate boost "even more certain," according to one high source. "Such a coupon recognizes that borrowing costs have gone up, so overall fiscal policy, to be uniform, must recognize that a 4-percent mortgage is ridiculous in these times," he adds.

HIGHER RATE SEEN AID TO MARKET

A decision to boost VA and FHA rates—if it comes—would help the housing market, according to builders and mortgage bankers. With a more "realistic" yield, insurance companies and savings and loan associations would be more interested in lending their money to finance new homes and therefore provide a stimulus to the building industry.

A boost in mortgage rates would also mean, proponents argue, that FNMA would have to buy fewer mortgages. With the higher rate, private investors would be more interested.

Also, a higher rate on VA loans could mean that the Veterans' Administration would have to make fewer direct home loans. In rural areas, if a veteran cannot obtain a home loan from private sources then the VA is empowered to lend him the money directly. A higher rate presumably would mean private sources would be more willing to make such loans and the Government could be eased out of the direct lending field, according to proponents of a higher rate.

Mr. HUMPHREY. I also ask unanimous consent that the article by Dr. Seymour E. Harris, entitled "National Debt Policy—Long-Term Implications of Rise in Interest Rate Examined," be printed in the RECORD at this point as a part of my remarks.

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

NATIONAL DEBT POLICY—LONG-TERM IMPLICATIONS OF RISE IN INTEREST RATE EXAMINED

(The writer of the following letter is professor of economics at Harvard University. He is the author, among other books, of The National Debt and the New Economics.)

To the EDITOR OF THE NEW YORK TIMES:

The new policy of debt management should be scrutinized by top administration, by Congress, and by citizens generally. This is the time to do it. Higher interest rates are crucial not only for management of the debt but the whole economy.

In 1946 the average rate on United States Government long-term bonds was 2.19 percent. Now the market is beginning to anticipate a long-term issue of 3 or 3¼ percent, or roughly 1 percent above that of 1946. (The New York Times, on March 26, reported yield of 2.195 percent on one long-term issue.) Even by late 1952 Treasury bill rates had risen from .351 percent at the end of 1945 to 1.837 percent, and certificates of indebtedness from .875 to 1.890 percent.

Within 9 days of assumption of responsibility the present administration had offered an exchange of 1⅞-percent certificates of indebtedness for 2¼-percent certificates of indebtedness, and for some other issues. The market awaits still higher rates.

What is behind this new interest-rate policy?

PRICE OF GOVERNMENT SECURITIES

First, there is the new administration's penchant for the free market. But in the management of the public debt there has been no free market. The price of Government securities depends upon the amount of money outstanding; and the latter in turn is largely determined by monetary authority. It has always been a manipulated market. In fact, many economists hold the theory that control of the interest rate is a price that has to be paid to assure freedom in other markets.

Second, the authorities seem to believe that it is sinful for the banks to hold large amounts of securities. Therefore, they hold, it is necessary to raise rates to a point where

the public will be tempted to buy the securities and the banks to dislodge them. But I would remind the authorities that since 1914 purchases of securities by banks have accounted for about two-thirds of all rises in earning assets of banks and have been the most important monetary factor in financing a rise of money income of 4 to 5 times.

Perhaps the monetary authority will tell us where, in the absence of bank purchases, the money is to come from which will be required over the next 25 years on the conservative assumption that real income would rise by 100 percent and prices by only 50 percent (less than 2 percent a year). For when the banks buy, additional deposits are created.

CONTROLS FOR CREDIT

Third, the new policy is supposed to deal with the problem of inflation. But surely since early 1951 the inflation has been a minimum (less than 3 percent a year in the cost of living, and a decline in wholesale prices) given the task of mobilizing resources for our military economy. Whatever the case for higher rates in earlier years, it is difficult to believe that, in the absence of the extension of war, higher rates are the appropriate policy in the next few years. If some classes of borrowers are abusing use of credit, there are alternative policies to higher rates which do not demoralize the Government bond market.

Defenders of the new policy will tell you that it was the Federal Reserve-Treasury concord of early 1951, with its repudiation of the debt-support policy, that stopped the rise of prices. To this I would reply, What about the reversal in the speculative rise of raw materials? The increase in taxes? What about the cumulative effects of record level of investments (and hence saturation of markets)? What about allocations of materials and price control? What about the excessive speculation in the first 9 months of the Korean war? What about the difficulties of the soft-goods industries? All of these also can account for the flattening of the rise of prices.

The new administration should go slow in reversing the policies of the Roosevelt-Truman administration in this field. Managers of the public debt have learned since 1933 to tailor securities to the needs of different segments of the market, to give enough assurance to the market so that investors could safely hold long-term securities and hence be satisfied with lower rates. Compare the uncertainty today, with investors disposing and waiting until they are sure they make the best possible bargain. Had rates in the last 20 years been those of the twenties, the cost of the national debt would have increased by more than $50 billion.

RISE IN COST

I hope that the new administration will be cautious. The national debt now costs $1 billion per year more than at the end of the war, though the size is roughly the same. Should the administration continue with its present policies and bring rates back to the level of the twenties, the cost over 25 years may well be $100 billion. I have not heard Senator BYRD say a word about economies in managing the debt.

It is also well to observe that a rise in the rate by 1 percent gives the banks an additional return of $600 million per year ultimately.

The Congress is meticulous about appropriations of even $50,000 for the pay of economists whose task it is to study the $350 billion economy as a whole. Yet they allow, without any restrictions, full discretion to the managers of the debt even though one policy might cost from one to four billion dollars a year more than another.

Again I urge a careful appraisal of the long-run implications of the new debt and interest rate policy. Not only the tax burden but also the state of our economy is involved.

SEYMOUR E. HARRIS.

CAMBRIDGE, MASS., *March 30, 1953.*

Mr. HUMPHREY. Concluding my remarks in reference to Dr. Harris' article and the editorial which I have brought to the attention of the Senate, I recognize the importance of the Treasury Department being very much alive and alert to the threat of inflation. I congratulate the Department upon any measures which it has taken to curb inflation. I commend the Department for such action. My point the other day in addressing the Senate on a statement made by several Senators was that this fiscal adjustment, the interest rate adjustment upward, had been made without consultation with the Congress or with the Council of Economic Advisers.

I conclude by saying that on the one hand we talk of balancing the budget and we talk of economies in the departments of Government, but I submit that the new interest rate policy of this Government will make such economies seem puny and meaningless. We try to curtail expenditures for the farmers or for the school children in connection with vocational education, to the tune of a few million dollars. Then we impose upon ourselves by Executive fiat, not by congressional action, literally hundreds of millions of dollars in increased interest, which will go to the few and not to the many.

HUMBLY WE PRAY—POEM BY STELLA HALSTEN HOHNCKE

Mr. LANGER. Mr. President, I desire to bring to the attention of the Senate a poem written by an outstanding poet of the Northwest, Mrs. Stella Halsten Hohncke, State poetry chairman for North Dakota, of the National League of American Pen Women, Inc. Recently she wrote an outstanding poem. I ask that the poem be printed in full in the body of the RECORD. It is very brief. I believe that if every Senator will read the poem we shall have harmony in the Senate between the Democrats and the Republicans.

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

Dear Lord:
I meant to say a word today
To my neighbor who lives across the way,
Who bears, alone, her recent grief,
But I did not speak, and the day was brief.

I meant to do a deed today
For one who stumbled on the way;
A friendly hand meant the battle won,
But I did not act, and the day was done.

Forgive me for the things I meant to do
But left undone. Too late, I knew
I missed the joy of life's golden hour
By neglect of the good within my power.
Amen.

—*Stella Halsten Hohncke.*

CONFIRMATION OF CERTAIN EXECUTIVE NOMINATIONS

Mr. TAFT. Mr. President, there are three new reports on the Executive Calendar. My understanding is that there is no objection to any of these nominations. If there is, I shall not press the request at this time. I ask unanimous consent that, as in executive session, the Senate consider and confirm these nominations.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will state the nominations in order.

RECONSTRUCTION FINANCE CORPORATION

The Chief Clerk read the nomination of Kenton R. Cravens to be Administrator of the Reconstruction Finance Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

FEDERAL HOUSING COMMISSION

The Chief Clerk read the nomination of Guy O. Hollyday to be Federal Housing Commissioner.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

GOVERNMENT PRINTING OFFICE

The Chief Clerk read the nomination of Raymond Blattenberger to be Public Printer.

The PRESIDING OFFICER. Without objection, the nomination is confirmed. Without objection, the President will be immediately notified of all nominations confirmed this day.

TITLE TO CERTAIN SUBMERGED LANDS

The Senate resumed the consideration of the joint resolution (S. J. Res. 13) 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.

Mr. LONG. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield.

Mr. LONG. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "The Senate Tidelands Bill," published in the Shreveport Times of March 29, 1953.

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

THE SENATE TIDELANDS BILL

The tidelands bill approved by the Senate Interior Committee—the Holland bill, with 39 other Senators joining the Florida Senator in sponsoring it—carries out the campaign pledges of President Eisenhower, in our opinion. It also fulfills the pledge of the Republican platform and grants the coastal States the offshore rights which formed the basis of their first demands for title.

The Times agrees with Louisiana Senators RUSSELL LONG and ALLEN ELLENDER that the Senate bill should be enacted into law before approaching the question of title, taxing, policing power and other issues involving the Continental Shelf, which is 50 to 200 miles offshore and has popped up as a new question. Nothing in the Holland bill—as approved by the Senate committee in an 11 to 4 vote—prevents the States from seeking

title, or lesser jurisdiction, over the Continental Shelf resources later. But that is a separate problem and one that rightly should be postponed, as Senator LONG proposes, until the Holland bill is enacted into law, with the signature of President Eisenhower.

There can be no question that the President will sign the Senate bill if it goes through Congress. The bill conforms to the GOP platform, which states on this issue:

"We favor restoration to the States of their rights to all lands and resources beneath navigable inland and offshore waters within their historic boundaries."

That also is what President Eisenhower pledged, as a candidate, in his speeches at New Orleans and in Texas. And it is what the Holland bill provides. As to whether the historic boundaries are the 3 mile limit for Louisiana and California and 10½ miles for Texas and the gulf coast of Florida, the States have a right to seek new definition, by legislation or by court action, on that point.

But the first step is to get a Federal law that establishes the principle of the rights of States to both offshore resources and those under inland navigable waters not flowing in federally-owned land.

Louisiana Attorney General Fred LeBlanc in a statement yesterday emphasized that there is no unfairness to Louisiana in comparison to Texas and Florida in the pending bill, and that the first step must be to get this bill enacted into law. He put it this way:

"Texas and Florida may have been more voluble than Louisiana with respect to seaward boundaries during the present fight in Congress for our submerged lands, commonly but erroneously called 'tidelands,' but the time to talk, argue, contend, strive, and act on that point must necessarily follow the enactment of legislation which recognizes the coastal States as having title to all areas within their historic boundaries."

Mr. HILL. Mr. President, yesterday afternoon my good friend the distinguished majority leader [Mr. TAFT] commented on the amount of time which had been consumed in debate on the pending joint resolution. I invite attention to the fact that the preponderance of time, certainly by far the larger part of the time, has been consumed by the proponents of the joint resolution, and definitely not by the opponents.

Mr. TAFT. Mr. President, will the Senator yield for exact figures on that question?

Mr. HILL. I yield to my good friend.

Mr. TAFT. Up to the end of last week, it is true that the proponents had consumed 17,700 lines of the CONGRESSIONAL RECORD, and the opponents 16,697. However, on Monday and Tuesday the opponents passed the proponents by a good many thousand lines, so they are now ahead.

Mr. HILL. I think if my distinguished friend were to count the lines embodying questions of the proponents of the joint resolution he would find a different result. It is not merely a question of who has the floor, or who is making the speech, but a question of who is consuming the time. Every time a Senator rises to ask questions—although I welcome questions and have no objection to them—time is consumed.

Mr. TAFT. In making this calculation the time was charged to whoever held the floor at the moment, whether he was asking the question or whether he was answering a question, in each case.

Mr. HILL. The Senator recognizes, of course, that questions often require going over material which the speaker has already covered, and which he would not ordinarily repeat. Sometimes a speaker, although he wishes to conclude his speech, must indulge in what we might call iteration, reiteration, and damnable reiteration. So it is the questions which have been asked by the proponents of the joint resolution that have consumed so much of the time.

Mr. DOUGLAS. Mr. President——

Mr. HILL. Yesterday I heard the speech of the distinguished Senator from New Mexico [Mr. ANDERSON]. He made a very fine, able speech. In that speech he made the law so clear that he who runs ought to be able to understand it. After he had laid down all the propositions and quoted from the cases, making a clear, specific case, some of the proponents came forward and began to ask questions. Of course, the Senator from New Mexico, being courteous, as the Senator from Alabama and other Senators always try to be, was compelled to go back over material which he had already covered, to retrace his steps, to say again and again and again what he had already said.

I yield to the distinguished Senator from Illinois, and then I will yield to the Senator from Oregon.

Mr. DOUGLAS. Mr. President, while I do not have the computing machine our good friend, the Senator from Ohio, obviously has, in arriving at the figures of 16,000 lines of the RECORD consumed, nevertheless, is it not a fact that the proponents of the bill have taken approximately 4½ days, namely, 2 days by the distinguished senior Senator from Oregon [Mr. CORDON], 1 day by the distinguished Senator from Florida [Mr. HOLLAND], 1 day by the very able junior Senator from Texas [Mr. DANIEL], and then a half day of speeches by the distinguished junior Senator from California [Mr. KUCHEL], and other Senators.

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

Mr. DOUGLAS. No; not just now.

Mr. HILL. I have the floor.

Mr. DOUGLAS. Whereas the senior Senator from Illinois took 2 days, the Senator from New Mexico 1 day, and other Senators a half day. So that in terms of days, the proponents have taken 4½ days to 3½ days by the opponents.

There is this difference, is there not, that in the days when the opponents were speaking, the majority leader kept the Senate in session for more hours than while the proponents were speaking? I will not go into the motives as to why the Senate was kept on a prolonged working day when the opponents were holding forth, but does not that account for the length of time our good friend from Ohio has so efficiently computed during the hours of the night between the session yesterday and the session today?

Mr. HILL. The Senator is absolutely correct. Everything he has said is absolutely borne out by the RECORD.

I shall have to yield to the junior Senator from Oregon; then I shall yield to the Senator from Minnesota, and then to the Senator from South Carolina.

Mr. MORSE. Mr. President, there are two or three questions I should like to ask.

Mr. HILL. I yield.

Mr. MORSE. Does the Senator from Alabama agree with me that the statement made to the Senate this morning by the distinguished majority leader concerning the length of time that has been used in the debate now proceeding is one of the most novel statements the Senator from Alabama has heard in connection with the subject of free debate on the floor of the Senate on an issue involving the public interest?

Mr. HILL. The Senator is absolutely right. We have here a great issue, involving billions of dollars of the people's property. It ought to be debated. God forbid that the time shall ever come when Members of this great last refuge and citadel of free debate shall be stifled, and Senators cannot rise on this floor and do exactly what has been done in the recent days. Not only opponents, but proponents also, have argued and debated the question before the Senate.

I wish to make one statement about figures. They do not always tell the truth. There is no man in the Senate in whose integrity I have greater confidence than in that of the Senator from Ohio. I have said time and time again that with all his great ability, with all his fine character, and after all is said and done, the shining virtue of the Senator from Ohio is his integrity. His comments on the use of figures reminds me of what Disraeli said. He stated, "There are statistics and statistics and statistics, and then there are ordinary liars." [Laughter.]

The trouble is that figures do not always tell the truth. They do not give the whole story. Before a witness testifies in a court he takes an oath to tell the truth, the whole truth, and nothing but the truth. Figures, however, do not always give the whole story. For instance, the figures cited this morning do not tell how many times opponents of the joint resolution have had to go back over and over and over what they have already said because of the questions of the proponents of the measure.

Mr. TAFT and Mr. MORSE addressed the Chair.

Mr. HILL. I yield to my friend of great and unimpeachable integrity, the senior Senator from Ohio. [Laughter.]

Mr. TAFT. Mr. President, I am greatly complimented by the distinguished Senator from Alabama, with whom I have always cooperated, and am cooperating today. The Senator made the broad statement that many more words were spoken by the proponents than by the opponents of the pending measure, and I happened to have the figures showing that that was not actually the fact. The figures are as I stated them.

However, Mr. President, that is a side issue. What I said yesterday was that in the 34,000 lines, containing, I calculate, about 250,000 words, plus 50,000 more, at least, in the last 2 days, everything had been said that is going to be said during the remainder of this debate. I venture to reiterate the statement that

the subject before the Senate has been very well covered. I do not blame either side for taking too much time. I merely express the opinion that from now on, while Senators naturally wish to state things in their own way, I do not believe they are going to add any arguments or any substantial thoughts to the very brilliant speeches which have been made on both sides of the issue up to this time.

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

Mr. HILL. I have the floor. I have just paid the Senator from Ohio a great compliment. Really, I would have thought he would have returned it in kind. [Laughter.] There is nothing more I can say. All the poor Senator from Alabama can do is to rise and parrot what somebody else has said! [Laughter.]

I have a deep devotion to the Senator from Ohio. He and I served on what was the old Committee on Education and Labor, which afterward became the Committee on Labor and Public Welfare, and we have been close and fast friends. I have even often referred to the Senator from Ohio as my lawyer. Then to have him rise here and talk about his client! I did not speak about my friend's generosity, but I really would have thought he would be more generous to the Senator from Alabama than that. [Laughter.]

We see here again, Mr. President, an illustration of what I have been discussing. I rose with the idea of not making a very lengthy speech, but the Senator from Ohio, who desires to shorten the debate, now compels the Senator from Alabama to take the time necessary to demonstrate that the Senator from Alabama can say something on the joint resolution, can make some points on it which have not been made before. It is a perfect illustration of the very matter I have been discussing.

Let me ask, Had the Senator from Oregon concluded his questions?

Mr. MORSE. I have just started. [Laughter.]

Mr. THYE. Mr. President, I have only one question to ask.

Mr. HILL. The Senator from Minnesota has only one question. I desire to be perfectly courteous to the Senator from Oregon; and if it would be agreeable to him, I yield to the Senator from Minnesota.

Mr. THYE. Mr. President, my only reason for rising was to make a comment in connection with the remarks of the Senator from Illinois [Mr. DOUGLAS] when he said that the Senator from Oregon [Mr. CORDON] took 2 days in presenting his views. I recall distinctly that the Senator from Illinois interrogated the Senator from Oregon at such length that the Senator from Oregon finally had to beg that he might be relieved from answering any further questions while he could have an opportunity to get his lunch. So the memory of the Senator from Illinois is very short if he does not realize that on the 2 days the Senator from Oregon was speaking on the Senate floor, most of the time was taken in answering questions which were propounded to him by the distinguished Senator from Illinois.

Mr. DOUGLAS. Mr. President, will the Senator from Alabama yield so that I may reply to that?

Mr. HILL. I think it is only fair, since the Senator from Minnesota has spoken about the Senator from Illinois, to let the Senator from Illinois make a brief statement in reply, so, without prejudice to my rights, I yield.

Mr. DOUGLAS. Mr. President, it is true that I asked certain questions of the Senator from Oregon. However, I would point out that in the course of my speech on the pending measure I was asked many questions by the very able senior Senator from Florida [Mr. HOLLAND] and the very able junior Senator from Texas [Mr. DANIEL]. Both those Senators have conducted their arguments with great ability and great politeness. I yielded in the case of each Senator, and a large portion of my time was taken up in at least attempting to answer the questions of these estimable Senators. The only difference between my situation and that of the senior Senator from Oregon was that he was able to leave the floor and get his lunch, whereas I was not; I was held here all afternoon, for 2 days. [Laughter.]

Mr. MORSE. Mr. President, will the Senator from Alabama yield to me?

The PRESIDING OFFICER (Mr. CASE in the chair). Does the Senator from Alabama yield to the Senator from Oregon?

Mr. HILL. I yield to my friend, the Senator from Oregon.

Mr. MORSE. I have several questions to ask. Before I ask the first one, let me say I am sorry that my good friend, the Senator from Ohio [Mr. TAFT], has left the floor, for I wished to ask one of the questions in his presence. However, inasmuch as he is a careful reader, I am sure he will read my question as it will appear in the CONGRESSIONAL RECORD.

I wish to say that I share the views of the Senator from Alabama about the Senator from Ohio. In fact, I have such a high regard for the Senator from Ohio that I deeply regret that at the time of the Republican National Convention I made the mistake of not supporting him for the Republican presidential nomination. If I had it to live over and the choice was between Eisenhower and TAFT I would choose TAFT. At least he intends to be fair and he tries to be fair. I am sure he always means to be fair, although the results of many of his procedural actions against me produce unfair results.

Furthermore, Mr. President, since the Republican National Convention the Senator from Ohio has proved that he possesses greater qualities of statesmanship than I had detected in him prior to the convention.

Be that as it may, I wish to respond at this time to what I regard as a very fallacious argument, or at least an argument with very undesirable implications, as contained in the statement presented to the Senate today by the Senator from Ohio in connection with the statistics he mentioned. I think it would be most unfortunate if the debate in the Senate were to be limited by any such statistical persuasion as that which the Senator from Ohio has tried to use today.

So I wish to ask this question of the Senator from Alabama: Is it not the understanding of the Senator from Alabama that the value of the property involved in the issue now before the Senate is between $40 billion and $65 billion, which belongs to someone—either to all the people of the United States or to the people of the particular States involved?

Mr. HILL. Yes. The distinguished Senator from Illinois presented testimony, which I do not think anyone successfully challenged, showing that the property values involved in this matter are anywhere from $50 billion—that amount being made up of $40 billion for the oil and $10 billion for the gas—all the way up to $300 billion.

Mr. MORSE. Does the Senator from Alabama share my view that when Congress finally passes the measure on this subject which I believe will be passed, and when that measure becomes law, the effect of that action will be to transfer this property to the States? When the President finally signs that measure, as I believe he will do, that will not at all end this issue, but there will still be a prolongation of this problem, not only in future Congresses, but in the courts of America.

Mr. HILL. I think the Senator from Oregon is absolutely correct.

As he knows, and as I expect to discuss in a few minutes, this question transcends in importance any question of property. Great as is the value of the property involved, and even though it may be much greater than we now realize, this question really goes to the whole issue of the sovereignty of the Federal Government and the relationship of our Nation to other nations. Many, many, most important questions are involved in this matter; and the importance of many of them transcends in many ways the importance of the very valuable property affected, even if we accept the value which we now believe the property to have.

Mr. MORSE. Does the Senator from Alabama agree with me that when the long course of litigation runs through the courts, they will be very much interested in the legislative history of the particular legislation?

Mr. HILL. I think that is unquestionably true. That is one reason why I believe it is so important that we make the record full and complete.

The Senator from Oregon, great lawyer that he is, and a former distinguished dean of the University of Oregon Law School, well knows that many many times the courts, as they should do, turn to the record of the congressional debates, and seek to ascertain the legislative history regarding the particular question then before the courts. So it certainly behooves us to write the legislative record in such a way that it will be clear, full, and definite.

Mr. MORSE. In my judgment the Senator from Alabama is a lawyer second to none among the Members of the Senate. Since he is such an able lawyer, I should like to ask him another question.

Mr. HILL. I am glad the Senator from Oregon is so much kinder to me than was my good and wonderful friend,

the Senator from Ohio [Mr. TAFT]. The Senator from Oregon compliments me. [Laughter.]

Mr. MORSE. Does the Senator from Alabama, able lawyer that he is, agree with me that the courts of our country, and particularly the United States Supreme Court in some of its leading decisions in which the question of the legislative history has become at issue, sometimes have pointed out in their decisions, by means of various language forms—although the meaning is clear—that not 1 Senator, not 2 Senators, but a large number of Senators during the course of the debate on the particular measure involved expressed a legislative intent, in keeping with the conclusion reached by the Court as to what was the legislative intent of the Congress?

Mr. HILL. The Senator from Oregon is exactly correct. We can find that in many cases which have been decided by the courts.

Mr. MORSE. Does the Senator from Alabama then agree with me that in the presentation of our opposition to this measure, which we believe is not in the public interest, we, as individual Senators, have a responsibility to express for the record, in behalf of the people we represent, our views as to the undesirability of this measure from the standpoint of sound public policy?

Mr. HILL. I think we would be derelict in our duty and we would fail to perform our duty, as it is imposed upon us as the representatives of the people whose rights and property and interests are involved, if we did not make the record full and complete.

Mr. MORSE. My last question is this: Therefore, does the Senator from Alabama agree with me that, loving the Senator from Ohio [Mr. TAFT] as we do, nevertheless we must not be diverted by his eloquent, persuasive tongue into stopping our fight for what we consider to be the people's cause in connection with this great issue, until we are satisfield in our own hearts and minds that we have made the legislative record which needs to be made in opposition to this measure, so that when the courts come to pass upon it, there can be no question or shadow of doubt in the minds of the members of the United States Supreme Court as to exactly what was the legislative intent?

Mr. HILL. I agree entirely. The Senator from Oregon is a deep student of American history, and he knows that on many occasions the position of the minority at one time has become the wise, proper, and true course of the majority at a subsequent time. As has been said, one on the side of God is a majority.

One who feels that he is in the right, that he is on the right side, should certainly make clear and definite his position, and should build the record for the courts and for the future.

I wish to thank the Senator from Oregon for the questions he has asked.

Mr. LEHMAN. Mr. President, will the Senator from Alabama yield to me for a question?

Mr. HILL. I yield to my friend the Senator from New York.

Mr. LEHMAN. Is it not a fact that the purpose had in mind by all of us who oppose enactment of the Holland joint resolution is twofold, namely, first, to make the record, so that when the case reaches the courts, as it undoubtedly will, the courts may know what was the legislative intent and what was the legislative thinking in the case of the members of the legislative body who spoke against the measure; and, second, to educate the American people, to take them into the confidence of the Members of the Senate?

I can say to the Senator from Alabama that, in my opinion, until 2 weeks ago only a very small number of the American people had the slightest inkling of the implications of the pending measure or the complications which might ensue from its enactment.

I believe we have made great progress in bringing home to the understanding of the American people just what is involved in the pending measure.

If we can continue this debate, as I hope we shall be able to do, on a high plane, and without recourse to any irrelevant debate, I believe we shall gain the support of the people, possibly to an extent sufficient to result in our winning the battle. I think we have made great gains, and are going to continue to make great gains in educating the people, and I believe that is one of the great functions of the Congress of the United States.

Mr. HILL. I think the Senator from New York is absolutely correct. Certainly all he says applies particularly to this case, about which there has been much misrepresentation and much spurious propaganda, referring to it, for instance, as a tidelands measure, when Senators know that tidelands have nothing whatever to do with it. Long ago, as we know, in a case in Alabama in 1895, the tidelands question was settled. Yet time and time again responsible persons, responsible members of the press, and responsible mediums of communication have spoken of this as the tidelands question. That is but one illustration of much of the spurious and misleading propaganda put out in behalf of this measure.

Mr. ANDERSON rose.

Mr. HILL. I yield to the distinguished Senator from New Mexico, who led such a gallant fight against this measure in committee and who made such an extraordinarily able and fine speech yesterday on the floor of the Senate against it.

Mr. ANDERSON. I was going to ask the Senator from Alabama whether he is aware of the fact that in the first hearings ever held on this proposal, starting in 1937 and 1938, the areas in question were always referred to as submerged lands. I spoke about 5 hours yesterday and did not get a chance to cover the subject adequately. I certainly did not have an opportunity to present certain evidence I wanted to present, which consisted of records of the hearings in 1937 and 1938, in which the area was always referred to as submerged lands. It was only when the hearings were held that it became apparent that the law of the country took care of tidelands for the States, but did not take care of submerged lands; nevertheless, the transposition from submerged lands to tidelands has been made. If the Senator would follow that transposition, he would find it was a very shrewd propaganda move, because of which those of us who have opposed the measure have always suffered. I wanted to ask the Senator a question.

Mr. HILL. Mr. President, before the Senator asks the question, I desire to thank him for what he said. I know that his statement is absolutely correct, and I know there is no one who has given more time to the subject or who has expended greater effort in a study of all the records and hearings than has the Senator from New Mexico.

Mr. ANDERSON. I ask whether the Senator from Alabama is not a member of the Senate Committee on Appropriations?

Mr. HILL. Yes; the Senator from Alabama is.

Mr. ANDERSON. Prior to coming to the Senate, the Senator from Alabama served in the House of Representatives, did he not?

Mr. HILL. The Senator from Alabama did.

Mr. ANDERSON. During all that time, did the Senator ever hear of an appropriation that ran to more than a billion dollars, and that might run to as much as $10 billion, that was not considered by the Appropriations Committee?

Mr. HILL. Of course not.

Mr. ANDERSON. Does not the Senator recognize that this in essence is really an appropriation measure?

Mr. HILL. That is the way I look at it. I may say to the Senator, when he made that point, I thought he was eminently correct.

Mr. ANDERSON. I say it should have been referred to the Appropriations Committee, to see whether it was a proper appropriation at a time such as this, when there are other demands for money aggregating many billion dollars.

Mr. HILL. The Senate Appropriations Committee is now wrestling with the very difficult, tortuous problem of undertaking to get the budget of the United States in balance. I do not need to persuade the Senator from New Mexico of the importance of balancing the budget. The fact is, the people of the United States will buy so many bonds, and beyond those which they buy, as we know, we have to look to the banks to purchase the bonds. When the banks purchase them, they have the right to issue currency against them, and therefore the country is flooded with currency, which cheapens it, inviting and making for inflation.

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

Mr. HILL. I yield to my friend from New York.

Mr. LEHMAN. Is it not a fact that this measure not only is in essence an appropriation bill, as pointed out by the distinguished Senator from New Mexico, but is also the greatest giveaway measure that has ever been proposed in this country or in any other country in the world, because it proposes to take away from 159 million people and from the 48 States the rights which belong to them as parts of the Nation, and to give those rights, of great value, to but 3 States?

Mr. HILL. Certainly it is the greatest giveaway measure the Senator from

Alabama knows anything about, I may say to the Senator from New York.

When the Senator from Ohio, the distinguished majority leader, counts the lines in the CONGRESSIONAL RECORD tomorrow morning, I hope he will count the fact that the Senator from Alabama, the speaker, contributed only a minor number of those lines, and that many of them came from other Senators, all of whom have asked very appropriate and very intelligent questions, and all of whom have made real contributions to this debate.

Mr. ANDERSON. That is the purpose, when debate takes place.

Mr. HILL. Certainly; that is the whole purpose. I may say to my friend from New York, and I think he will agree with me, that whenever debate in this body is impaired, there is a change not only of the basic character of the Senate of the United States but also a change in the Government of the United States. This is the great citadel, I may say, for the preservation of the rights of the people of the United States, because a Senator may rise on this floor and present, without limitation, to the Senate and to the people of the country the facts, and all the facts, involved in a particular matter.

Mr. ANDERSON. Mr. President, I would say to the Senator from Alabama that while I did occupy the floor for approximately 5 hours, I think that everything I said was pertinent to the pending measure. I hope it was pertinent, at least. As to some of the things which I had and could have read at great length, I merely inserted them in the RECORD as statements. I had taken the trouble to dictate nearly every line that went in them, even though the task of dictating it and then having it transcribed in time was somewhat tedious. I hope we will not reach the point in the Senate where the number of lines of the RECORD a Senator takes to express the convictions which he has, after listening to more than 2,500 pages of testimony, and after sitting in a committee for 500 hours, are to be counted.

I started on this matter, I may say to the Senator from Alabama, out of my desire to see the derricks begin working on the gulf coast. I had no feeling except that something which belonged to Texas might be about to be taken away from Texas, and I felt that I wanted perhaps to help when the time came to prevent that being done. I want to see the derricks start working. As a result of the long hours of the hearings, I came out perhaps with different convictions; but it is not my conception of the purpose of the United States Senate that the lines of the RECORD which it took me to express those convictions should be counted. Probably, had I been trained as a lawyer, I could deal with these legal cases quicker, but when an individual is born a Swede—and we frequently refer to the "dumb Swedes"—when one is born a Swede, the son of immigrant parents, it takes him a little longer to understand the niceties of Supreme Court decisions. I therefore took more lines than I should have taken. If that be treason, the Senator from Ohio will just have to make the most of it.

Mr. HILL. Mr. President, I cannot agree with my friend; I cannot agree with him at all. I have not heard a more pertinent, a more germane or a more relevant speech than the speech he made, or one that was spoken with more conciseness, or that went more directly to every point he raised, without any persiflage, without any unnecessary language or anything of that kind.

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

Mr. HILL. I yield to my friend from Oregon.

Mr. MORSE. Mr. President, let me take but a few minutes to say to my friend from New Mexico that I have already expressed myself of the statesmanlike speech delivered yesterday. His speech and that of the Senator from Illinois [Mr. DOUGLAS] were two of the greatest speeches I think I have heard in the Senate. But I am not going to let the Senator from New Mexico, even though he be a Swede, leave for the RECORD the comments he has made about his national origin and the great nation which was the land of his forebears. I know of no people on the face of the earth with a native intelligence higher than that of the Swedish people. But they are cautious, they are thorough, they are careful to get their facts—just as is the Senator from New Mexico—and, once they have the facts, they are not to be diverted from the course of action they think is right, because of any appeal to selfish motives, or because of any proposal of expediency.

Mr. HILL. Mr. President, I thoroughly agree with what my very distinguished friend from Oregon has said about Swedes. If there are any people who stand hitched, if I may use a good Alabama colloquialism, who stand fast for the right as they see the right, it is our good friends the Swedes and those of Swedish descent.

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

Mr. HILL. I yield.

Mr. ANDERSON. I tried very hard yesterday to keep from dragging in extraneous issues. I am sorry that I have dragged in this issue. I want to hear the discussion of the pending joint resolution.

Mr. HILL. Mr. President, when my friend makes reference to the Swedes, those of us, like the Senator from Oregon [Mr. MORSE], who know the Swedes and hold them in such high esteem and admiration are moved to give expression to our esteem and admiration.

Mr. President, I have had the floor for 35 minutes, and I hope that when the distinguished Senator from Ohio [Mr. TAFT] counts the lines in the morning, he will remember that I did not use up all the lines. I hope that anyone who is the majority leader of the Senate has more important business than that of counting lines, and I am sure he must have had someone count the lines for him.

Mr. President, the fundamental unsoundness of the approach to the submerged lands problem represented by the so-called Holland bill, the principles of which are now incorporated in Senate Joint Resolution 13 of the 83d Congress, is brought into focus sharply by the very language used in the title of the pending measure.

The title of Senate Joint Resolution 13 states that its purpose is to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries.

In this connection, it is appropriate to point out that the act of confirming a title to land presupposes the existence of an outstanding title in a grantee, a doubt as to the validity of that title, and a desire upon the part of the grantor to remove any possible doubt concerning the validity of the title by taking formal action to remedy whatever defect might be thought to exist in the prior conveyance.

An analysis of Senate Joint Resolution 13 indicates that it covers within its scope three types of submerged lands situated within the boundaries of the respective States:

First, the beds of navigable inland waters, such as bays, lakes, and rivers.

Second, tidelands—that is, lands which are situated between the line of mean high tide and the line of mean low tide, and thus are covered and uncovered by the flow and the ebb of the tide.

Third, the portion of the Continental Shelf underlying the marginal or territorial sea, which begins at the line of mean low tide along the coast wherever land areas meet the open sea, or at the mouths of bays, rivers, and other inland waters wherever they meet the open sea, and then extends seaward to the duly established territorial boundaries of the respective coastal States.

Insofar as the beds of navigable inland waters, such as bays, rivers, and lakes, are concerned, and insofar as tidelands are concerned, the premise of Senate Joint Resolution 13 is unsound because there is no doubt whatever concerning the validity of the titles of the respective States to such categories of submerged lands within their boundaries, and, hence, there is no occasion for the Congress to purport to confirm the titles of the respective States to these categories of submerged lands.

A long line of Supreme Court decisions, going back to 1842 in the case of the beds of navigable inland waters, and going back to 1845 in the case of tidelands, make it plain that each State owns any of these lands that are situated within its boundaries.

The initial Supreme Court case involving the question of the ownership of the bed of a navigable inland water was Martin et al. against Waddell, which was decided by the Supreme Court in 1842 and which is reported in volume 16 of Peters' Reports, beginning at page 367. That has been over a century ago—111 years. That case involved a controversy over the title to an oysterbed on the bottom of Raritan Bay in the State of New Jersey. The Supreme Court held that all rights in the beds of navigable bays and rivers within the limits of the American Colonies, including New Jersey, had been vested in the Crown of England prior to independence; that when the Thirteen Original States, as a result of the Revolutionary War, became free and independent, they

severally succeeded to the rights previously held by the Crown of England in the beds of navigable bays and rivers within their respective boundaries; and that the rights in such submerged lands were not transferred from the Thirteen Original States to the Federal Government at the time of the adoption of the Constitution. Accordingly, the Supreme Court decided that the State of New Jersey was the owner of the bed of Raritan Bay; and that the State had the authority to grant exclusive licenses for the taking of oysters from the bed of the bay.

(At this point Mr. HILL yielded, successively to Mr. MORSE and Mr. DANIEL, whose remarks were ordered to be printed at the conclusion of Mr. HILL'S speech.)

Mr. HILL. All these many cases, beginning in 1855 and continuing down through the years, confirm the Waddell case, the Raritan Bay case, to which I have referred, and also confirm the case of Pollard's lessees versus Hagen, to which I have referred. This long line of cases confirms the decisions in those cases, namely, that the beds under inland navigable waters and the tidelands belong to the States without any question whatsoever. Many subsequent Supreme Court decisions have held that the beds of navigable inland waters, such as bays, lakes, and rivers, situated within the boundaries of a State belong to the State. For the purpose of showing the extent to which this doctrine is firmly ingrained in our constitutional law, I shall now furnish a list of cases in which the Supreme Court has clearly upheld this proposition, indicating in each instance the year in which the decision was rendered and where the reported decision of the Supreme Court may be found:

Smith against Maryland, decided in 1855 and reported in volume 18 of Howard's Reports, beginning at page 71.

Walker against The State Harbor Commissioners, decided in 1873 and reported in volume 17 of Wallace's Reports, beginning at page 648.

Weber against Harbor Commisioners, decided in 1873 and reported in volume 18 of Wallace's Reports, beginning at page 47.

County of St. Clair against Lovington, decided in 1874 and reported in volume 23 of Wallace's Reports, beginning at page 46.

Barney against Keokuk, decided in 1876 and reported in volume 94 of the United States Reports, beginning at page 324.

McCready against Virginia, decided in 1876 and reported in volume 94 of the United States Reports, beginning at page 391.

Packer against Bird, decided in 1891 and reported in volume 137 of the United States Reports, beginning at page 661.

Then the case about which we have heard so much discussion in this debate, Illinois Central Railroad Company against Illinois, decided in 1892 and reported in volume 146 of United States Reports, beginning at page 387.

Shively against Bowlby, decided in 1894 and reported in volume 152 of the United States Reports, beginning at page 1.

St. Anthony Falls Water Power Company against St. Paul Water Commissioners, decided in 1897 and reported on volume 168 of the United States Reports, beginning at page 349.

Mobile Transportation Company against Mobile, decided in 1903 and reported in volume 187 of the United States Reports, beginning at page 479.

United States against Mission Rock Company, decided in 1903 and reported in volume 189 of the United States Reports, beginning at page 391.

McGilvra against Ross, decided in 1909 and reported in volume 215 of the United States Reports, beginning at page 70.

Scott against Lattig, decided in 1913 and reported in volume 227 of the United States Reports, beginning at page 229.

United States against Chandler-Dunbar Water Power Company, decided in 1913 and reported in volume 229 of the United States Reports, beginning at page 53.

Appleby against City of New York, decided in 1925 and reported in volume 271 of United States Reports, beginning at page 364.

United States against Holt State Bank, decided in 1926 and reported in volume 270 of the United States Reports, beginning at page 49.

Massachusetts against New York, decided in 1926 and reported in volume 271 of the United States Reports, beginning at page 65.

Fox River Company against Railroad Commission, decided in 1927 and reported in volume 274 of the United States Reports, beginning at page 651.

United States against Utah, decided in 1931 and reported in volume 283 of the United States Reports, beginning at page 64.

Most of the cases to which I have referred involved States admitted to the Union after independence had been won. The Supreme Court has held that such States stand on an equal footing with the Thirteen Original States so far as the ownership of the beds of navigable inland waters, such as bays, rivers, and lakes within their boundaries are concerned. This means that the States which were created by the United States out of Federal territory automatically received from the United States title to such submerged lands upon being admitted to the Union, the title having theretofore been held by the United States in trust for the future States to be created out of the Federal territory; and that Texas, when it came into the Union through the process of annexation, retained the ownership of the submerged lands comprising the beds of its navigable inland waters—with such specific exceptions as may have been provided for in various acts of admission. That applies not only to Texas, but to any other State, if there is some specific exception.

In view of this long line of Supreme Court decisions holding unequivocally and without a single exception that the respective States own the beds of the navigable bays, rivers, and lakes, and other navigable inland waters within their boundaries, it would be the height of absurdity to argue that there is any real necessity for the Congress of the United States to enact a measure purporting to "confirm" the titles of the States to such submerged lands. I enclose the word "confirm" in quotation marks, because that word is taken from the title of the Holland joint resolution.

Similarly, it would be absurd to contend that it actually is necessary for the Congress of the United States to "confirm" the titles of the States to tidelands situated within their respective boundaries, since the Supreme Court has already made it clear, beyond the shadow of a doubt, that each State owns any tidelands—that is, any lands regularly covered and uncovered by the flow and ebb of the tide—within its boundaries.

The question of the ownership of tidelands situated within the boundaries of a State was first presented to the Supreme Court in the case of Pollard's Lessee against Hagan and others, which was decided by the Supreme Court in 1845 and is reported in volume 3 of Howard's Reports, beginning at page 212. That case involved a controversy over a tideland area comprising part of the shore of a tidewater section of the Mobile River in Alabama. This is the cornerstone case. This is the basic case in connection with the question of tidelands. In this case it was held by the Supreme Court that when Alabama ceased to be a territory and was admitted into the Union as a State in 1819, she was thereby placed on an equal footing with the Thirteen Original States; that the Thirteen Original States had succeeded to the rights of the British Crown in the tidelands within their boundaries and had not surrendered such rights to the Federal Government when the Constitution of the United States was adopted; and that, as an incident of this status of equal footing among the several States, the ownership of the tidelands within the boundaries of the new State was automatically transferred from the United States to Alabama when the latter came into the Union.

She came in on an equal footing with the 13 States which had fought and won the war of independence and then formed the Federal Union. The court said that Alabama was placed upon an equal footing with the Thirteen Original States, which had succeeded to the rights of the British Crown to the tidelands within their boundaries, and had not surrendered such rights to the Federal Government when the Constitution of the United States was adopted. We recall that the States reserved to themselves or to the people—which meant the people of the States—all rights not given or delegated to the Federal Government. The Supreme Court held that the right to the tidelands and ownership of the tidelands were still held by the States, and had never been in any way granted or given to the Federal Government.

Subsequent Supreme Court decisions have uniformly adhered to the view that the respective States or their grantees—that is, anyone to whom the State might have given a grant of any particular

tidelands—own the tidelands situated within the States' boundaries. For the information of the Senate, I shall furnish a list of these decisions, by way of emphasizing the certainty which now exists concerning this point of constitutional law.

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

Mr. HILL. I am glad to yield to the distinguished Senator from New Mexico.

Mr. ANDERSON. Of course, the Senator from Alabama realizes that if he supplies such a list, it will represent lines to be counted against him.

Mr. HILL. I appreciate the fact that it will represent lines to be counted against me, but in the service of truth I shall have to suffer the obloquy incident to putting those lines in the RECORD, because I think the justice of this case, and the need to make the case full and complete, not only that the Senate may have all the facts and the law with reference to the case, but that the facts may be available to all the people of the country, require that I cite the cases and bear whatever burden I may have to bear for adding those lines to my remarks in the RECORD.

These are cases in the highest court in the United States, the Supreme Court of the United States. Surely it is inconceivable that any Senator would object to the citation of cases from the Supreme Court of the United States, particularly on a question so extremely important as is the question now presented to us.

As the Senator from New Mexico knows, the Supreme Court is the citadel which the framers of the Constitution established to protect the rights and interests of the people of the United States. Can it be that a Senator is guilty of some terrible offense if he cites cases from this third great branch of our Government? As the Senator knows, we have three coordinate branches of government. There is the executive branch, to administer and execute the laws; the legislative branch, to enact laws; and the judiciary, including the Supreme Court of the United States, to protect the people in their rights, to make certain that neither the executive branch nor the legislative branch in any way transgresses upon those rights or denies those rights or takes away those great rights from the people of the United States.

Surely it would be a sad day if we in the legislative branch could not make reference to and cite cases from the third branch, the Supreme Court of the United States. We may not always agree with the decisions of the Supreme Court. I myself have not always agreed with the Supreme Court, but that is the great citadel under our system of government. We call it a system of checks and balances. Perhaps Amos and Andy would call it "check and double check." We all check. What a wonderful system. As Mr. Gladstone said, it is the greatest system ever devised by the genius of man. We check the Court. The Court checks us. We check the Chief Executive. The Chief Executive checks us.

The Founding Fathers who wrote the Constitution had a profound knowledge of human nature. They knew the disposition and the urge of human nature which causes people to reach out and grab for more power all the time, to arrogate unto themselves more and more power and set themselves up as the great, mighty, and final authority. Those wise men who met in Philadelphia gave us the greatest system ever known in all the hundreds of thousands of years of human history, the great system of checks and balances.

Mr. President, I cited the basic case, the cornerstone case, the case of Pollard's Lessee against Hagan, a case in my own State of Alabama, involving some land in the city of Mobile, where in the old days the tides used to flow over the land.

We have heard much about tides and water. I believe that if we will consult our geologists, our friends who have studied the formation of the earth, the processes of the earth's formation, the development of the earth, the evolution of the earth, up to date, we will find that the very ground on which we now stand was once under water.

I remember when I was a boy and came to Washington the authorities were building the ground on which stands the magnificent memorial to Abraham Lincoln. As the Senator from Missouri [Mr. SYMINGTON], who sits before me, well knows, that was very marshy, swampy land then. Soil was taken from the bed of the Potomac River to fill the site on which now stands that magnificent marble monument to Abraham Lincoln.

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

Mr. HILL. I yield to the Senator from New Mexico.

Mr. ANDERSON. The Senator from Alabama has referred to some of the cases, and the importance of understanding them.

Mr. HILL. I was going to cite them. Would the Senator rather have me cite them now?

Mr. ANDERSON. No; I was merely wondering whether the Senator's attention had been called at any time to the testimony of the attorney general of the State of Tennessee when he was before the Senate Committee on Interior and Insular Affairs. If it has not been, I should like to call his attention to it. On page 98 of the hearings the Senator will find that I was questioning the attorney general of Tennessee, who was appearing not only in behalf of himself, but was appearing in behalf of the National Association of Attorneys General. These are the lawyers who have decided so frequently that the States should own the areas lying offshore in the open ocean.

I asked the attorney general of Tennessee something about the Illinois Central case, which, as the Senator from Alabama knows, has probably been quoted and misquoted and applied and misapplied more than almost any other case in this debate. I asked the distinguished attorney general of Tennessee whether he recognized that the Court had decided the Illinois case was on pretty sound ground, and he said, "I am not entirely familiar with the case."

Mr. HILL. Mr. President, the Senator knows that that case is a landmark case. I cannot understand how any man could appear before a committee or court to testify on this matter without having studied and understood that great landmark case.

Mr. ANDERSON. That is exactly the point I was trying to make. I wondered how anyone could come to the conclusion that the States owned the land lying out in the open ocean if he had never studied the decisions of the Supreme Court. That is why I was asking the Senator about it.

If the Senator will indulge me further, I thought I ought perhaps to outline to the attorney general of Tennessee what was in that case. I said:

> I had better not try to outline it to you, not being a lawyer.

Mr. Beeler, the attorney general of Tennessee, said:

> I think you would do a pretty good job of it.

Then I asked him this question:

> Do you think the State of Illinois had a right to go out on the lakeshore area and grant to the Illinois Central Railroad rights which it does not itself possess?

This is the reply, to which I hope the Senator from Alabama will listen, because it illustrates how carefully these cases have been studied. The attorney general of Tennessee, appearing in behalf of all the attorneys general, said:

> That was in litigation for years up there, and the courts decided first one way and then the other. It finally ended up some way. I do not know how.

I merely wish to ask the Senator from Alabama whether he thinks that is a fair indication of the amount of research that has seemingly been made into this question by the attorneys general, when the attorney general of Tennessee said, in answer to my question:

> That was in litigation for years up there, and the courts decided first one way and then the other. It finally ended up some way. I do not know how.

That had reference to the Illinois Central case. He said it ended up some way, he did not know how. They got through with it. They got "shut" of it, I suppose would be the expression in the Senator's section of the country. The Court took some action. It was either for or against. He did not know whether it involved land or water, but somehow the Court ended it up, the Court got through with it, he did not know how it came out, but anyway, it supported the point that the States own the land out in the ocean. I hope the Senator from Alabama will tell me whether he thinks that is a good basis on which to claim the lands in the open ocean.

Mr. HILL. It seems to me the attorney general of Tennessee defeated his own testimony when he said he did not know how the case ended, when, as the Senator from Alabama has said, this is one of the landmark cases on the very question before the Senate, to which we are now addressing ourselves. It is indeed surprising testimony. The witness seems to have been very much confounded and confused. He hardly knew

exactly where he was. That would be the indication. Therefore, it will not be surprising when I call the Senator's attention to the fact that the assembly of the Legislature of Tennessee subsequently passed a resolution against the measure now pending in the Senate. The assembly evidently took time to find out about this joint resolution, to get the facts, and, after getting the facts, the house of representatives of the legislature acted, and passed a resolution against the pending measure.

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

Mr. HILL. I yield.

Mr. ANDERSON. As I recall when I was a young man going to church and Sunday school we used to sing a hymn which started with the words, "Take time to be holy." Perhaps it might be a good thing to take time to become informed, and perhaps it might have been better if the attorney general of Tennessee and attorneys general of the various States had taken time to read the Illinois Central case.

I am sure the Senator from Alabama recalls that yesterday when I was discussing this matter, I spent a good deal of my time on questions that seemed to flow from the Illinois Central case. There was a State which tried to give the Illinois Central Railroad the lakefront of Chicago. Some time in the sixties they tried to give it to them, and they thought they had given it to them, but in 1890 the Supreme Court came along and said, "You cannot give away what is held in trust for all the people." That is the very point in controversy now: Can we give away land that is held in trust for all the people?

It strikes me that anyone who really desired to know what the law was would have read the Illinois Central case, which laid down the ruling that the States cannot give away what is held in trust.

In that case the words "particularly land submerged" were used. The Court was dealing with land off the Chicago lakefront which formerly had been submerged. Thank heaven that in that decision, which was rendered in 1890 by a Court which no one can say was a modern court or a New Deal court or a political court, the Court saved the lakefront for the people of Chicago and for the enjoyment of the citizens of the State of Illinois and of this great Nation.

Mr. HILL. That Court was even before the "nine old men."

Mr. ANDERSON. Oh, yes; it was away back in the days when everything was conservative and sound. So how can a lawyer who is trying to understand the law on this subject read the Illinois Central case, which probably is the most important single case which should be considered, and then say, after reading that case, "The case was before the Court, and the Court decided it one way or the other. The case came out somehow, but I don't know how."

Mr. HILL. I thank the Senator from New Mexico for his contribution, for he knows that perhaps the main documents of propaganda favorable to the pending measure, and opposed to the position taken by the Senator from New Mexico and myself, have been the documents of the attorneys general. In this instance, the Senator from New Mexico has shown how little concept and how little understanding the attorney general of Tennessee had of this matter, and how little study he had given to it, and the fact that he did not even know the great, basic, landmark case in this connection.

Mr. ANDERSON. Mr. President, will the Senator from Alabama permit me to go a step further?

Mr. HILL. I yield again to my friend, the Senator from New Mexico.

Mr. ANDERSON. Let me point out that it was testified that one State had contributed $40,000 to the fund which kept that group going on its propaganda work. Of course, that State was obtaining revenue from oil. If some of the other States could have a little revenue from oil, they could make magnificent contributions to scientific foundations, and so forth.

Mr. HILL. Yes; and they could print all kinds of pamphlets, and could have many friends on their side.

Mr. ANDERSON. Yes; and when we got through, we would find that some of the statements contained in the pamphlets were just about as far from the mark as were some of the statements made at that hearing.

At the hearing, I believed I would be able to carry on, to the best of my ability, an intelligent conversation with that witness, who was a very pleasant person. In fact, he even said that if I would come to his State, he would see to it that I was admitted to the bar in his State—although I do not know what I would do after I got there. However, he was very pleasant.

I was trying to find out what the man selected by all the attorneys general, the man picked to read to the committee the paper which the president of that organization had thoughtfully and carefully prepared, knew about the matter. However, he did not even know how the most important case came out.

Mr. HILL. Does the Senator from New Mexico mean to say that the witness did not even understand the paper he was sent to read before the committee?

Mr. ANDERSON. I would not go that far. I would only say that he reminded me of an incident which occurred in the Grand Canyon area of Arizona many years ago. A prospector had entered the canyon to do some prospecting; and once he got there, he had to stay all winter. There was to be a very important fight between two well-qualified prizefighters; it was the Jeffries-Johnson fight, as I recall. At any rate, it was a very important fight, and great interest in that fight was manifested in all parts of the country.

Approximately 6 months after that fight occurred a group of tourists visited the Grand Canyon and entered it at a point opposite the one where the prospector had entered the canyon. Across the canyon they saw the prospector waving his hat and shouting something to them, although they could not hear what he was saying. Of course, there were no loudspeakers in those days. The tourist finally decided that the prospector must be in a desperate predicament; perhaps he was out of water or out of food. So, at great trouble, they crossed the canyon, and finally reached the point where the prospector was standing. Immediately they asked him what the trouble was. He replied, "How did that fight come out?"

The tourists had no idea what fight he meant, for he was referring to the fight which had taken place 6 months before then. But, of course, since radios had not then been invented, and since the prospector had been entirely without communication of any sort, he did not know how the fight resulted, and he was curious about the outcome.

Mr. President, curiosity is a very fine characteristic in some persons. It occurred to me that that witness, being the attorney general who was selected by the organization to speak to the committee for all the attorneys general, should have been very curious to know how that case came out. However, he was not interested in how it came out. He simply knew there was such a case, and that one side won it, but he did not know how the case resulted.

Mr. HILL. Although he did not know how the case resulted, he was before the Senate committee to tell it what it and the other Members of the Congress should do regarding this matter.

Mr. ANDERSON. Oh, the case proved his side—although he did not know which side it was; but it proved it.

Mr. HUMPHREY. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. Yes; I yield to my friend, the Senator from Minnesota, for a question.

Mr. HUMPHREY. I listened with interest to the colloquy between the Senator from Alabama and the Senator from New Mexico; and in that connection I am interested in the portion of the hearings on page 98, to which the Senator from New Mexico referred. At that point Mr. Beeler was answering questions asked by the Senator from New Mexico [Mr. ANDERSON].

Subsequently, on pages 100, 101, and 102, we find some interesting exchanges of questions and answers. For example, the case which was in question was the case of Pollard against Hagan. The questions the Senator from New Mexico [Mr. ANDERSON] was directing to Mr. Beeler were predicated on that case.

Then question arose as to the situation in Mobile Bay and Mobile River. I gather that the Senator from Alabama is quite familiar with that area.

Mr. HILL. That case is another landmark case, just as is the Illinois Central case. In fact, the Mobile Bay and Mobile River case is the basic case and the cornerstone case, so far as tidelands are concerned, I say to my friend, the Senator from Minnesota.

Mr. HUMPHREY. That is correct; and I am glad the Senator from Alabama has made that point perfectly clear, because when, at the hearing, the Senator from New Mexico [Mr. ANDERSON] asked:

> You do not recognize the difference between land under the open sea and land under navigable rivers?

Mr. Beeler replied:

No. Wouldn't you say that land out in the Mobile Bay and down at the mouth of the Mobile River was in the open sea?

The Senator from New Mexico replied:

No.

Then Mr. Beeler said:

That is where you and I just do not quite agree, but I am not going to fall out with you. You may be right.

Apparently Mr. Beeler did not recognize that Mobile Bay is yet a bay, and therefore is classified as an inland water.

I read now from page 102 of the hearings:

Senator ANDERSON. You said the opinion or decision in 1845. Were you referring to the Pollard case?

Mr. BEELER. *Pollard* v. *Hagan's Heirs.*

Senator ANDERSON. Did the Pollard case deal with the land beyond the tidelands in the open ocean?

Mr. BEELER. It dealt with the lands at the mouth of the Mobile River and Mobile Bay.

I am endeavoring to point out that the man who was representing at the hearing the Attorney General, on the one hand, was not sure whether Mobile Bay and Mobile River were open sea or inland waters or tidewaters.

Later, as shown on page 102 of the hearings, he recognized that the case of Pollard against Hagan deals with that matter. Of course, in that case there is express reference to inland waters.

However, the witness was still in doubt as to whether Mobile Bay is open sea or is properly classified as an inland water.

Mr. HILL. The Senator from Minnesota is entirely correct. The testimony to which he has just referred is quite typical of a great deal of the propaganda and misleading and spurious documentary material which have been issued in connection with this matter, in an effort to have this giveaway joint resolution enacted into law.

Mr. HUMPHREY. Mr. President, will the Senator from Alabama yield further to me?

Mr. HILL. Yes; I yield.

Mr. HUMPHREY. I should like to read further from page 102 of the hearings:

Senator ANDERSON. Submerged lands, not tidelands, lands beyond the tidelands in the open ocean.

You are presenting this paper in behalf of the president of the group of attorneys general, and it says all these attorneys general have taken this position. Will you put into the record the dates on which the various States have claimed the lands beyond the tidelands in the open sea, as against the claim of Thomas Jefferson when he claimed it in behalf of all the people of the country?

Mr. BEELER. I wrote a paper about Thomas Jefferson, and delivered it at the Presbyterian Church down in Nashville a while back. I think he is the greatest President who has ever sat over in the White House.

Senator ANDERSON. Good. You said you were a Jeffersonian Democrat.

Mr. BEELER. But I do not want to have to go out and do this work.

In other words, the witness was referring to the dates about which the Senator from New Mexico had inquired.

I read further from the hearings at that point:

Senator ANDERSON. Why is not somebody willing to put that into the record? You say the States did own this land all these years without question. Why will not somebody put into the record when one of these States entered its claim in contravention to the claim of Thomas Jefferson when he was Secretary of State one-hundred-and-some-odd years ago?

Mr. BEELER. They did not have to exert any claim to it. When these lands were granted by the Crown of England and by Spain and France, those things went with that grant.

Senator ANDERSON. The land in the open ocean?

Mr. BEELER. Along the 3-mile belt.

I think it is about time that we clarified the record on that point. As I recall, from my knowledge of international affairs and some international law, it was Thomas Jefferson who claimed the 3-mile belt.

Mr. HILL. That was in 1793.

Mr. HUMPHREY. As a matter of fact, British maritime law did not claim a 3-mile belt, and yet here is the man who represents the attorneys general, who is trying to say that the 3-mile-belt claim grew out of the very transfer of the lands from the Crown of England and from the Crown of Spain to the Colonies, which later became the States of the United States of America. I shall only say that the gentleman speaking did not know the law, and, what is worse, he flunked history; and history is perfectly clear, because I do not think anyone will represent to the Senate, to a court, or even to an eighth-grade civics class, that the Crown of England claimed a 3-mile belt. We claim that as a unique and a distinct product of American law and American political policy, through Thomas Jefferson.

Mr. HILL. What the Senator from Minnesota says is absolutely correct. The question was considered by the Supreme Court of the United States. The Senator will remember the decision in the California case, in which it said this claim was a nebulous suggestion at that time. It was not even a nebulous suggestion, because, as the Senator has so well said, it was Thomas Jefferson who first made the claim, who pioneered, we may say, who broke the ground, as it were, and endeavored to assert the 3-mile claim for the United States, and to get the other nations of the world to recognize it. Of course, the Senator knows that, ordinarily, when one has 3 strikes against him, he is out—and I refer to the decisions in the California, Louisiana, and Texas cases as the 3 strikes—but here the proponents of the Holland measure are seeking to have a fourth strike—that is what it amounts to. The Court fully considered all these matters, as a careful reading of the California, Louisiana, and Texas cases will show. The Court did not write lengthy, verbose decisions, but that the Court considered these matters there can be no doubt about that.

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

Mr. HILL. In a moment. When Thomas Jefferson made his claim of 3 miles, did any Senator representing any State—and remember at that time Senators were elected by their legislatures—declare that the 3-mile belt belonged to his State?

Mr. HUMPHREY. That is correct.

Mr. HILL. My great predecessor, one of the greatest men who ever sat on the floor of the Senate, a man who envisioned and worked for many years to achieve the building of the oceanic canal, John T. Morgan, of Alabama, did not get much credit for it, because Theodore Roosevelt, all honor to his memory, accomplished what we might call the Panama coup. He moved in. But it was John T. Morgan who sat on this floor, year after year, proclaiming the necessity of building an oceanic canal, and urging the building of it. He worked for the building of an oceanic canal.

I may say to my friend from Missouri [Mr. SYMINGTON], the former great Secretary of the United States Air Force, that history may well prove that John T. Morgan was right when he urged not only the building of an oceanic canal but building it across the Isthmus of Nicaragua as a sea-level canal, rather than building it across the Isthmus of Panama, which requires locks and dams. I am sure the Senator from Missouri, who speaks with such authority on military matters, particularly regarding air power, and the capacity of air power for destruction, will agree that one well-placed bomb—merely one well-placed bomb—could put the Panama Canal out of commission for many months, at a time when it might be vital to our country to have that interoceanic passageway in operation. The Nicaraguan route advocated by John T. Morgan was a sea-level route far, far more difficult to destroy, if not almost incapable of being put out of commission with bombs.

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

Mr. HILL. I will yield to my friend in a moment. I had started to ask, Did any Senator from any State rise on this floor to challenge Thomas Jefferson or say to him, "You are claiming 3 miles for the Nation. You are claiming something that belongs to us. The 3-mile area belongs to us"? History does not record it. The Senator knows that, with all the money which has been spent to pass this giveaway measure, with all the time, effort, and toil which have been devoted to the effort to secure its passage, had there been one scintilla of evidence to the effect that any State protested Jefferson's declaration with respect to the 3-mile belt for the United States of America, surely that evidence would have come to light.

I now yield to my friend the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, the Senator from Alabama has made the most devastating argument in reference to the State claims of the 3-mile limit, or 3-mile boundary, that could possibly be made, because the time to have challenged the decision of the national sovereignty regarding the 3-mile limit, I might say to the Senator from Alabama, was on the day of its initiation. In my very limited knowledge of the history of the Senate, it has never been a body that

was under the control of the executive branch. Even in the days of Thomas Jefferson, some Senators found time to condemn George Washington, the President, and they even picked on the Secretary of State. It is an old American habit. It came to this country in the early days of our Republic, and it is really a sort of badge of American independence. So, if Thomas Jefferson was able to make that declaration and come out with his scalp and skin intact, I think he made a declaration that was accepted.

Mr. HILL. What the Senator is saying is that when Senators really wish to show their independence as a separate, independent arm of the Government, they proceed to kick the posterior of the Secretary of State. Is not that correct?

Mr. HUMPHREY. Indeed. That has been one of the great intellectual exercises of Senators from the beginning of the country, and I would not want to stop it now. It is a fine tradition. I may say to the Senator that the argument of Mr. Beeler about history is an effort on his part to cloak this specious argument of the present with things of the past. That is what it means. They are trying to cloak the present argument in behalf of the State claims to the submerged lands by appealing to the past history of this Republic. But history is not on the side of the grab. History is on the side of the Nation, on the side of national sovereignty. I submit that no Senator on this floor can prove that, with reference to the Louisiana Purchase, or to the areas we obtained by treaty from Mexico, or from Spain, or from England, never once was it suggested to the Government of the United States that the land within the 3-mile limit was land which belonged to the States.

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

Mr. HILL. I will yield in a moment. I have very serious doubts whether, even had any State claimed the 3 miles, that claim would have been valid, and whether it could have been recognized; and I will tell the Senator why. The Court, in dealing with the Raritan Bay case, the Waddell case, away back in the forties having to do with the bed of an inland river, in the case of Pollard against Hagan, the big cornerstone case—the case that we in Alabama call the "mud-fill" case—laid down the proposition that the right of the States to the beds of inland navigable waters, came about as an attribute of sovereignty—an attribute of what we might call State internal sovereignty. Following the rationale of those decisions, the Supreme Court in the California, Louisiana, and Texas cases held that the rights to the bed of the sea out in the international domain, out where we deal with other members of the family of nations, were in the Federal Government, as an attribute of the national sovereignty of the Government of the United States.

Let us return to the Pollard case for a moment, because it is very fundamental. We must remember that in the Pollard case the Court was talking about tidelands. The State gets its rights to the tidelands, to the beds of the inland navigable waters, as an attribute of sovereignty. It was a case which affected the rights of other nations. The Federal action was brought for that very reason. One reason why the founding fathers wrote the Constitution and formed the Federal Union, was there might be sovereignty to deal with other nations. We would not want to have Balkan states in the United States.

Let us look at the Pollard case, Mr. President, which is so fundamental. Listen to what the Court said in that case:

> The right to the shore between high- and low-water marks is a sovereign right, not a proprietary right.

Not such a right as the Senator from New Mexico or the Senator from Minnesota or the Senator from Washington might have if they had title to modest homes in the city of Washington. It is not a proprietary right. The Federal Government and the States have rights which individual citizens do not possess. They are sovereign rights, and the Government and the States are the trustees of the rights of all the people.

The question of forts came into the picture because the Federal Government undertook the job of national defense. They were thinking a great deal about the Indians. One reason why we built so many forts in the country was to protect against the Indians who might come and scalp people while they slept. I do not mean they would actually tomahawk the Senator from New Mexico and the Senator from Minnesota while they slept, because, with the diligence of the Senator from New Mexico and the Senator from Minnesota, I am sure they would awaken before the tomahawk fell; but they might be asleep when a treacherous band of Indians appeared.

That great statesman from South Carolina, John C. Calhoun, returned from a visit to find the bodies of his own dear mother and his older brother stark and dead, scalped by Indians.

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

Mr. HILL. I yield.

Mr. HUMPHREY. I appreciate the analogy the Senator has given, because it shows the dangerous situation in which we live at all times. The danger of scalping by Indians is now well under control, but there is a new kind of tomahawking and scalping going on. That is what worries the Senator from Minnesota. Are we going to be scalped of our submerged resources and be tomahawked off the coast lines of the United States and have the vast and rich deposits of oil and gas turned over to some new kind of band that would use them?

The Senator from Alabama moved me deeply with his analogy, but I must say a kind word for the Red Man, the American Indian. He has always respected and abided by the Supreme Court decisions. [Laughter.] All I am asking is that we in the Senate do exactly the same thing and live by the badge of honor that those fine real Americans have established for all of us.

Mr. HILL. I may say that there were bad Indians and good Indians, just as there are bad Americans and good Americans. No Member of the Senate respects more than I do the fine, sterling qualities which so many of our Indians possess and which is such a challenging example to us—their great courage and their will to carry through.

Mr. HUMPHREY. Since the spokesman for the attorneys general tried to cloak the argument with the respectability of history, I am interested to note, since the subject of the Indians has arisen on the floor of the Senate, that never once did the original inhabitants of this land claim 3 miles from shore. They put up a little resistance when we reached the shoreline, but they were willing to wait until the nation was organized as one nation.

Mr. HILL. So far as I know, they did not even come out 3 miles to try to hold back the people they thought were coming to take their lands.

Mr. HUMPHREY. As a matter of fact, the original inhabitants of the States are not claiming 3 miles now. They are fair, and I want to pay them a well-deserved tribute for having been most generous with the Government.

Mr. HILL. Mr. President, I desire to read a few words from the Pollard case, but if the Senator from New Mexico wishes at this time to ask me a question, I shall be glad to yield.

Mr. ANDERSON. I wondered if the Senator from Alabama, if he is going to bring up the awful things that happened in connection with scalping by the Indians, should not let some other Senator bring up that subject. [Laughter.]

Mr. HILL. The Senator from New Mexico must have seen me on television, which I think is one of the most marvelous things of which I know, because it is a medium whereby the people are given the facts about matters such as we are discussing here today. But appearing on television is very hard on those of us who do not have a good crop of hair. New Mexico produces cotton, and we produce it in my State, and we know the boll weevil gets into the crop and eats it.

Mr. ANDERSON. I thought the Senator from Alabama had lost some of his natural resources, and I wanted to point it out.

I ask the Senator, as he comments on the Pollard case, to comment on what was discussed in the Committee on Interior and Insular Affairs. As the Senator from Minnesota [Mr. HUMPHREY] has so well reminded us, the Pollard case was under consideration in the hearing, and I tried to find out whether the land involved was out in the open ocean or whether it was under inland waters.

I asked the witness if he did not recognize the difference between land in the open seas and land under navigable rivers, and he said, "No." I asked him if he claimed that land in Mobile Bay and in the Mobile River was in the open sea, and he said, "No." I thought the Supreme Court had passed on it, and I wonder if the Senator from Alabama will discuss the kind of land it was that was in dispute.

Mr. HILL. I am coming to that now.

Mr. ANDERSON. I said that if it was in the bay I failed to understand how it was in the open sea. I was asked if I

had ever been to Mobile, and I was proud to say that I had. The witness said the wind kicked around the gulf and whipped up the water.

I should like to have the Senator from Alabama tell us just how far the wind can whip up water on the particular piece of property that was involved in the Pollard case. My understanding was that it was a city lot.

Mr. HILL. The Senator is exactly correct. It was between two streets, Boundary Street and Church Street, within the city limits of Mobile, Ala.

Mr. ANDERSON. Has the Senator ever seen the wind whipping up the water there?

Mr. HILL. No, I have never witnessed that. The truth is that where the city is now the lot is really not even on Mobile Bay. It is on a part of the Mobile River. It is not far from where the Mobile River flows into Mobile Bay. Sometimes the wind is rather strong, of course, we have the ebb and flow of the tide, but there is nothing like high water rushing over that piece of land between Boundary and Church Streets.

Mr. ANDERSON. Any Senator interested in this matter might want to know something about the geography.

Mr. HILL. The Senator is exactly correct. I am about to discuss the very matter of geography. Recently there was much discussion in the Senate about the Rodgers case. What was the Rodgers case about? It concerned a criminal offense, one person assaulting another person with a dangerous weapon. Where? On the Detroit River.

Mr. ANDERSON. I cannot imagine anything more pertinent to the discussion of oil in the open ocean than one fellow hitting another with a dangerous weapon on the Detroit River.

Mr. HILL. I should like to read the Magna Charta of this case.

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

Mr. HILL. I yield to my brilliant and distinguished friend, the junior Senator from Tennessee.

Mr. GORE. I thank the distinguished Senator from Alabama for his compliment. During my short time in the Senate, I have come to look upon the distinguished Senator from Alabama as a leader, as a man of enormous intellect and courage. However, his eloquence about the scalping expedition, of the bad Indians which he intimated were abroad——

Mr. HILL. Not today, I may say to my friend.

Mr. GORE. I am glad to have that assurance, because I was apprehensive lest they were abroad today, and I wondered to whom freshmen Senators, like my distinguished colleague, the junior Senator from Missouri [Mr. SYMINGTON], and I, should look for protection. Must we sleep with one eye open, or should we look to the leadership of the distinguished senior Senator from Alabama to protect our scalps?

Mr. HILL. So far as the loss of Tennessee's rights as a member of the Federal Union to the oil and gas in the submerged lands is concerned, the distinguished Senator from Tennessee had better sleep with both eyes open.

Mr. FULBRIGHT. Mr. President, will the Senator yield to me for a question?

Mr. HILL. I yield to my friend from Arkansas.

Mr. FULBRIGHT. I thought that before the Senator from Alabama returned to a discussion of the case he was about to read, I should like to have the RECORD show that about 2 months ago both houses of the Arkansas Legislature passed a resolution endorsing the Anderson bill and the so-called Hill amendment, sponsored by the Senator from Alabama, although our attorney general some years ago—I believe it was in 1947 or 1948—had also joined with the group of attorneys general in their attitude toward the disposition of the submerged lands. I think that experience and the one in Tennessee strengthen the theory advanced by the Senator from Alabama and other Senators who were engaged in the debate that the views of the attorneys general were not necessarily representative of the attitude of the people of the various States.

Mr. HILL. The Senator is certainly correct. I am delighted that he has brought to our attention the action of his own State legislature. Arkansas has acted, as has at least one house of the Arizona Legislature. I have already spoken of the house of representatives of the Tennessee Legislature. At least one house of the Rhode Island Legislature has acted, perhaps both houses. These actions by State legislatures have occurred only in the past several weeks, because it is only now that they are beginning to realize that there has been so much said and so much propaganda disseminated on the other side, so much talk about the use of tidelands that has been absolutely mistaken and a misrepresentation, so far as this case is concerned. Now the State legislatures are acting rapidly, as the Senator from Arkansas has suggested that his State legislature has acted.

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

Mr. HILL. I am delighted to yield to my friend, the Senator from Minnesota.

Mr. HUMPHREY. I merely desire to add to the list of State legislatures which have acted, the House of Representatives of the Minnesota Legislature. As I pointed out a few days ago in colloquy with the junior Senator from Texas [Mr. DANIEL], 2 years ago the legislature of my State favored the Holland resolution. But after real debate in the legislature this year, the house of representatives, by a vote of 2 to 1, voted for the Anderson bill with the Hill amendment.

I also wish to point out that not once do I recall an attorney general of the State of Minnesota discussing this issue with the people. We have had some closed corporation, closed shop procedure, by which certain persons got together and said, "Let us see whether we superlegal minds can figure this thing out to take away submerged lands from the Federal Republic, the United States of America." But once the matter was brought to the attention of other attorneys—and we have a number of attorneys in our legislature, some of them very able, and some, indeed, very, very able—when they went into the legal issues of the case, what did they come up with? Also represented in the legislature are farmers, housewives, attorneys, and businessmen. Despite the fact that the leading political leaders of the State supposedly were in favor of the Holland resolution, the legislation of the State voted 2 to 1 for the Hill amendment.

I say that whenever these matters are brought to the attention of State legislators and the people, particularly the PTA, mothers, and fathers, who are concerned about the education of their children, believe me, they respond.

So we all owe a debt of gratitude to the Senator from Alabama for his work and leadership in this field, which have really brought the subject to the attention of the public, and, as the attorney general from Tennessee said in his testimony, have taken it out of the smokehouse. He referred to the fact that he hoped that no one would steal anything from their smokehouse; namely, that the Federal Government would not take away the rights of certain States. I submit that the smokehouse is where this matter was conjured up.

Mr. HILL. I thank the Senator from Minnesota for all he has said. I wish to express gratification for his having placed in the RECORD his statement of the action taken by the Legislature of Minnesota. I had heard of that action, but I am delighted to have the Senator's statement in the RECORD. It should be in the RECORD, and I am delighted that it will appear there.

Mr. FULBRIGHT. Mr. President, will the Senator yield so that I may ask one further question?

Mr. HILL. I yield to my friend from Arizona.

Mr. FULBRIGHT. From Arkansas.

Mr. HILL. I beg the Senator's pardon.

Mr. FULBRIGHT. I assure the Senator that I am not in the least offended by his mistake.

Mr. HILL. Both are great States. None is greater than Arkansas.

Mr. FULBRIGHT. I appreciate the Senator's compliment.

Mr. HILL. My friend, the Senator from Minnesota, suggests that the States are on an equal footing.

Mr. FULBRIGHT. There is one question that troubles me greatly, because some of the main advocates of the proposed legislation have in the past been identified with rather conservative views in our Government, both as to the substantive legislation and as a matter of procedure. The attorneys general supposedly are learned in the law. They are supposed to have been officers of the court. I assume they were, even though some may have been admitted by motion, just as the Senator from New Mexico indicated a moment ago he was offered that privilege by the attorney general of Tennessee. What disturbs me is that the rather conservative legal lights are advocating one of the most revolutionary principles I have come across. They are really ignoring the function of the Supreme Court and are advocating challenging the Court. In effect, the attorneys general are trying to reverse the Supreme Court. They are not willing to accept in good faith the

decisions of the Supreme Court and have been proceeding on the theory that, under the Constitution, only legislative functions are performed by Congress.

It seems to me that the approach of the advocates of the proposed legislation is a challenge to the very basic principle of the separation of powers in our Government. I am disturbed, to say the least. I do not understand how they can justify their approach to this subject.

Mr. HILL. I believe the Senator is correct. I have tried to draw attention to the very proposition the Senator has stated.

Furthermore, no Senator has devoted more time and attention or greater ability to the field of foreign affairs than has the distinguished Senator from Arkansas. I am sure that he realizes, perhaps better than do any of the rest of us, the full import of what the Holland joint resolution would mean so far as our foreign affairs are concerned, so far as our relations with other nations are concerned, so far as concerns our renouncing, as it were, the 3-mile territorial limit for the United States and pushing out to 10½ miles or heaven only knows how far. What would that mean?

As the Senator knows, this whole proposal is predicated not on the question of property rights, as we think of them, or proprietary ownership. The proposal, both with respect to the States in their ownership of the tidelands and ownership of the beds of inland navigable waters, as well as with respect to the rights of the Federal Government in submerged lands, turns on the question of sovereignty. The rights of the Federal Government in the submerged lands have been declared by the courts to be an inseparable attribute of national sovereignty. When we get out into the submerged lands, as I tried to show earlier, we are getting out into the international domain. We are getting out where we rub elbows with other nations, where we have contacts with other nations, and agreements or disagreements. We are getting into the field of the family of nations. One of the very purposes of bringing the Federal Union into being and drafting and ratifying the Constitution was that we might have a sovereign Nation to deal, on behalf of all the States and all the people of all the States, with other nations in the matter of international relations out in the international domain. Is not that correct?

Mr. FULBRIGHT. The Senator is entirely correct. It seemed very odd to me to find among some of the strongest advocates of this measure those who at other times have been more conservative in their views on the question of sovereignty and the question of our Constitution. Some of them have prided themselves on being constitutional Democrats. Yet when it comes to applying the Constitution specifically in these cases they are extremely radical, if not revolutionary.

Mr. HILL. The Senator is correct. As the Senator suggests, this is not an ordinary land matter, involving proprietary interests, or ordinary title, such as that involved in most transactions, in which some individual conveys property to another individual, or perhaps even involving the question of the Federal Government holding a proprietary ownership, and conveying land or holding land. This is a great constitutional question that we are discussing today.

I was referring to language in the case of Pollard against Hagen to confirm what the Senator has been saying, and what I have been trying to say. A right to the shore between high- and low-water mark is a sovereign right, not a proprietary one. By the treaties of 1803 and 1819, the treaties under which Alabama came into the Union, there is no cession of river shores, although lands, ports, and so forth, are mentioned. Why? Because rivers do not pass by grant. We do not make out a deed of grant to convey the title to a river or river bed, because, as the Court says, rivers do not pass by grant, but as an attribute of sovereignty.

The right passes in a peculiar manner. It is held in trust for every individual proprietor—that means every citizen—in the State or the United States. The word "State" is used because we are dealing with a State matter, namely, tidelands in the State of Alabama. This right requires a trustee of great dignity. Rivers must be kept open.

I emphasize the word "open." We talk about open seas, and so forth. When we use the word "open" in connection with waters in this connection, we are talking about the principle that rivers must be kept open. Rivers must be kept open, just as a street must be kept open, so that people may have ingress and egress to pass up and down the street, to go back and forth to work, and to attend to other business, including the many details of life that must be attended to. That is what we mean when we talk about a river or a road being "open."

We have had a great deal of discussion here about the open sea. What does that mean? What does the Court mean when it uses that term? It means open to you and me and every other citizen of the United States. It means that we may have free passage back and forth.

I realize that there is another connotation. Ordinarily, when most of us think about the open sea, we think about the vast Atlantic Ocean, in contradistinction to the Detroit River or some other inland river. But when the Court talks about the open sea, it means open to you and me and everyone else who wants to travel up and down that highway. In fact, the Court in one of its decisions draws an analogy between open water and an open highway, and says that a highway is a passage on land which is open, a passage where people may travel back and forth.

Sometimes, when we think about a highway, we may think about a four-lane road; but in the terms of the decisions of the courts, it does not necessarily mean a four-lane highway. The Senator from Arkansas and I have both sat around country stores in Arkansas or Alabama, and have heard someone say, as he rose to leave, when someone asked where he was going, "I am going on down the highway." Perhaps it was a very narrow, winding, country road. But it was a highway. It was open. He could go down that road. The Senator from Arkansas could go down it. Any other citizen could go up and down such a highway.

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

Mr. HILL. I yield.

Mr. FULBRIGHT. This is a thought which had not occurred to me until the Senator made the point. Suppose the Holland joint resolution were passed, granting these rights of ownership to the sea off Louisiana. Would the State of Louisiana then have the power to authorize obstructions at the entrance into the Mississippi River?

Mr. HILL. I must be perfectly frank and say, as the Senator knows, that the United States Government has the power over interstate commerce, which we usually speak of as navigation. I cannot believe that any court would hold that anything in the nature of a waterway would not be subject to the servitude of the Federal Government, and the right of the Federal Government to control and regulate interstate commerce or navigation.

Mr. FULBRIGHT. Is that sufficient assurance? The Supreme Court has already held three times that such lands do not belong to the States; yet it is proposed to ignore those decisions.

Mr. HILL. If Congress can overrule the Supreme Court on one issue, it can overrule the Supreme Court on another.

Mr. FULBRIGHT. If we are assuming authority to reverse or change a solemn decision of the Supreme Court in three cases, why can we not authorize the blocking of the entrance to the Mississippi River with derricks to extract oil?

Mr. HILL. If we can overrule the Supreme Court in one matter, we can overrule it in another.

Mr. FULBRIGHT. It is proposed to execute a quitclaim with respect to this land.

Mr. HILL. As the Senator says, if we disregard——

Mr. FULBRIGHT. What is to prevent the State from drilling wells at the mouth of the Mississippi?

Mr. HILL. If we were to disregard the decisions of the Court and say, "we overrule you; we will arrange matters the way we want to arrange them," the result might be what the Senator suggests.

Mr. FULBRIGHT. After the Supreme Court decided the question in the California case, Louisiana and Texas went ahead and granted leases, and proceeded just as though there had been no case in California.

Mr. HILL. They were parties to the California case. They came in as amici curiae, argued the case, and presented all the law they knew, and all that anyone else knew, that they could find. It was all presented to the Court, and after the Court rendered its decision in the California case Texas and Louisiana continued to make leases.

Mr. FULBRIGHT. And collect the money.

Mr. HILL. The Senator is correct.

Mr. FULBRIGHT. On the same theory, could they not erect huge derricks in the mouth of the Mississippi River? The Senator has seen many pictures of such derricks in the newspapers. If the State of Louisiana should erect such huge structures in the mouth of the Mississippi River, what could we do about it?

Mr. HILL. If the Congress does not overrule the Court, and see fit to take from the court its power of decision in these controversial cases, of course the Court would grant an injunction to stop any such thing as that, I take it. Then it would be up to the power of the Federal Government to enforce such an injunction.

Mr. FULBRIGHT. How could the Federal Government enforce it against a State, any more than it did in the California case? It found it rather difficult to enforce the decision in the California case. How does the Senator think it would be much more successful in enforcing such an injunction?

Mr. HILL. I believe such an injunction could be enforced.

Mr. FULBRIGHT. Does the Senator mean by using the Army?

Mr. HILL. After all, the Senator knows that one citizen can take another citizen's property, and the citizen aggrieved has to go into court in order to get his property back. Let us say it is personal property, and he has to replevin it, or something of the kind. It takes a little time to go into court and go through the procedures to get back the property.

Mr. FULBRIGHT. Does the Senator not recognize some difference between dealing with individuals and dealing with States?

Mr. HILL. Yes.

Mr. FULBRIGHT. It is rather difficult to enforce a claim against a State.

Mr. HILL. It is difficult, and I am glad the Senator is asking the questions he is propounding, because he is so well and so ably pointing out the difficulties, the problems, which will be presented if Congress sees fit to override the three decisions of the Supreme Court cited and shall pass the so-called Holland joint resolution.

Mr. FULBRIGHT. Will the Senator yield for one more question?

Mr. HILL. I yield.

Mr. FULBRIGHT. In my opinion, the theory of many of the advocates of the Holland joint resolution is basically false. The newspapers have given the impression that the land in the ocean belongs to the States, which is a challenge to the integrity of the Supreme Court. It seems to me the only permissible theory for civilized people living under our system to follow is the acceptance of the Supreme Court's decisions, then deal with the question of public policy as to what should be done.

The Chamber of Commerce issued a letter, which came to my desk in the last few days, referring to the submerged lands as belonging to the States. That is a revolutionary theory. They are simply saying, "Your Supreme Court has no longer any authority or power."

Mr. HILL. The Senator knows that is erroneous, but it is in keeping with much of the spurious data which have been given out on the question before the Senate.

Mr. FULBRIGHT. It is a dangerous theory to advocate if we expect to continue on a constitutional theory of government.

Mr. HILL. I thank the Senator for his views and I am grateful to him for the contribution he has made to my speech.

Mr. President, I was reading from some language to be found in the decision in the case of Pollard's Lessee versus Hagan.

Why is there no cession of river shores?

Because rivers do not pass by grant, but as an attribute of sovereignty. The right passes in a peculiar manner; it is held in trust for every individual proprietor in the State or the United States, and requires a trustee of great dignity. Rivers must be kept open.

As I said, that is where we get the idea of "open river" and "open sea."

They are not land which may be sold, and the right to them passes with a transfer of sovereignty.

This decision cites the case in 16 Peters 367, which is the Waddell decision to which I referred, the case involving Raritan Bay in New Jersey, a navigable bay.

It follows from this decision that the rights over rivers became severed from the rights over property. In Pennsylvania, after the Revolution, an act was passed confiscating the property of the Penn family.

Senators recall, of course, that under Royal Charter most of Pennsylvania was given to the Penn family, and therefore they owned that property at the time of the Revolution.

But no act was passed transferring the sovereignty of the State. The reason is that no act was necessary. Sovereignty transferred itself.

When we won the Revolution, the British Crown, George III, lost the sovereignty, and it was transferred to the original 13 States.

When this passes, the right over rivers passes too. Not so with public lands.

But we are talking about waters. As I said earlier, I shall not undertake to read the language of the Court unless some Senator desires to have me do so, but the Court said in the California case that in the Pollard's lessee against Hagan case, and in the Raritan Bay case, one dealing with land under inland navigable waters, the other dealing with tidelands, the rationale was that the sovereignty of the State over those lands carried with it an attribute, and that attribute is the ownership of those lands.

The rationale of that case as applied to the international domain, or area, is that the sovereignty of the Federal Government has, as an attribute, the paramount right in the submerged lands underneath the international sea.

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

Mr. HILL. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Is it not a fact that up until very recently the theory as to the origin of this ownership, as distinguished from public lands, was recognized in the State of Texas? Texas listed its public lands until recently, and it never included the lands under the sea.

Mr. HILL. The Senator is correct.

Mr. FULBRIGHT. So that theory was accepted by Texas until recently.

Mr. HILL. The minority views contain a delineation of public lands by the Texas constitutional convention. The Senator will not find any reference whatever to submerged lands. He will find that the first time the submerged lands were ever listed by the official agency of the State government of Texas was as recently as 1941. By then they knew there was oil in Texas under the submerged lands, so that they began to list the lands. The resolution admitting Texas was passed by Congress in March, 1845, and Texas raised the Stars and Stripes in 1846. For 100 years we do not find in the records any listing by Texas of the submerged lands.

Mr. FULBRIGHT. As is set forth in the case just referred to by the Senator from Alabama, of course, the prevailing theory and the prevailing law are now as they were then, namely, that that land does not belong to Texas.

Mr. HILL. Of course, Texas had the paramount rights to that land when Texas was an independent republic with national sovereignty. However, when Texas entered the Union, she entered the Union, as the Court said, on an equal footing.

Mr. FULBRIGHT. Yes.

Mr. HILL. Of course, the situation in the case of "equal footing" is rather queer. In the case of the States which entered the Union following its formation, their rights to and ownership of tidelands and the beds of navigable rivers, bays, inlets, and so forth, are predicated and based upon the equal-footing theory. Just as the equal-footing theory has obtained for those States their rights to and ownership of the tidelands and the beds of the inland navigable waters, so—in the converse—the national sovereignty of the Government of the United States, as trustee for all the people in the national domain, is the basis, as the Senator from Arkansas knows, for the paramount rights of the Federal Government in the submerged lands.

Mr. FULBRIGHT. I should like to refer to another point, although I am sure the Senator from Alabama will cover it. It is already covered in the minority views. I believe it is quite reasonable to believe that the assertion of that right by Texas in 1941 was in response to the assertion by the United States that it had those rights; and the United States then directed the Attorney General to proceed to claim those rights for the United States.

Mr. HILL. Yes; and we heard a great deal about that matter. It was in August 1937 that the first official action regarding this matter was taken by any branch or department of our Government, and that was done when the resolution which had been unanimously reported by the Senate committee, was unanimously approved by this body, thus asserting the claim of the United States to these submerged lands, and directing the Attorney General to take action to press these claims on the part of the United States.

Mr. FULBRIGHT. If I may be permitted to say so, I should like to state that it seems to me that the point the Senator from Alabama has made has completely shown the lack of importance in the case of the theory of the traditional ownership of the submerged lands by any of these States.

Mr. HILL. I thank the Senator from Arkansas for the contributions he has made. They have been most helpful and very, very constructive and very fine.

Mr. President, when I first yielded to my colleagues, I was about to list some of the cases which have sustained the decision of the Supreme Court in the case of Pollard against Hagan. As I recall, that case was in 1845. It is interesting to observe how, ever since 1845, and down through the years, the Supreme Court of the United States has stood squarely and adamantly in support of its decision in the case of Pollard against Hagan.

I now list the subsequent cases:

Goodtitle against Kibbe, decided in 1850, and reported in volume 9 of Howard's Reports, beginning at page 471.

Den against Jersey Company, decided in 1853, and reported in volume 15 of Howard's Reports, beginning at page 426.

Mumford against Wardwell, decided in 1867, and reported in volume 6 of Wallace's Reports, beginning at page 423.

Walker against The State Harbor Commissioners, decided in 1873, and reported in volume 17 of Wallace's Reports, beginning at page 648.

San Francisco City and County against LeRoy, decided in 1891, and reported in volume 138 of United States Reports, beginning at page 656.

Knight against United States Land Association, decided in 1891, and reported in volume 142 of the United States Reports, beginning at page 161.

Shively against Bowlby, decided in 1894, and reported in volume 152 of the United States Reports, beginning at page 1.

Mann against Tacoma Land Company, decided in 1894, and reported in volume 153 of the United States Reports, beginning at page 273.

Mobile Transportion Company against Mobile, decided in 1903, and reported in volume 187 of the United States Reports, beginning at page 479.

United States against Mission Rock Company, decided in 1903 and reported in volume 189 of the United States Reports, beginning at page 391.

Port of Seattle against Oregon and Washington Railroad Company, decided in 1921, and reported in volume 255 of the United States Reports, beginning at page 56.

Borax, Ltd., against Los Angeles, decided in 1935, and reported in volume 296 of the United States Reports, beginning at page 10.

Of course, I do not know whether the Borax case related to the famous 20-mule team.

Mr. President, the decisions in all these cases confirm the decision in the case of Pollard against Hagan, and confirm the ownership of the States in the tidelands, in the same way that the Waddell case, to which I previously referred, confirmed the ownership of the States in the beds of the rivers and inlets.

Not only have the decisions in these cases again and again and again confirmed that ownership; but if we read the decisions of the Supreme Court in the California case, the Louisiana case, and the Texas case, we find that the entire purport and intent of those decisions, as was so clearly brought out yesterday by the able and distinguished junior Senator from New Mexico [Mr. ANDERSON] was to confirm the decisions in the previous cases, following the decision in the Pollard case.

I shall not now take the time of the Senate to read from the decisions in those cases; but yesterday the Senator from New Mexico in his very able address referred to the fact that not only do all the decisions of the Supreme Court which I have cited, prior to the decision in the California case, sustain the decision in the Waddell case, which relates to the ownership of the bed of the bays and rivers and inland waters, but they also sustain the decision of the Supreme Court in the case of Pollard against Hagan, which relates to the ownership by the States of the tidelands.

I am delighted to see that the Senator from New Mexico honors me at this time by returning to the Chamber, after being detained on important public business. Yesterday he read from the decisions in the California case and the other cases the very language used by the Court, showing the purpose and intent of the Court in its decisions to sustain and support the decisions in the other cases.

Mr. ANDERSON. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield to my friend, the Senator from New Mexico.

Mr. ANDERSON. Does not the Senator from Alabama think that one of the interesting points is that in some of those cases the philosophy behind the decisions, giving paramount rights to the States over their inland waters, was continued in the subsequent decisions of the Supreme Court?

Much has been said to the effect that the Supreme Court suddenly reversed its position, that after having held one way for a long period of time, it then began to hold the other way.

However, the actual fact of the matter is that the Court consistently followed a definite pattern; it continued to follow the pattern it earlier established in the Pollard case and the other cases to which the Senator from Alabama has referred.

I think that is very reassuring, because in the case of property rights, which frequently are dealt with by the Supreme Court, and with respect to which the Supreme Court is the court of last resort, certainly we find that up to the present time the Supreme Court has continued the line of reasoning it previously followed for many generations.

Mr. HILL. The Senator from New Mexico is entirely correct. As he pointed out yesterday, the decisions of the Supreme Court in the Louisiana, California, and Texas cases did not in any way raise any question about or cast any shadow on the two basic, landmark decisions I have cited, namely, the Court's decisions in the Waddell case and in the case of Pollard against Hagan. On the contrary, the decisions in the Louisiana, California, and Texas cases clearly confirm and ratify, as was so ably demonstrated yesterday by the Senator from New Mexico, the decisions by the Supreme Court in the Waddell case and in the case of Pollard against Hagan.

Mr. President, I do not wish to repeat what has already been clearly set forth. Therefore, I shall not read the decisions in those cases. Yesterday they were covered very thoroughly by the Senator from New Mexico, who cited the decisions to which I have referred, and showed how clearly and how absolutely the Supreme Court in its decisions in those cases confirmed its previous decisions to the effect that the ownership of the tidelands and the beds of the inland waters, bays, lakes, inlets, and rivers is absolutely in the States. Yesterday the Senator from New Mexico did such a fine piece of work in making that point so very clear that I shall not now take the time of the Senate to read again what the Senator from New Mexico yesterday so well brought to the attention of the Senate.

Mr. FULBRIGHT. Mr. President, will the Senator from Alabama yield to me at this point?

Mr. HILL. I yield to my friend, the Senator from Arkansas.

Mr. FULBRIGHT. I am not at all sure that the Senator from Alabama should not now read from those decisions, not because the Senator from New Mexico did not make the point clear, but because, as the Senator from Alabama well knows, many persons in the United States believe that the Supreme Court has reversed its position. Many persons have been so told by the Attorneys General and by others who support the same view, and have been told it day after day, in all sorts of pamphlets, broadcasts, and so forth. So I am afraid that a great many persons—whether they constitute a majority, I do not know—believe that the Supreme Court has reversed its previous position.

Does not the Senator from Alabama believe it is true that many persons take that view?

Mr. HILL. Oh, there is no doubt about that. The testimony of some of the Attorneys General, some of whom have been impeached, has been read here this morning by the Senator from New Mexico, particularly. They have made such suggestions time and again. The cases of California, Louisiana, and Texas, decided by the Supreme Court, have raised a doubt about ownership. They cast a shadow over State ownership. Why has it been said that the Supreme Court has reversed its position? It has been done deliberately, for the purpose of trying to get the inland States to join hands in this give-away proposition. The Senator is entirely correct about that. There can be no question about it.

Mr. FULBRIGHT. I think the Senator would be well justified in reiterating that to some extent. In some way or other the people of America ought to know what is being done to them by this proposed legislation.

Mr. HILL. I may say to my friend from Arkansas that I do not want to read the entire California decision. The Senator from California brought it out very beautifully in the excerpts which he quoted yesterday. He made it very definite and very clear that the Court, instead of in any manner raising doubts or questions, confirmed and ratified previous decisions of the Court on the question of ownership.

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

Mr. HILL. I yield to my friend from Oregon.

Mr. MORSE. I regret that I missed that part of the speech of the Senator from Alabama and I missed that part of the speech of the Senator from New Mexico. I wish the Senator from Alabama would digest it for me.

Mr. HILL. If the Senator is requesting me to read this whole case, I may say I do not care to do that at this time, since the Senator from New Mexico covered it so well yesterday. But I may say to my friend from Oregon that the Senator from New Mexico read to the Senate the language of these cases, confirming and ratifying the ownership of the States with respect to the tidelands and the beds of navigable inland streams. I think there can be no question about that, on the part of anyone who will read the cases. But that is the whole trouble. Instead of reading the cases to learn what the law is, our opponents are seeking to try their case all over again, to try it de novo, as though there had been no previous decision of the Court.

As I remarked earlier in my speech today, when one has three strikes against him, as our opponents have in this case, in the opinions of the Court in the California, Louisiana, and Texas cases, he is out. But they do not want three strikes only; they want a fourth strike. They want the Congress to overrule the Supreme Court.

Mr. FULBRIGHT. Senators really want a change made in the rules, do they not?

Mr. HILL. They want to change the constitutional law. As I have said time and time again, this question involves no ordinary rule of law. We are not here dealing with an ordinary rule of property law. We are not dealing with a question of ordinary law in the sense of ordinary proprietorship. We are dealing with a great question of constitutional law, a question upon which the Court has three times passed.

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

Mr. HILL. I yield.

Mr. MORSE. It is not only a case of wanting to change the rules, but also of wanting to change umpires, substituting a congressional or political umpire for a judicial umpire. Is not that correct?

Mr. HILL. That is correct, because, with all due respect to the Congress of the United States—and no one has greater respect and appreciation for the Congress than I—the Senate was set up as a political body. It is a political body. The original intent was that it should be a political body. The founding fathers in writing the Constitution provided that Members of the House of Representatives should stand for reelection every 2 years. At that time, as we know, the difficulties of transportation were very great. One could not travel by air or by streamlined trains. As a matter of fact, it then required more time for George Washington to travel from Mount Vernon to New York, to be sworn in as President of the United States, than it would now require to fly to California. The sessions of the Constitutional Convention did not begin on the date fixed by proclamation, because the delegates did not arrive on time, because the difficulties and handicaps, the barriers to transportation were so great that they could not do so. It was necessary to wait until such time as a quorum could be obtained, before convention could proceed to its work. So the Founding Fathers said the Congress should be a political body, political in the highest and best sense, responsible to the people. It was also provided that appointments to the Supreme Court should be nonpolitical. In order to insure that they would be nonpolitical, two things were done. They provided life tenure, subject to removal only through impeachment proceedings instituted by the House of Representatives, and trial by the Senate, requiring a two-thirds vote for conviction. No Supreme Court justice has ever been tried and removed. The justices were given life tenure, so that they might be absolutely independent.

The Founding Fathers did another thing. They included within the Constitution a provision, which is very interesting and to which some do not give much thought. They provided that the remuneration of a justice could not be reduced during his tenure of office. In effect, they said to the Senate, to the House of Representatives, and to the President, "We intend to make the Supreme Court independent. Not only are we going to provide life tenure for the justices, but we are going to guard against the possibility that, in retaliation for an unpopular decision, a whip might be held over them in the nature of a threat to reduce their compensation." The Founding Fathers therefore saw to it that the judges would be entirely independent.

Our opponents have had three strikes against them in the form of decisions from this independent judicial body, the Supreme Court of the United States, and they now seek to have the action of the Court overruled by a political body. They want the Congress to overrule our independent judiciary, in this case the Supreme Court of the United States.

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

Mr. HILL. I yield to my friend, the Senator from Illinois.

Mr. DOUGLAS. To carry out the baseball analogy still further, is it not true that the proponents of this measure not only want to change the umpire and not only want to provide for 4 strikes, but they also want to say that a foul ball shall be a home run.

Mr. HILL. The Senator is entirely correct.

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

Mr. HILL. I yield.

Mr. MORSE. Mr. President, in putting my question at the end of my comment, I wish to say for the record, in dead earnestness and sincerity, that the Senator from Alabama has just commented on what I think is one of the most vital principles connected with this question. It goes to the very essence of our American philosophy of constitutional government. It goes to the matter of a three-branch system of government with each branch coordinate and coequal. The word "coequal" needs great emphasis.

So that no Senator can raise a parliamentary point against me, I put my comment in the form of a question. Does the Senator from Alabama agree with me that there has been developing in this country in recent years a serious and, I say, dangerous trend, namely, that when various economic pressure groups seeking only to serve their selfish interests do not happen to like a decision of the United States Supreme Court which is rendered in accordance with our constitutional system of having the judiciary determine and protect property rights and personal rights, they undertake to use political pressure upon politicians in the Congress of the United States to get them to turn themselves into a political Supreme Court and to pass legislation which seeks to reverse the judicial decision of the United States Supreme Court? Has not the Senator from Alabama noticed that trend in recent years?

Mr. HILL. I should like to say to my friend from Oregon that he has placed his hand on what is a very definite trend.

Mr. MORSE. Does the Senator from Alabama agree with me that if this trend continues and the people of the country do not make clear to the politicians that they want it stopped, there is danger that the whole doctrine of separation of powers under the Constitution of the United States will be so weakened and endangered that we shall lose our coordinate, coequal, three-branched system of government and we shall have a system of government in which Congress becomes supreme, so far as the determination of rights in this Nation is concerned?

Mr. HILL. The Senator is correct. Earlier in my speech I stated that although we might not always agree with decisions of the Supreme Court, after all, the Supreme Court is a citadel to protect the rights of the people. What is there, after all, that would keep the Congress from passing a bill of attainder, which is an outrageous and abominable thing? If a great deal of pressure were brought to bear by special interests, what would become of the individual?

Around that great Court sitting yonder in the temple of justice the founders of this Republic, the authors of the Constitution, threw every safeguard and protection possible in order that it might remain free and independent, and might be, in truth, a citadel for the protection of the rights of the people.

What would the Bill of Rights be worth if its enforcement and the protection it affords were left to a political body? Would we not revert to those terrible times when men had no rights?

Mr. MORSE. I agree completely with the Senator from Alabama.

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

Mr. HILL. I yield, but, first, let me say that those rights are worth little or nothing unless there be some strong arm to enforce them and to protect the people in their enjoyment. That is why the founders established the Supreme Court of the United States.

Mr. MORSE. The Senator is correct.

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

Mr. HILL. I yield.

Mr. MORSE. Does the Senator from Alabama agree with me that in the history of the United States, when individual courts from time to time have rendered decisions which subsequent events showed to be erroneous, the judicial procedure contemplated by the Founding Fathers was for the courts to reverse themselves on the basis of able legal argument made in the sanctity of the courtrooms of America, and that they should not be reversed on the basis of political arguments made on the floor of the two Houses of Congress? Does the Senator agree with me that that is the proper concept of judicial reversal under the Constitution, if we are to protect the separation-of-powers doctrine?

Mr. HILL. The Senator from Oregon is a former dean of a great law school, the Oregon University Law School. He is a deep student of our constitutional system, a profound constitutional lawyer. I think he is absolutely correct.

Mr. MORSE. I plead innocent to the generous flattery of the distinguished Senator from Alabama, but if we are going to preserve for future generations of Americans the precious doctrine of the separation of powers, if we are going to protect the sanctity of the judicial system from political reversal of decisions, if we are going to keep faith with the constitutional theory that the place to reverse the United States Supreme Court is in the Supreme Court Chamber, by able legal argument, if legal counsel can show that the Court is in error, if we are going to keep that kind of a constitutional system, let me say that the joint resolution which is pending before the Senate ought to be defeated by this body by an overwhelming majority, because it is, in essence, an attempt at a political reversal of the United States Supreme Court.

I say with all solemnity on the floor of the Senate, that I think it threatens our very judicial system and the doctrine of the separation of powers.

I believe a continuation of the debate to a point where the American people will come to comprehend the basic constitutional issue involved will result in such a reaction across the country that the joint resolution will be defeated. We should take the time, irrespective of the pressure being put upon us by the majority leader, to make the facts known to the American people. I believe the separation-of-powers doctrine is being placed in jeopardy by this joint resolution.

Mr. HILL. I thank the Senator for emphasizing the importance of this debate. It goes to the very heart of our constitutional system. It goes to the question of our relations with other nations in this day and hour when we are trying our best to bring nations together, to effect a concord among nations, and to lay a foundation for the building of a permanent peace.

I thank the Senator from Oregon for his able and fine contribution.

Mr. HUMPHREY and Mr. ANDERSON addressed the Chair.

Mr. HILL. Mr. President, I now yield to the Senator from Minnesota, and then I shall yield to the Senator from New Mexico.

Mr. HUMPHREY. As the Senator from Alabama well knows, article III of the Constitution, in sections 1 and 2, sets forth the judicial powers of the courts, district courts, circuit courts, appellate courts, and the Supreme Court. I make note of the fact that the Senator from Oregon [Mr. MORSE] has stated it very forcefully and cogently, and it has been stated earlier in the debate by the Senator from Alabama. But I ask the Senator from Alabama to recall what he said about sovereignty when it comes to matters of international relations.

The Senator will note that under section 2 of article III the Constitution describes the judicial power, its nature, and extent. The first part of section 2 provides:

> The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made or which shall be made, under their authority—

And so forth. In a separate paragraph in section 2, the Constitution provides:

> In all cases affecting Ambassadors, other public ministers and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction.

Let me digress for a moment to note the kinds of cases in which the Supreme Court has original jurisdiction, where, again, the emphasis is upon the separation of powers, with original, exclusive jurisdiction being in the Supreme Court.

Ambassadors are symbols of the attributes of sovereignty. Am I not correct?

Mr. HILL. They represent the Chief Executive of the Nation, who in foreign affairs more nearly encompasses the sovereignty in international affairs.

Mr. HUMPHREY. In other words, the Executive, as head of the state, is symbolic of the sovereignty of the Nation state.

Mr. HILL. The Senator is correct.

Mr. HUMPHREY. The next category comprises "other public ministers and consuls," which again represents the symbolical attributes of the sovereignty of the Executive head of the Nation state.

Third, "And those in which a State shall be party."

That means where there is a conflict between the sovereignty of the State, on the one hand, and the sovereignty of the Nation state, on the other hand. The Federal system includes a dual sovereignty, namely, a sovereignty which is limited in the sense of the sovereignty of a State, and a sovereignty which is likewise limited in respect to the sovereignty of the Nation state.

I think the point about sovereignty which the Senator from Alabama has so well stated, and the point with respect to the jurisdiction of the Court and the integrity of the separation of powers which has been made by the Senator from Oregon [Mr. MORSE] bear well on this case. The place where the Constitution places responsibility for settling issues such as a conflict between the Nation and a State, not in a district court, not in a circuit court, but in the original jurisdiction of the Supreme Court of the United States. Surely that excludes the sovereignty of the Congress of the United States when there is a dispute between the powers of the Federal Government, on the one hand, and the power of a State government, on the other hand.

In conclusion, I submit that no matter what Congress may do, the Supreme Court will still have the final word. The Governor of Rhode Island has ordered the Attorney General of Rhode Island, in case the Holland joint resolution is passed and becomes law, to contest its validity in the Supreme Court. Congress cannot stop the Supreme Court from hearing the case or from accepting original jurisdiction and handing down a decision.

I remind Senators that when former President Truman exceeded his jurisdiction in the steel seizure case, some of the very Members of the Senate who today are trying to override the Supreme Court decisions in the oil cases were the very first to proclaim the authority and integrity of the Supreme Court in the so-called steel strike case. It simply depends upon whose ox is being gored, whose chickens are being snatched, or whose oil is being tapped.

I think it is about time to return this case where it belongs—to the courts—and not to fool around with it on the floor of the Senate.

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

Mr. HILL. I yield.

Mr. GORE. Does it not also depend on whose scalp is being taken?

Mr. HUMPHREY. I do not wish to mention anything more about scalps while I am standing alongside the Senator from Alabama. [Laughter.]

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

Mr. HILL. I yield to the Senator from New Mexico.

Mr. ANDERSON. I am very happy that there was an opportunity for the Senator from Oregon to express clearly, as he did, the real issue in this case, which is that an attempt is being made to override the Supreme Court of the United States, and that we are taking a brand new tack by trying to say that if we like a decision of the Supreme Court, as many people liked the decision in the Steel case, then it is wonderful; but if we do not like a decision, we pick up our marbles and say, "We won't play here any longer. We are going to change the rules of the situation in our own way and in our own halls."

I for one have always regarded the Supreme Court as a place where, if I were placed in jeopardy, I might be sure that the last, final answer I might get would be one based upon justice, and not

one based upon political expediency. I think the Supreme Court based its decision on justice in the Oil cases. The Court tried to give substantial justice, and it did so fairly. The very fact that the Court forgave millions of dollars of bonuses which had been collected, and forgave millions of dollars of rentals, was pretty good evidence of their desire to do justice. However, even after the Court tried to do justice, we still find some persons who are not satisfied. They say, "There is another court to which we can go, and, on the basis of political ballots, and we can get what we need."

I think that strikes at our country, and I am glad the Senator from Oregon praised the Senator from Alabama for his suggestion, because in this situation it has appealed most strongly to me.

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

Mr. HILL. I yield.

Mr. LEHMAN. It seems to me that if the theory with regard to the jurisdiction of the Supreme Court of the United States which has been expressed so ably by the Senator from Alabama, the Senator from Oregon, and the Senator from Minnesota is correct—and I am convinced that it is correct—does it not, in the opinion of the Senator from Alabama necessarily follow that if we pass the Holland joint resolution and give a quitclaim to the States, it will completely prevent the early development of the valuable oil lands, a development which is in the interest of the entire country, and which is so greatly needed today for the defense of our country and the defense of the free world?

Mr. HILL. Undoubtedly it will invite further litigation of all kinds. I have in mind particularly the resolution of the house of representatives of the legislature of the great State of Rhode Island. Such litigation would require time, and it would entail more and more delay.

I rejoice that the Rhode Island House of Representatives has passed a resolution on this subject. Surely if the Holland joint resolution passes, the questions involved should be considered by the Supreme Court of the United States. It is necessary to see whether those who seek the submerged lands for the States can have three strikes, and then return to the political arm of our Government to have a fourth strike, particularly when there is involved a great constitutional question such as is here involved, which might really—and I measure my words when I say this—go to the very essence of our Federal Government in its dealings with other nations, and might even lead to war. Nations have fought before over the question of boundaries, of territories, and of territorial waters.

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

Mr. HILL. I yield.

Mr. HUMPHREY. As the Senator from Alabama knows, Congress has some jurisdiction over the judicial branch in the sense that it regulates salaries and in the sense that it approves the number of courts that may be established. Wherever there are appellate courts and district courts, Congress has such control. Congress even has control of the salaries of members of the Supreme Court and of the number of Justices. But when it comes to an adjudication between a State or several States and the Federal Government, the Constitution precisely, concisely, and definitely provides that the Supreme Court shall have original jurisdiction.

Today in the Senate I utter a word of warning that if the power of the Supreme Court in its original jurisdiction between the Federal Government and State governments is altered, adulterated, breached, or abated by any action of Congress in a case such as this, those who today stand on this floor proclaiming States rights—and we have heard many speeches on the floor of the Senate about States rights—may very well find that they have set a precedent in the Senate to overrule our Federal system of government, a system which is protected by the 10th amendment to the Constitution.

The 10th amendment to the Constitution prescribes, in precise language, 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.

I point out that the purpose of the original jurisdiction of the Supreme Court in cases involving the Federal Government and State governments was to protect the integrity of the Federal system. I remind the Senator from Alabama of the history of that particular provision, which is discussed in one of the Federalist papers. I cannot recall for the moment which one, but I shall obtain the citation.

I submit that those who are today hungry for the submerged lands on behalf of the States may find that by the action which they are trying to put through the Congress they will so completely weaken the powers of the court and respect for the decisions of the Court that the so-called States' rights doctrine will become a myth; and it will have congressional approval of its mythology.

The courts of the United States are the final bulwark in the protection of the Federal system. An Executive or a Congress may run rampant, but, thank God, we have judges on the Supreme Court who hold office for life, who are immune from political pressure, who are there to dispense justice after hearing the facts. I submit that the Court has ruled, as the Senator has so well put it in his analogy to a baseball game, "Three strikes and out." As our friend the Senator from Illinois [Mr. DOUGLAS] put it so beautifully, the principal rule change now being sought is a rule to make a foul ball a home run.

I have no further comment on the Federal system, except to bring it to the attention of a man who has spent a great deal of time in the protection of what he believes to be the legitimate rights of both Federal and State governments.

Mr. HILL. I thank the Senator for his contribution. Earlier in my remarks I sought to emphasize what the Senator has so well emphasized in his remarks. I deeply appreciate his contribution.

Mr. President, we were talking about how the Texas, Louisiana, and California cases confirmed the decision of the Supreme Court as to ownership by the States in tidelands and inland waters. I wish now to read one or two excerpts from those cases. I read first from the California case:

> Not only has acquisition, as it were, of the 3-mile belt been accomplished by the National Government—

It was accomplished under the leadership of Thomas Jefferson, as we have said time and again. He began that battle in 1793.

> Not only has acquisition, as it were, of the 3-mile belt been accomplished by the National Government but protection and control of it has been and is a function of national external sovereignty.

The Court cites the case of *Jones* v. *United States* (137 U. S. 202); and the case of *In re Cooper* (143 U. S. 472, 502).

The Court continues:

> The belief that local interests are so predominant as constitutionally to require State dominion over lands under its land-locked navigable waters finds some argument for its support.

That confirms what was said about land-locked water. The interests of the State being paramount, the argument is for State ownership.

The Court continues:

> But such can hardly be said in favor of State control over any part of the ocean or the ocean's bottom. This country, throughout its existence, has stood for freedom of the seas, a principle whose breach has precipitated wars among nations.

A few minutes ago I said that we were dealing with a question so profound, so complex, and so far reaching that we might even be dealing with the question of war or peace.

The Court continued:

> The country's adoption of the 3-mile belt is by no means incompatible with its traditional insistence upon freedom of the sea, at least so long as the National Government's power to exercise control consistently with whatever international undertakings or commitments it may see fit to assume in the national interest is unencumbered.

The Court continues:

> The 3-mile rule is but a recognition of the necessity that a government next to the sea must be able to protect itself from dangers incident to its location. It must have powers of dominion and regulation in the interest of its revenues—

That is, its tariffs, its import taxes, and so forth—

> its health—

That is, to keep yellow fever, smallpox, typhoid, and other plagues from entering this country—

> and the security of its people from wars waged on or too near its coasts. And insofar as the Nation asserts its rights under international law, whatever of value may be discovered in the seas next to its shores and within its protective belt, will most naturally be appropriated for its use.

That is, the Nation's use.

> But whatever any nation does in the open sea, which detracts from its common usefulness to nations, or which another nation may charge detracts from it, is a question for consideration among nations as such, and not their separate governmental units.

Under our Federal system are Texas, Louisiana, California, and other States

to negotiate with other governments about the 3-mile limit, and what may be done within it?

As I have said time and again in this speech, one of the very reasons for formation of the Union was to have a single national sovereignty to handle international relations, in order that we might not have a land of what we might call Balkan States.

The Court continues:

What this Government does, or even what the States do, anywhere in the ocean, is a subject upon which the Nation may enter into and assume treaty or similar international obligations.

The Court cites the case of *United States* v. *Belmont* (301 U. S. 324, 331–332).

Listen to this:

The very oil about which the State and Nation here contend might well become the subject of international dispute and settlement.

But whatever any nation does in the open sea, which detracts from its common usefulness to nations, or which another nation may charge detracts from it, is a question for consideration among nations as such, and not separate governmental units.

If we have some question with Great Britain, we do not take it up with Wales, Scotland, or England. We take it up with the head of the British Government, representing all of the British Empire.

Listen to this:

And as peace and world commerce are the paramount responsibilities of the Nation, rather than an individual State—

We do not look to Texas, Louisiana, or California to keep the peace for us. We look to the Government of the United States.

So, if wars come, they must be fought by the Nation.

They must be fought by the leadership, the brains, the capacity, the Army, the Navy, and the Air Force of the Nation. They must be fought by all the agencies, engines, and resources of the Nation.

The court continued:

The State is not equipped in our constitutional system with the powers or the facilities for exercising the responsibilities which would be concomitant with the dominion which it seeks. Conceding that the State has been authorized to exercise local police power functions in the part of the marginal belt within its declared boundaries, these do not detract from the Federal Government's paramount rights in and power over this area.

Then note these further words:

The marginal sea is a national, not a State concern. National interests, national responsibilities, national concerns are involved. The problems of commerce, national defense, relations with other powers, war, and peace, focus here. National rights must therefore be paramount in that area, that area in contradistinction to the internal area.

The Court has again and again said, and once more in this case confirmed and ratified, that the States have the sovereignty over, and as an attribute of that sovereignty the ownership of the tidelands and the land in the beds of inland waters.

Mr. HUMPHREY. Mr. President——

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

Mr. HILL. I yield.

Mr. HUMPHREY. I wish to have the Senator really nail down the last argument he has made, as we say, because it is very compelling and conclusive. The Senator has used words which have been employed again and again in the debate, for example, "boundaries," "submerged lands," "marginal sea," "police powers." But the real portent of what the Senator from Alabama is stating is that, regardless of whether a State may have a seaward boundary, regardless of whether it may exercise certain police powers, regardless of whether or not it may enjoy the rights and privileges of the outer sea and the marginal sea, and, despite the individual States' exercising and utilizing some of the privileges and prerogatives which may appertain in this marginal sea area, the paramount rights, the final dominion, jurisdiction, and ultimate control in this area, belong to the Nation and not to any particular unit in the Nation.

I believe, then, that we get this matter in proper focus, because I must confess that during the debate, as I have listened to the arguments on both sides, there have been times when I have been led to say, "The boundary, they say, is out here 3 leagues, or 3 miles," or "they fish, they canoe, they use yachts and boats." It is said, "The police power of the State extends this far out." But, as the Senator from Alabama is pointing out, while all that may happen, the truth is that by the very sovereign power of the Republic, the Nation State, in the relationships between one nation and another, as free and independent nations, the Federal Government, the central Government, has unique, paramount, overriding powers in the marginal sea, the open seas, and, of course, in the submerged lands, which are nothing more nor less than the bottom of the sea.

I think that if we get the picture in proper focus it really adds up, because it is an exclusive jurisdiction when and if the Federal Government wishes to make it exclusive. It can be a shared jurisdiction when and if the Federal Government wishes to share it in any such areas, but it cannot be shared insofar as our relationships with other nations are concerned.

Mr. HILL. The Senator is correct.

Mr. HUMPHREY. It looks as if the sky has opened up, and I have seen the truth, and I wish to say to the Senator that I have heard no better statement of the core of the argument, and the truth that is involved, than the Senator from Alabama has just expounded. He has been kind enough to bear with me as I have restated it for my own good, because it is by repetition that I learn.

Mr. HILL. I wish to thank the Senator from Minnesota for his confession of faith. He has stated the matter more clearly and more forcefully and more eloquently than I have been able to state it.

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

Mr. HILL. I yield to the Senator from Illinois.

Mr. DOUGLAS. Is not the point which the Senator from Alabama has been developing, and which the Senator from Minnesota has just emphasized, borne out in the two fishing cases, Skirotes against Florida, and another case involving both South Carolina and Florida, in which the Supreme Court held that since the Federal Government had not made regulations regarding the taking of sponges and fish, respectively, and since there was a vacuum created in those regards, it was proper for the States to move into the vacuum so long as the vacuum existed, but that if the Federal Government wished to exercise jurisdiction over these fields, it could do so?

Mr. HILL. The Senator from Illinois is exactly correct. In other words, the paramount, supreme, and primary power is in the Federal Government, but if the Federal Government has not exercised its power, and does not see fit to exercise it, it is well and good for the States to act.

For instance, as we know, in the waters close to the shores, the several States exercise certain police powers. The United States Government has its Coast Guard along those shores. The Coast Guard is not only a great life-saving agency, it is also a political agency. But the fact that we have our Coast Guard there does not mean that we are not glad to have the State help police the area in regard to matters which may concern the particular State.

Mr. DOUGLAS. In the case just cited, the Supreme Court, upon motion of the executive branch, has decided that the Federal Government has paramount rights in ownership of and title to the submerged lands, and therefore the Federal Government has asserted and maintained its right, and there is no vacuum into which the State may move.

Mr. HILL. When the Federal Government went into the Court, through its duly constituted officials, the Attorney General of the United States and the Solicitor General, acting, I may say, under the inspiration and direction of a resolution passed by the Senate of the United States, the Federal Government then and there asserted its right and its power over the domain to which the Senator has alluded.

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

Mr. HILL. I yield.

Mr. LEHMAN. Is it not a fact that in the several decisions of the Supreme Court recognition has been given to the fact that the Federal Government has both paramount rights and full dominion? It is not one or the other; it is both, paramount rights and full dominion.

Mr. HILL. I am glad the Senator has raised that question, because much has been said about the Supreme Court merely talking about paramount rights. No one knew exactly what paramount rights were. I desire to nail this proposition down here by quotations from the Court.

I admit that the California decision, ably and beautifully written as it was, did not go quite so far in regard to this question as did the Texas case, and I

have no doubt the Texas case went further because, after all, Supreme Court Justices are human beings, and they read newspapers, and know what is going on. A great furor was being raised, and there was a storm about the fact that the Court had merely said "paramount rights," and nobody knew exactly what paramount rights were.

If one will consult any good law dictionary, such as Bouvier's, he will find that the word "dominion" means "perfect and complete ownership in a thing." Blackstone's dictionary says that in the old civil law the word "dominion" meant ownership in property in the largest sense, including both the right to the property and the right of possession or use. The Cyclopedia Law Dictionary states that "dominion" means "perfect and complete"—and notice the word "complete"—"property and ownership in in a thing." Then follows the definition a "Dictionary of English Law," where "dominion" is defined to be equivalent to ownership.

In its decision in the Texas case, the Court also said:

> But there is a difference in this case which, Texas says, requires a different result. That difference is largely in the preadmission history of Texas.
>
> The sum of the argument is that prior to annexation Texas had both dominium (ownership or proprietary rights) and imperium (governmental powers of regulation and control) as respects the lands, minerals, and other products underlying the marginal sea. In the case of California we found that she, like the Original Thirteen Colonies, never had dominium over that area. The first claim to the marginal sea was asserted by the National Government.
>
> • • • • •
>
> The "equal footing" clause, we hold, works the same way in the converse situation presented by this case. It negatives any implied, special limitation of any of the paramount powers of the United States in favor of a State. Texas prior to her admission was a republic. We assume that as a republic she had not only full sovereignty over the marginal sea but ownership of it, of the land underlying it, and of all the riches which it held. In other words, we assume that it then had the dominium and imperium in and over this belt which the United States now claims. When Texas came into the Union, she ceased to be an independent nation. She then became a sister State on an "equal footing" with all the other States. That act concededly entailed a relinquishment of some of her sovereignty. The United States then took her place as respects foreign commerce, the waging of war, the making of treaties, defense of the shores, and the like. In external affairs the United States became the sole and exclusive spokesman for the Nation.

In short, Texas gave away the right to make treaties with foreign nations, the right to levy taxes imposts and excises, the right to control interstate commerce, and other rights, although at the same time she obtained great benefits. As in the case of most contracts, considerations moved from both parties, so to speak. Texas gained great assets at the same time she lost some rights.

Then the Court said:

> We hold that as an incident to the transfer of that sovereignty any claim that Texas may have had to the marginal sea was relinquished to the United States.

Mr. President, there is the story. I could go on and on with it, of course. For instance, we recall that thereafter the Court said:

> We stated the reasons for this in *United States* v. *California*, page 35, as follows:
>
> In other words, the reasons why the marginal sea was under the control, the rights and, really, the dominium of the United States, rather than of the States. The Court added:
>
> "The 3-mile rule is but a recognition of the necessity that a government next to the sea must be able to protect itself from dangers incident to its location. It must have powers of dominion and regulation in the interest of its revenues, its health, and the security of its people from wars waged on or too near its coasts. And insofar as the nation asserts its rights under international law, whatever of value may be discovered in the seas next to its shores and within its protective belt, will most naturally be appropriated for its use. But whatever any nation does in the open sea, which detracts from its common usefulness to nations, or which another nation may charge detracts from it, is a question for consideration among nations as such, and not their separate governmental units. What this Government does, or even what the States do, anywhere in the ocean, is a subject upon which the Nation may enter into and assume treaty or similar international obligations. See *United States* v. *Belmont* (301 U. S. 324, 331–332). The very oil about which the State and Nation here contend might well become the subject of international dispute and settlement."
>
> And so although dominium and imperium are normally separable and separate, this is an instance where property interests are so subordinated to the rights of sovereignty as to follow sovereignty.

So, Mr. President, as the Supreme Court said in its decision in the case of Pollard against Hagen, the ownership of the tidelands is an attribute of sovereignty of the States. As the Supreme Court has said, the ownership of the submerged lands is an attribute of sovereignty of the United States.

I am sorry that my distinguished friend, the Senator from Illinois [Mr. DOUGLAS], was not in the Chamber when I referred to the decision in the Pollard case, because from the decision in that case I read language regarding a subject we heard about the other day, namely, the open sea. The decision in that case makes it very clear that when reference is made by the Court to the "open sea," the Court is not referring to what we commonly conceive as a great body of open water, such as an ocean; but the Court means a body of water that is open to anyone for use, in the same way that an avenue is open to use. The Court draws a parallel between a water route and a highway. That is what the Court means when it uses the word "open" in that connection—not perhaps that such a body of water is not enclosed, in the way that one of our Great Lakes is enclosed within the land territory of the United States, but that the water is open, so that in a boat any person can travel on it as he pleases, up or down that highway. That is our right.

That is the fundamental basis upon which the Court in its decision in the Pollard case and in its decision in the Waddell case held that this ownership is an attribute of sovereignty. The Court held that it is an element or attribute of sovereignty, and that in that connection the National Government must protect the people of the Nation, so that no one will erect a fence or a bridge and then will say to all others, "You cannot come through here without paying me for the privilege of doing so."

Oh, no, Mr. President; the National Government holds the rights to that water and to the bed of that water, so as to make sure that it is open for use to every citizen. That is what is meant by the Court in its use of the word "open."

Mr. SPARKMAN. Mr. President, will my colleague yield to me?

Mr. HILL. I yield.

Mr. SPARKMAN. I am very happy the Senator is devoting the time he is to this discussion of sovereignty. If I correctly understand the 3-mile boundary, as it was originally referred to, it was for the purpose of enabling a country to maintain its sovereignty. In other words, that was a belt which was felt to be of sufficient width to enable the country to ward off any attempt of encroachment on the part of an unfriendly power which might seek to come to its shores. Is not that correct?

Mr. HILL. The Senator is absolutely correct. Let me say here that my eyes happen to fall upon the portion of the decision of the Supreme Court in the California case, where the Court said:

> The ocean, even its 3-mile belt, is thus of vital consequence to the Nation in its desire to engage in commerce and to live in peace with the world; it also becomes of crucial importance should it ever again become impossible to preserve that peace.

I ask my colleagues to notice the use, at that point in the decision, of the word "vital." Could there be a stronger word in that connection?

Mr. SPARKMAN. After all, the word "vital" means "the very life."

Mr. HILL. Yes, "the very life." So here we are dealing with the life of the Nation.

Mr. SPARKMAN. Yes.

A few minutes ago the Senator was reading from the decision of the Supreme Court in the California case, at the point where the Court brought out that the preserving of that life is an obligation of the Federal Government, rather than of the States which might abut the particular area. Is not that correct?

Mr. HILL. The Senator is absolutely correct.

Mr. SPARKMAN. That is the very essence of sovereignty.

Mr. HILL. That is entirely correct.

Mr. SPARKMAN. That leads me to a question which I should like to ask, although I realize that my colleague, able lawyer and able analyst of constitutional law that he is, may intend to reach this point. However, this question has been considerably in my mind: Everyone concedes that the Congress of the United States can give away property of the United States, if it desires to do so, but does the Congress of the United States have the right to cede sovereignty and to cede this belt, or grant this belt, or

quitclaim this belt, whatever term may be used, or attempt to convey this belt, which allows the United States to maintain its sovereignty and to sustain its very life? Could such an attempt succeed, under the Constitution?

Mr. HILL. I am glad my colleague asked that question. I may say to him that further on in my remarks I intend to deal with that very question. But I may say briefly that I think there is a very serious doubt; and I place my opinion somewhat on the Illinois Central case. The State of Illinois, by reason of its sovereignty held as an attribute of sovereignty certain land in connection with Lake Michigan. The Court said that the State of Illinois could not cede, could not grant away this attribute of sovereignty. If Illinois could not grant away its attribute of sovereignty with respect to inland water, I do not believe the Federal Government can grant away its attribute of sovereignty in the international domain.

Mr. SPARKMAN. Mr. President, will the Senator yield further?

Mr. HILL. I yield.

Mr. SPARKMAN. A few moments ago, in addressing the Senator from Illinois, my colleague used the term "trustee." In the Illinois case, did not the court in effect hold that Illinois was a trustee for its its citizens?

Mr. HILL. That is correct.

Mr. SPARKMAN. And would not the United States be the trustee for all the citizens of the United States?

Mr. HILL. It would be a trustee for all of its citizens; that is correct. In the case of Pollard against Hagan, which was the basic case on the tidelands, as the Senator knows, and in the Alabama case involving Mobile Bay, the Court not only said that the State was the trustee, but also said that there must be a trustee of great dignity. In other words, what we are dealing with here today is not merely a question of giving an individual or to a group of individuals certain land or property, or something of that kind: We are dealing with a great fundamental constitutional proposition which goes to the sovereignty of our Nation and to the entire question of our rights in the field of international relations.

Mr. SPARKMAN. In all fairness, I may ask the Senator, did not the Attorney General of the United States so advise the committee when he appeared before it? Did not the Attorney General apparently take that line in his testimony before the committee?

Mr. HILL. The Attorney General was, in my opinion, in a most difficult position. He was in a most embarrassing situation. He was like the bride of only a few brief weeks, who was asked to stand out before all the world publicly and to repudiate the beloved bridegroom. Only a few days previously, he had been appointed Attorney General of the United States. The President of the United States, who had appointed him had made him Attorney General, amid the heat and stress and passions of the political campaign, without having had an opportunity to study this subject, had taken a position on this matter.

Here was the Attorney General of the United States, a constitutional lawyer, as I judge he must be, for surely it is inconceivable that the President of the United States would call to Washington to become the Attorney General of the United States and chief law officer of the country, any man who was not well versed in constitutional law. Here was the Attorney General, trying to steer between Scylla and Charybdis, on the one hand the Constitution and great American systerm of government, which the Senator from Oregon so graphically and so eloquently depicted for us on this floor a few moments ago—here he was, trying to stand by the Constitution he had sworn to uphold and defend, and, on the other hand, trying not to repudiate, not to give offense to, not to do harm to the President who had appointed him Attorney General. Oh, my heart went out to the Attorney General. I knew what embarrassment he was in, because I had studied this matter, and I knew that every compass pointed in a direction opposite to the direction in which the President of the United States had committed himself to go. I remember, during a campaign in Alabama, a candidate for Congress was pictured with one foot on a horse going south, with the other foot on another horse going north. There he was, trying to ride those two horses, one going north, the other going south. And so my heart went out to the Attorney General of the United States.

Mr. MORSE and Mr. DOUGLAS rose.

The PRESIDING OFFICER. Does the Senator from Alabama yield; and, if so, to whom?

Mr. HILL. I yield first to my friend from Oregon.

Mr. MORSE. In asking my question I do so with a great hesitancy after the eloquence to which I have just listened. I think the Senator from Alabama is making one of the most eloquent pleas on the floor of the Senate this afternoon that I have ever heard in defense of the people's cause. But I want to ask a question in regard to the discussion the two Senators from Alabama had only a few moments ago on the question of sovereignty. Does the Senator, as a lawyer, agree with me that when any issue gets before a court, particularly when this issue in question gets before the United States Supreme Court—as I am sure it will—it must be considered in relation to operative facts? We do not find courts considering a problem in a vacuum, nor in a mere form of abstraction. Is not that correct?

Mr. HILL. The Senator is entirely correct, of course. There must be, I think the Court says, a justiciable issue presented to the Court.

Mr. MORSE. And when the Court comes to consider this problem of sovereignty, which the two Senators from Alabama have raised this afternoon, I venture the prediction that in their discussion of sovereignty in connection with the issue that will inevitably come before the Supreme Court in the not-too-distant future, if this measure passes, the Supreme Court will consider the question of sovereignty in relation to the operative facts which have been presented by this measure in terms of the land that is transferred. Is not that correct?

Mr. HILL. The Senator is, I think, entirely correct.

Mr. MORSE. So the issue of sovereignty will be in part considered in terms of the claims that were granted by the Congress and approved by the President, if the pending measure passes and the President signs it. The issues will have to be reviewed in light of the precedents of the United States Supreme Court on the question of sovereignty, of which the Pollard case is the mother case. Is not that correct?

Mr. HILL. The Senator is entirely correct.

Mr. MORSE. During the last session of the Congress, when this issue was before the Senate, in our division of work in that debate, I assumed the responsibility of discussing the Pollard case. I pointed out, as I shall do again when I give my major oration on this measure, sometime next week, that the Pollard case basically involves the issue of sovereignty in relation to State sovereignty, pertaining to rights over tidelands.

Mr. HILL. The Senator is 100 percent correct. I do not wish to go over it again, but the Senator from Oregon had to be off the floor for a few minutes. I read from the Pollard case a little earlier. I desire to reiterate a few words, if I may. The following language is found in that case:

> A right to the shore between high- and low-water mark is a sovereign right, not a proprietary one. By the treaties of 1803 and 1819—

Those are the treaties under which Alabama came into the Union—

> there is no cession of river shores, although land, forts, etc., are mentioned. Why?

Why no cession of shores? I read:

> Because rivers do not pass by grant, but as an attribute of sovereignty. The right passes in a peculiar manner; it is held in trust for every individual proprietor—

I think today the Court would use the expression "every individual citizen"—

> in the State or the United States and requires a transfer of great dignity.

Not by a mere human being who will pass on and whose importance may be great today and small tomorrow, but by a great government, such as the Federal Government or a State government.

Then the Court goes on to say:

> Rivers must be kept open—

We have heard much about what the Court meant by "open"—

> Rivers must be kept open. They are not land which may be sold and the right to them passes with the transfer of sovereignty.

That means that citizens can go up and down them like an open street or an open highway. The Court cites 16 Peters, the Waddell case, holding that the State has title to the bed of Raritan Bay. But listen to this, confirming what the Senator says:

> It follows from this decision that the rights over rivers became severed from the rights over property. In Pennsylvania, after the Revolution, an act was passed confiscating the property of the Penn family—

We recall that by the royal charter all the land in Pennsylvania was given to the Penn family—

but no act was passed transferring the sovereignty of the State.

When George Washington received the surrender at Yorktown we became a free Nation of 13 States, and there did not have to be a transfer.

Mr. MORSE. That is the essence of the case.

Mr. HILL. The court said that sovereignty transferred itself, and that when it passes, the right over rivers passes, too.

The court said:

Not so with public lands.

Showing the distinction between rivers and public lands. It is necessary to keep these waterways open. They are an attribute of sovereignty.

We heard much a few days ago about the Rodgers case. Does the Senator from Oregon know the locus of that case?

Mr. MORSE. No, I do not recall.

Mr. HILL. It was the Detroit River.

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

Mr. HILL. I yield.

Mr. DOUGLAS. Is it not also true that it referred to a crime committed on board ship in the Detroit River, on the Canadian side?

Mr. HILL. It did indeed refer to a crime committed on the Canadian side, a violation of a criminal statute under admiralty laws, where a person attacked another person with a dangerous weapon. The question was whether the jurisdiction of the United States applied, since the ship was not within the jurisdiction of any one of our States, and, therefore, not within the police powers of any one of our States. The question was whether the jurisdiction and the police powers of the Federal Government extended to the ship so that the person who sought to attack the other person with a dangerous weapon could be tried on a criminal charge.

Mr. MORSE. Mr. President, will the Senator from Alabama yield further at this point?

Mr. HILL. I yield.

Mr. MORSE. Let me say that the discussion of the Pollard case by the Senator from Alabama is unanswerable. My last question to the Senator is this: Does he not agree that when the Court has before it a set of operative facts, it raises a question of whether the land involved is Federal land or State land? An act of Congress is not going to determine it, but the constitutional considerations of the meaning of Federal sovereignty will determine it. If the land falls within the meaning of Federal sovereignty, then the Senate of the United States has no power to tear up the Constitution of the United States and say that it can determine the sovereign rights of 160,000,000 people. That remains the function of the United States Supreme Court, does it not?

Mr. HILL. The Senator is 100 percent correct. There can be no question about that. I take it that when we take an oath to support and defend the Constitution of the United States we are not thinking only about the Politburo in Russia or some enemy from without; we are thinking also of domestic affairs which are covered by the Constitution of the United States.

Mr. DOUGLAS. Mr. President, will the Senator from Alabama yield at that point?

Mr. HILL. I shall be happy to yield to the Senator from Illinois.

Mr. DOUGLAS. Would the Senator be willing to have provided a little poetic relief from some of the constitutional questions which have been raised?

Mr. HILL. Yes.

Mr. DOUGLAS. The Senator from Alabama has described the very difficult situation of the Attorney General of the United States, an honorable and competent man, who was torn between the Constitution, going north, and political situations, going south. Did it not remind him of the words of George Meredith which popped into my mind when I heard the Senator describe that dilemma? Meredith said:

In tragic life, God wot,
No villain need be! Passions spin the plot:
We are betray'd by what is false within.

Mr. HILL. I thank the Senator for the poetic quotation. I felt that this speech, dealing with constitutional law questions, needed a little poetry. I recall that not many years ago some of us who had the honor of sitting in this body prided ourselves on the knowledge of poetry and of the great literature not only of this country but of the world. Some Senators often illuminated, brightened, and ornamented their speeches with apt and beautiful quotations. I recall that when I first became a Member of the House of Representatives one of the distinguished Members of the Senate was Senator Bruce, of Maryland, and when Senator Bruce was going to speak on the floor of the Senate, if there was any way for me to get away from my duties in the House, I would come to the Senate to hear him, because no man was better versed or more gifted with apt quotations and beautiful poems than was the Senator from Maryland. His speeches were studded with gems from great poets and great writers in our literature and the literature of the world.

I thank my distinguished friend from Illinois for the contribution which he has made.

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

Mr. HILL. I yield.

Mr. HUMPHREY. May I say to the Senator from Alabama that when we discuss the topic of submerged lands it is like Pandora's box. When we open it, something else pops out. I took a quick look into the index of the hearings and again reviewed the testimony of Mr. Brownell. On page 925 of the hearings there is most revealing testimony, in the light of the joint resolution which came out of the committee. Here was the chief legal officer of the Government of the United States. His dilemma has been appropriately described, and I do not think anyone could more appropriately describe the very paradoxical and peculiar situation in which he found himself in trying to serve two masters, the head of a political party and the Constitution of the United States. I should like to point out that when he testified he apparently was received cordially. Great respect and dignity were accorded to the gentleman.

Mr. HILL. As there should have been.

Mr. HUMPHREY. Yes; but the joint resolution has no relationship to the testimony. The committee pursued their course, the Attorney General notwithstanding. The Attorney General made it quite clear that he did not wish to see the Federal Government lose ownership of the submerged lands. He had a convenient gimmick. His opening statement is very short, comprising about a page and and half or 2 pages of the hearings. He pointed out:

For the purpose of minimizing constitutional questions—

The Attorney General is a shrewd man. He knows what is coming. He sees full employment for every lawyer in the country. He said:

For the purpose of minimizing constitutional questions I consider it of primary importance that any statute combine a program (a) authorizing the States to administer and develop the natural resources from the submerged lands within a line marking their historic boundaries with (b) specific authorization to the executive branch of the Federal Government to develop the lands outside of that line.

I may say to the Senator from Alabama that those two precise, definite admonitions shed a little hope as to minimizing the constitutional questions which we know will arise as surely as the dawn. He advised the committee, but one can look through the joint resolution from now until the 4th of July—and we are likely to be looking at it for that length of time, if these questions become any more complicated—and he will not see where the Attorney General's advice was followed. There is no specific provision in the joint resolution for the Federal Government to develop the Continental Shelf. There is provided a quitclaim to the property. The Attorney General advised, first, that the Federal Government should have absolute, sharp, and precise authority for the development of the Continental Shelf. Second, he advised that the States should not be given ownership.

So the committee, first, ignored three Supreme Court decisions. Not only did they reject the constitutional precedents as established by the court, but here was a brand new, fresh, untainted Attorney General, having new ideas and a new mandate, coming before the committee, being treated well with respect and dignity, and the committee said, "Goodbye."

All that is necessary is to read the colloquy in the hearings from that point forward, and it will be seen how unhappy some people were. "Unhappy" is hardly the word, because what Mr. Brownell, as Attorney General, proposed was not only ignored; it was unpalatable. The committee did not even want to taste it, because the Attorney General was too wise a man to sacrifice what the Senator from Alabama has described

today, namely, the sovereignty of the United States.

The Attorney General tried—oh, how he tried—to steer the course which the Senator from Alabama described. But when he had concluded, he found himself in the inevitable trap of trying to be able to placate and please, on the one hand, those who wanted to get the resources from this land, and, on the other hand, the citizens of the United States.

I submit that the Attorney General took an oath to defend the Constitution; he did not take an oath to be able to help, by some sort of gyrations, those who desired to become great political artists in a most difficult case. I advise everyone to read that particular testimony.

My only question is, Can the Senator from Alabama point to anything in the testimony of the Attorney General which denies the supreme sovereignty of the Federal Government in external affairs or in the open seas or the marginal seas?

Mr. HILL. I can point to nothing at all. As the Senator suggests, when the Attorney General came before the committee and had to be faithful and loyal to the Constitution, as he was—and I commend him for his position—the committee proceeded to wash their hands of him, turned their backs on him, and said to him, "We will have none of that."

In that connection the Senator from Minnesota has given me a thought. It will be very interesting to note the kind of memorandum the Attorney General may send to the White House for the Chief Executive if and when the joint resolution is passed. As I understand, it has been the custom heretofore, when a joint resolution of this nature is passed, and before the President of the United States signs it or vetoes it, to have the Attorney General submit a memorandum with respect to the measure. I shall be very much interested, and I am going to watch with great alertness if the joint resolution is passed, to see the kind of memorandum the Attorney General sends to the White House. I shall request a copy of the memorandum.

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

Mr. HILL. I yield to my friend from Illinois.

Mr. DOUGLAS. Just as the Senator from Alabama in classical language has shown the dilemma of the Attorney General as being between Scylla and Charybdis, and just as the Senator from Illinois has tried to illustrate poetically the difficulties of the situation, could not the dilemma also be illustrated by a quotation from the New Testament, namely, our Saviour's statement:

> No man can serve two masters.
> Ye cannot serve God and mammon.

Mr. HILL. The Senator is absolutely correct. That is the position in which the Attorney General of the United States found himself. Whom would he choose? Would he choose Caesar or the Lord? Am I not correct?

Mr. DOUGLAS. The Senator is correct.

Mr. HILL. The Attorney General has already given his testimony. If the joint resolution should be passed, he will have to write a memorandum and sign his name to it. He might be asked, "Under which banner do you stand? With whom are you standing? Are you standing with the Lord or with Caesar?"

It will be most interesting to observe what he says.

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

Mr. HILL. I yield.

Mr. HUMPHREY. I am not either in the mood or intellectually equipped to quote classical gems similar to those which have been recited this afternoon. But in my State, we would simply say that the Attorney General was in a heck of a fix. He tried to do his best to get out of it, but in the course of trying to get out of it, by trying to satisfy everyone, he satisfied no one. That is exactly what the situation resolves itself into. The Attorney General did not satisfy the Senator from Louisiana, the Senator from Texas, or the Senator from Florida. He satisfied no one. He has not satisfied the Senate.

I, too, will be interested to observe the word which will be used to describe his action. Formerly when we really wanted to confuse anyone, we used language which was called "gobbledygook." I wonder what kind of new word, similar to "gobbledygook," will be used to explain a position that is contrary to terms of the joint resolution.

But perhaps the joint resolution will not be signed. There is a ray of hope.

Mr. HILL. Is the Senator saying, as lawyers say, "How shall he confess and avoid?" Is that the idea?

Mr. HUMPHREY. The Senator is correct.

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

Mr. HILL. I yield to the Senator from New York.

Mr. LEHMAN. If this measure is enacted, I do not know whether or not the President will sign it. However, I may say to the distinguished Senator from Alabama that if the people of the United States knew what was contained in the joint resolution, and knew the consequences and dangers to which we should be subjecting ourselves by reason of the great losses that would inevitably follow its enactment, they would rise in their wrath and would direct their representatives in Congress, whether in the Senate or the House of Representatives, to vote against the joint resolution. That is why I am so happy that the Senator from Alabama, and other colleagues in the Senate, are placing the facts before the people for the first time. I am sure that if the people really understand the facts, implications, and consequences, we shall win, and the joint resolution will be defeated.

Mr. HILL. I thank the Senator. I think he is absolutely correct. I know of no better evidence of the fact that he is correct than the fact that within the past few weeks bodies of the legislatures of the several States, such as Rhode Island, Tennessee, Arkansas, Arizona, and Mississippi, have acted, protesting the passage of the joint resolution and urging that it be not passed, and that Congress follow the constitutional way, the wise way, the constructive way, the way of the statesmen, and pass the Anderson bill with the aid-for-education amendment.

I was reading excerpts from the decision in the California case. I shall not continue, except to read one sentence, which I think is very significant. I commend it to the consideration of Senators:

> We know not what tomorrow will bring.

Just think of the men who sat in the Senate in the early days—how little they could conceive of a constitutional debate such as we have had, over a question such as this. How little they could have conceived of such a question. So how can we project our minds into the future? How can we know what tomorrow will bring?

So I read this as the last sentence I shall read at this time from the California case:

> The very oil about which the State and Nation here contend might well become the subject of international dispute and settlement.

Who knows? I do not want to anticipate what I shall say, but in a few minutes I shall go into the question of the value of the oil. I shall speak of the oil which may be found off the coast of Alaska. When we think about international questions, does not Alaska bring to the mind of Senators a very special picture? It lies in close proximity to the shores of Communist Russia. Shall we do something here now which might encourage, precipitate, or hasten some dispute which might lead to a dread catastrophe in our relations with Communist Russia?

We know not where this action may lead us. We know that the only wise course, the only safe course, is to hold fast to the Constitution of the United States. Whenever we do violence to that great document we invite trouble; we invite disaster.

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

Mr. HILL. I yield to my colleague from Alabama.

Mr. SPARKMAN. This may not be relevant at this particular time, but I happened to think of it because the Senator mentioned the possibility of oil off the shores of Alaska.

Of course, it is generally believed that Hawaii may become the 49th State. I am not sure as to the exact mileage from one end of Hawaii to the other, but I understand that it may be something like 1,500 miles from the uppermost tip of the northernmost island to the southernmost tip of the southern island. Where would the line come, as affecting the State of Hawaii?

Mr. HILL. I am not sure that anyone could tell where the line would come. The Senator by his question poses one of the very problems which this measure raises. Who knows where the line would be?

Mr. SPARKMAN. It would lead to endless litigation, would it not?

Mr. HILL. The Senator is absolutely correct. No one can tell where the line might come.

I am glad the Senator asked that question. He has pointed out one of the

many difficulties which we invite, one of the treacherous problems which we take to our bosom if we pass the pending joint resolution. The very question the Senator asks might turn out to be an adder which we are taking to our bosom.

Up to the present time in my address, insofar as I have not incidentally discussed other matters, we have shown that any attempt by the Congress to confirm the titles of the respective States to the tidelands and the beds of navigable inland waters such as bays, rivers, and lakes within their respective boundaries, would be sheer surplusage, since many Supreme Court decisions—and I have adverted to many of them—have given to the States titles respecting these categories of submerged lands a degree of certainty that is hardly matched anywhere else in the whole field of constitutional law.

I ask my distinguished friend from Oregon [Mr. MORSE], former dean of the University of Oregon Law School and a great constitutional lawyer, if he knows of a decision in any case in our constitutional law which is a better, more profound, more Gilbraltar-like landmark decision on any question, than is the case of Pollard's lessee against Hagan on the ownership of tidelands.

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

Mr. HILL. I yield.

Mr. MORSE. Dissenting only from the Senator's personal references to the Senator from Oregon, the Senator from Oregon wishes to respond to the question by saying that he thinks the Pollard case is one of the great hallmarks of the constitutional decisions of the Supreme Court in the whole field of sovereignty. I venture the prediction that when the United States Supreme Court comes to pass upon the constitutionality of this measure it will not be able to sustain it from the standpoint of its sovereignty implications.

Mr. HILL. I thank the Senator. I wish to express to him my appreciation for his very splendid contribution. I think it is important, as we go along in the debate over this question and the discussion of the joint resolution, not to neglect the great constitutional arguments involved. As I see it the tragedy—and I emphasize the word "tragedy"—is that instead of reading these cases and studying them, recognizing the constitutional questions involved and the decisions as to those constitutional questions, the proponents of the joint resolution have busied themselves with sending out all kinds of propaganda and disseminating all kinds of spurious data over the land in an effort to decide this case de novo, so to speak, in the Congress of the United States, as though there had been no Supreme Court decision, and as though under the Constitution it were our duty, rather than the function of the Supreme Court, to decide this case.

Mr. MORSE. Mr. President, will the Senator further yield?

Mr. HILL. I yield.

Mr. MORSE. I wonder if the Senator agrees with me that one of the great problems we seem to have in the United States today so far as public opinion is concerned is a failure on the part of the American people fully to appreciate the relationship between their basic sovereign rights, their basic constitutional rights, their basic procedural rights, and the various prizes which political groups hold out to them to induce them to sell their great constitutional birthrights for a little materialistic gain, whether it be oil lands or an attempt to take the public domain away from the people of the United States and turn it over to selfish interests which would exploit it, or whether it be a plausible but dangerous proposal to sacrifice the heritage of the American people in their ownership of the streams of America, with all the potential kilowatts of power to be found in those streams, and turn it over to the private utility monopolies? We already hear whispered proposals to take thousands of acres of the very valuable shale land now on the public domain and turn that property, belonging to all the people, over to private selfish interests in the name of private enterprise. Likewise, other proposals are made, such as the Hoover proposal the other night, to turn the people's property in Federal power projects over to the private utilities.

I say that no matter what the selfish proposals may be—and they are many, and they seem to be growing in number week by week, so far as this administration is concerned—nevertheless, the duty which the Senator from Alabama, the Senator from New York, the Senator from Illinois, the Senator from Oregon, and all others Senators have is to stand here and protect the basic principles of a constitutionalism so precious to the welfare of our people, and, irrespective of the criticism which may be aimed at us from time to time, to stand up against proposals which place materialistic values above the value of perpetuating our constitutional form of government.

Does not the Senator agree that that is the challenge which is facing us on the floor of the Senate this afternoon in connection with the pending measure?

Mr. HILL. I agree thoroughly with the Senator from Oregon, and I wish to thank him for saying what he has said. He has given expression to a most important and timely thought.

I wish to add that if the people are not so sensitive as we would like to have them be about many of these matters, if perhaps they are not so conscious of the import of these matters or the consequences which may ensue, it is because in many instances they have been bombarded with all kinds of partisan, selfish, misleading, spurious propaganda. Many times they have not been given the true picture.

I say to the Senator from Oregon that I fully share his feelings—and I know his feelings are deep—that we as Senators of the United States have a very definite responsibility and duty to stand on this floor, and to stand in every other forum that may be available to us, to give the facts and proclaim the truth to the people of the United States.

Let me add that I have been in Washington for a long time. I came here in what were thought to be the halcyon days of Coolidge and Hoover, those old days when everybody thought that everyone was prosperous. Yet there were great questions before us then, just as we have them before us today, and the majority was overcoming the minority. There was a stampede to take care of the favored ones. But I saw a few Senators, notably, that great old roman from Nebraska, God bless him, George W. Norris, stand on the floor of the Senate and meet all the hosts of greed and selfishness. George Norris stood singlehanded, alone, and fought the exploiters and the robber barons. Because of the battle he waged, today we have the great Tennessee Valley Authority in my State, and in 6 other States, with all the manifold benefits and blessings that institution has brought, not only to the people of the Tennessee Valley, but to all the people of the United States from Maine to California.

He stood here year after year fighting what seemed to be a hopeless, oh, such a desperate battle, yet he had the courage and the will and the dedication to fight that battle, and because he did fight it, the people of the United States were finally enlightened as to the facts, as to what was involved in the great struggle, and in the end, the people, through George Norris and his leadership, won the battle fought with the selfish interests of the country.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER (Mr. JENNER in the chair). Does the Senator from Alabama yield to the Senator from Oregon?

Mr. HILL. I yield.

Mr. MORSE. I wish to commend the Senator from Alabama for the great tribute he has just paid that great liberal conservationist, George Norris. Does the Senator agree with me that in our day in the Senate we now have the obligation to fight to protect and preserve the great accomplishments of George Norris? There are voices in responsible positions in American Government today who are trying to sell the American people the political soap that such great Federal projects as the Tennessee Valley Authority constitute creeping socialism, and that we ought to turn those great projects over to so-called private enterprise. What they mean is the monopolistic control of selfish private utilities which want the consumers to pay tribute to the monopolies. Does the Senator agree?

Mr. HILL. I agree with the Senator, and I wish to say that a few minutes ago I read the language of the Court in which the Court said that the contest today is over royalties, but tomorrow it may well be over some other thing.

That brings to my mind the thought that when George Norris was standing on this floor fighting the battle to save the great power in the Tennessee River for the people, for the United States of America, he could not foresee that because of his battle and his devotion and his efforts we were to develop that power and make it possible for us to produce most of the aluminum which went into the airplanes with which we defeated the tyranny of Hitler and of the Japanese war lords.

I am quite certain that George Norris went to his rich reward never having heard of atomic energy. He knew nothing of atomic energy. Yet because he had fought his battle on the floor of the Senate, because he had saved that great

heritage which God Almighty had given to the people of the United States, the power was there in the Tennessee River, making it possible to establish the Oak Ridge plant, which is one of the great, basic, fundamental plants for the development of the atomic bomb.

Mr. MORSE. Mr. President, will the Senator yield further?

Mr. HILL. I yield.

Mr. MORSE. Again I wish to associate myself with the observations the Senator has just made with regard to the significance of the work of George Norris. I share his views about the great record of Norris, and that is the reason why I am in the course, week by week, of delivering on the floor of the Senate a series of 12 speeches dedicated to the great liberal from Nebraska, who I think left a great monument of service in protecting the interests of the people of the natural resources of the United States.

My question is, Does the Senator from Alabama agree that if the people of the United States desire to protect and preserve their natural resources, and the national defense which goes along with and arises out of the natural resources, they had better pay attention to the facts which are being brought out in just such a debate as this one on the submerged lands measure, because it deals with one of the last great defense reserves remaining in the possession of the people of the country, namely, the last great oil reserves?

Mr. HILL. The Senator from Oregon is absolutely correct. Later in my remarks I shall deal with that question.

The Senator from Oregon knows that today oil is indispensable to any national defense machine, whether it be a bomb-carrying airplane or a tank or a ship or a submarine. After all, a bomb is as worthless as a zero without a rim around it, unless there is an airplane to carry that bomb. Is not that correct?

Mr. MORSE. Of course that is true.

Mr. President, will the Senator from Alabama yield further to me?

Mr. HILL. I yield to my friend, the Senator from Oregon.

Mr. MORSE. Does the Senator from Alabama share the view that one of the great acts of statesmanship of the preceding President, Harry Truman, was the action he took in the closing days of his administration, when he issued the order which placed the lands in dispute, the lands involved in this joint resolution, under the jurisdiction of the United States Navy, to be maintained by the Navy as a great oil reserve in our national defense program?

Mr. HILL. I do, indeed. As I have said, later on I shall treat with the question of national defense.

We know that today we are importing more than one billion barrels of oil every day; and we know that if Russia were to obtain control of the oil in the Middle East, all the productive machinery of Europe would be worth nothing, for then it would be imposible for the countries of Europe to operate that machinery. That would then be the sad state of affairs in Europe, despite the fact that our Nation has spent great sums of money in helping build up the industrial capacity of Europe. But none of Europe's engines of production could operate without oil.

Mr. President, in my opinion never before have we been faced by so dangerous a threat or by so implacable and dangerous foe. Yet now it is proposed that we give away this precious oil, one of our most precious resources, without which we would have no assurance that we could defend ourselves in case of war.

Mr. MORSE. Mr. President, will the Senator from Alabama yield for a further question?

Mr. HILL. I yield to my friend, the Senator from Oregon.

Mr. MORSE. Is the Senator from Alabama aware of the fact that, for example, in my State of Oregon the Federal Government has title to a great many thousands of acres of forest land?

Mr. HILL. Indeed, I am aware of that. I wish to say to the Senator from Oregon that I have had the pleasure of visiting some of those forest lands. My trip there was not only delightful, but I would say that it was awe-inspiring. It was most thrilling to see those magnificent trees. So magnificent are they, that when one drives through those forests, one is almost compelled to say, "Stop this car"; there is an almost irresistible desire to stand amid those mighty sentinels of the forest and thank Almighty God for them.

Then one is suddenly pulled up sharply, almost as sharply as if by a lasso, by the dreadful thought, "What would happen to these trees if they were removed from the trusteeship of the Government of the United States, and were made subject to exploitation, depletion, and destruction by selfish hands?"

Mr. MORSE. Mr. President, I wish I had the ability to express my feelings as I go through the great virgin forests of my State, in the way the Senator from Alabama has expressed his feelings, as he has related his experience in taking a trip through my State.

I was very glad to have him, in recounting his experience, mention the Creator, and the fact that when he visited those forests he felt close to the Creator. I believe he implied that in his remarks. That is the feeling I have every time I visit those forests, and I certainly share my colleague's concern with respect to the great loss our people would suffer if a conservation program for those forests were not maintained.

Let me say that the State of Oregon receives only a very small percentage of the Federal Government's income from those forests. Does not the Senator from Alabama believe that if the pending joint resolution is enacted into law, I shall be presented with the problem of determining whether I owe it to the people of my State, as one of their representatives in the Senate, to do what I can to obtain for them, not the small percentage they now receive of the income the Federal Government derives from these Federal timberlands, but 100 percent of the income, minus the administrative costs?

In fact, I suppose there would be those who would say that I owed it to the people of my State to do what I could to have those lands transferred outright to the State of Oregon.

Does not the Senator from Alabama agree that that problem would be presented?

Mr. HILL. Of course the Senator from Oregon would be faced with that problem, as would every other Senator representing a State having great forests or a State having public lands or a State having mineral deposits or other great natural resources. All Senators from such States would be confronted with a demand to obtain those properties for their States, if this joint resolution were enacted into law. Following the enactment of the pending joint resolution, that situation would certainly develop, as surely as night follows day.

Mr. MORSE. In other words, the constituents of those Senators would demand that they also reach into the grab bag, would they not?

Mr. HILL. Yes; certainly the Senator from Oregon is entirely correct. The people of Oregon would say to the Senator from Oregon, "Why have you not reached your good, long arm into that grab bag? We know how strong and powerful your arm is. Why have you not reached into that grab bag for us?"

Mr. DOUGLAS. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield.

Mr. DOUGLAS. Would not that situation lead to the Balkanization of the United States of America?

Mr. HILL. It certainly could lead directly in that direction.

Mr. LEHMAN. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I was going to refer to what happened to our forests; but at this time I yield to the Senator from New York.

Mr. LEHMAN. Mr. President, New York does not have the great forest reserves or the great mineral resources which are possessed by many of the western States or many of the other States. But New York State has a great interest in the development of the Nation as a whole, particularly the development of the great power resources of the Southwest and Northwest. New York has always been willing to do more than its share. As I have often said on the floor of the Senate, the people of my State believe as I do, which is one of the reasons why they have sent me here, that what is good for one part of the country must necessarily be good for the country as a whole.

If this grab bag develops, as it will, all Senators will be placed under the pressure to which my colleagues have referred. If great natural resources are turned over to certain States, then the people of the other States, including the people of New York State, will say, I am convinced, "You have taken away from us the enjoyment of the natural resources of the country to which we are just as much entitled as are the people of Oregon or the people of Texas or the people of Florida or the people of Louisiana or the people of California. You have taken those away from us against our will, and therefore we are not going to continue to contribute the amount of money we have been providing for the

development of the country. You cannot take away from a State—any State—great natural resources without paying the price for that action."

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

Mr. HILL. I yield to my friend from Oregon.

Mr. MORSE. I want to join immediately in approval of what the Senator from New York has just said, and I should like to take just a minute to apply what he has said to the problem in my State. It is equally applicable to other States in which natural resources are found; but I am perfectly willing to limit its application, for the moment, to my State.

I raised this point a moment ago with the Senator from Alabama in order that this RECORD might disclose for future reference what the problem is today. Of course, the State of New York and other great eastern States have spent millions of their taxpayers' dollars on the natural resources of the great western States, including, for example, some of the lands, which really when we think of the Federal jurisdictions concerned, are involved in the pending measure.

Let me say to the Senator from New York, I have taken this position as a Senator from Oregon, though not for Oregon in the first instance, but as a Senator from Oregon for the Nation. I ran for the United States Senate in two campaigns upon the pledge that I would sit in the Senate in a dual capacity, so to speak, and desired the people of Oregon to vote for me only if they wanted to send me to the Senate of the United States as a Senator for the Nation; for that is what the constitutional fathers intended when this legislative body was created.

In 1950 my opponents thought they were going to defeat me on the so-called tidelands issue. They quoted all over my State, night after night, and day after day, in a hot campaign, the statements I had made on the floor of the Senate against the so-called tidelands measure. I said to the people of my State in that campaign, in more than 200 major speeches up and down my State, "Do not vote for me if you want to send me to the Senate of the United States to vote to take away from all the people of the United States the so-called submerged lands. The submerged lands on the coast of Oregon do not belong to the people of Oregon. They belong to all the people of the United States. I cannot read the Supreme Court decisions any other way, and I pledge to you in this campaign that I will not vote in the Senate of the United States for any bill that seeks to take away from all the people of the United States"—and that includes the people in the State of the Senator from New York—"their paramount interests in the submerged lands on the Pacific coast of the State of Oregon." I said further in that campaign, "I carry the fight to the reactionary machine against me on this issue, and you decide it at the polls."

Let me tell you, Mr. President, that in the Republican primary in the State of Oregon in the spring of 1950 the Republican voters of the State decided in my favor by a vote of about 2 to 1, and in the general election in November, 1950, the people of the State of Oregon decided in my favor by 76 percent of the votes cast.

When I stand on the floor of the Senate I believe I happen to know what the overwhelming majority of the people of Oregon think about this measure; and what they think about it is not in accordance with the proposal of the former Governor of the State, now Secretary of the Interior, Governor McKay. In my judgment, the people of my State of Oregon do not support the position taken by the Secretary of the Interior on this joint resolution. They do not support the proposals made by the Republican machine of my State regarding tidelands or submerged lands. They have answered to that effect, I think clearly, by the crosses they put on their ballots in 1950, when the junior Senator from Oregon took this fight to the people of Oregon; and I am satisfied they gave him a clear mandate to fight, as I have been fighting, against taking away from the people of New York and every other State in the Union what I consider to be their vested constitutional rights in the natural resources of the country, including these submerged lands.

That is my answer to the pressure groups that are trying to induce me to place in a grab bag the natural resources of the United States. If we lose in this instance, I shall still fight to protect what is left of the natural resources belonging to all the people, and I shall pray that the Supreme Court will hand down a decision, which I think it inevitably must hand down, namely, that this measure, if it becomes law, will violate the constitutional sovereign rights of the people in their natural resources.

Mr. HILL. Mr. President, knowing the magnificent courage of the Senator from Oregon, I am sure that he will fight on and on, to the end. If need be, he will stand at Thermopylae, and there he will stay.

Mr. JACKSON rose.

Mr. HILL. I yield to my friend, a neighbor of the Senator from Oregon, the Senator from Washington.

Mr. JACKSON. Supplementing what the Senator from Oregon said a moment ago, I may say that I happen to come from a coastal State. During the many years I served in the House, I voted against the giveaway bill. I think the people of the State of Washington, Republicans and Democrats alike, are sufficiently intelligent to know what this issue is all about. I may say that last summer oil was discovered off our coast. Despite the fact that much was made of that discovery, the good people of the State of Washington supported me in my position favoring the Federal ownership of assets that belong to all the people of the United States.

It should be of interest to our friends on the other side of the aisle to know that many people in the State of Washington feel very deeply about the program, with respect to natural resources, and the way in which it is being carried on. The people of my State would like to believe that the new administration will follow the leadership of one of the greatest Republican Presidents, Theodore Roosevelt, who stopped the raid on the Federal domain. He was aided and abetted by another great American, a great Republican Governor, Gifford Pinchot, of Pennsylvania, who was Chief Forester under Theodore Roosevelt.

It occurs to me that as the people of the country better understand what is at stake here, the result will in the end be in the public interest. I think we have the task and the assignment of placing the true picture before the American people. Millions of Republicans in the western part of the United States are very much interested in what is happening in the Senate at this time.

I compliment the Senator from Oregon upon his statement about the attitude of the people of the Northwest. Inasmuch as both of us come from great coastal States, I do not think it can be said that we are arguing from a prejudiced position.

Mr. HILL. The Senator from Washington is a distinguished member of the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs, the committee which handled the pending joint resolution and conducted hearings on it. The Senator from Washington has made it his business to study this joint resolution, to study the questions involved, as they are presented to the Senate today, and he has taken his position because he knows what is not only for the best interests of the people of Washington but also what is for the best interests of the people of the whole Nation.

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

Mr. HILL. I yield to the Senator from Washington.

Mr. JACKSON. I appreciate the kind statement of the Senator from Alabama. I think it should also be said that in connection with the management of these resources the western States derive a very substantial bounty from the sale of our timber, especially in the State of Oregon, from that on the O. and C. lands. The State of Oregon gets virtually all the receipts from the sale of the timber. I believe that not many people understand that the Anderson bill provides for giving to the States 37½ percent of the receipts.

Certainly that makes a very substantial difference, and our people should better understand that it is an equitable proposition. It is not a case of trying to deprive the States of anything.

Whoever heard of a person winning a lawsuit and getting a judgment which involves an award of between $25 billion and $50 billion worth of very important assets, and then giving them away? In the interest of equity and fairness and in the interest of consistency in the management of our natural resources, it should be remembered that the Anderson bill proposes to give to the States 37½ percent of the receipts which will be obtained from the sale of oil which may be developed in the submerged lands.

Mr. HILL. As the Senator has said, it is a most generous gift, because, of course, the Senator realizes that at least some of the reasons applying to the 37½

percent gift of mineral receipts from public lands do not and could not apply to submerged lands.

I thank the Senator from Washington for the contribution he has made.

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

Mr. HILL. I yield.

Mr. LEHMAN. I am very happy, indeed, again to receive assurances, as I have on so many other occasions, that the distinguished Senator from Oregon [Mr. MORSE] and the distinguished Senator from Washington [Mr. JACKSON] concur in my point of view as to the duty of a Senator to represent not only his own State, but the Nation as a whole. I have fought against the so-called tidelands legislation as a member of the Committee on Interior and Insular Affairs, and I am glad to fight it with all the force at my command.

It has been charged by some of the proponents of the Holland joint resolution that I stand alone among the high officials of my State in opposition to the Holland joint resolution and in support of the Anderson substitute and the Hill amendment. They point out that the Governor of the State of New York favors the joint resolution, that the mayor of the city of New York favors it, and the park commissioner, Mr. Moses, favors it. It may be that that is correct. But I repeat what I have so frequently said on the floor of the Senate, that I am convinced that in spite of the position they have taken, and which I cannot understand, the vast majority of the people of the State of New York support me in fighting this joint resolution and in supporting the Anderson substitute and the Hill amendment.

They are gradually getting to know the facts. That is why we have to bring out, so long as we have the power, the actual facts.

The people of New York want nothing that they are not willing to give to the people of Mississippi, Alabama, Texas, Oregon, and California. We never have, and I pray God we never will. The people know that the great natural resources in question belong to the Nation as a whole, and not to only three States. Therefore, they are unwilling to relinquish those resources. I have not the slightest doubt that if the submerged lands are turned over to three States, the next move will be to turn over the natural resources in the public domain.

I am convinced that the people of New York want this joint resolution to be defeated. They want the Hill amendment, which will not benefit the children of the State of New York any more than it will benefit the children of Mississippi or any other State. We believe education is the greatest asset a nation can have. W want to see good, sound education given to the children of Mississippi, Alabama, Arizona, and New Mexico just as we want the children of our State to have such education.

Here is an opportunity for the children of the Nation to receive the education to which they are entitled and which would prove to be the greatest kind of an asset to the entire Nation.

I repeat what I said yesterday, the day before yesterday, and again this afternoon, that if the people knew what was going on here, if they knew the implications and the complications of the Holland joint resolution and the evil consequences of its passage, they would rise in their power and say to their Senators and their Representatives, "No; you cannot deprive the Nation of what belongs to all the people. You cannot take it away from us to give it to three States of the Union."

I have no doubt whatsoever that that would be their attitude.

Mr. HILL. I thank the Senator from New York for his contribution and for all he has said, and I particularly desire to congratulate him on the very courageous and fine position he has taken. I happen to know of some of the pressures which have been brought to bear upon the Senator from New York. I happen to know some who claim to speak for the people of New York, the great Empire State. They have sought not only to pressure the Senator on this matter, but they have sought to embarrass him and bring him all the trouble that is possible because of the very fine and courageous stand he has taken. I warmly congratulate him.

Mr. LEHMAN. I thank the Senator from Alabama.

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

Mr. HILL. I yield.

Mr. MONRONEY. I was tremendously impressed by the colloquy between the Senator from Alabama and the Senator from Oregon regarding the quitclaim deed to the marginal sea as being a trail blazer and a blueprint of things to come, possibly at no very distant time, because an amendment has been presented providing that the Congress quitclaim certain lands in western States.

Is it not true that the title by which the people of the United States hold a paramount interest in the marginal sea is the result of the Supreme Court decisions, and that the title has as much finality, and gives as much right of ownership and as much right of control as does the title the people of the United States have in all the public lands now held in the western States.

Mr. HILL. I will say to the Senator that that is correct. When it comes to property rights, when there is conflict between parties as to who owns property, who has the title to it, who has the right of use and possession, where are we, if we are not willing to accept a decision of the Court?

Mr. MONRONEY. Assuming that, as a result of decisions of the Supreme Court, the Nation has the same property rights in the marginal sea as it has in the public lands, would there not be more cogent and compelling reasons for Congress to quitclaim the public lands and the mineral resources in the various States to the States which are compelled, because the lands lie within their boundaries, to furnish police protection, education, highways, and many other expensive services?

Yet when it comes to the marginal sea I know of no surfaces all along the coast in these areas as to which Texas, or Louisiana, or any other State is compelled to spend its funds. This has been an area of public domain, which all the people have been determined to own. It is policed and maintained at Government expense. The harbors, port facilities, lighthouses, and inland canals are all maintained at Government expense.

If it comes to the question of deciding which part of the public domain we shall give away or quitclaim, it seems to me that the public-land States of the West could make a far better case for their entitlement to a quitclaim deed than can the States now contending for a quitclaim deed.

Mr. HILL. The Senator from Oklahoma is exactly correct. Surely from this standpoint the rights of the Federal Government in the submerged lands are derived as an attribute of sovereignty, whereas the rights of the Federal Government in the public lands are derived, as we know, from proprietary ownership. As I conceive the rights of the Federal Government in the submerged lands, according to the decisions of the Supreme Court, they are much higher, greater, and more supreme because of their being an attribute of sovereignty, than are the rights of the Federal Government in the public-land States.

Mr. MONRONEY. The Senator from Alabama has made a thorough study of this matter. Could he inform me of any similar case in which an appeal literally has been taken from the Supreme Court to the floor of Congress in order to reverse a decision of the highest court of the land?

Mr. HILL. If there be a precedent of that kind, even with property rights involved, I have not been able to find it. If there be such a case, it is hidden in dark, deep recesses, and no light has been shed to enable one to find it.

Mr. MONRONEY. If the proponents of the joint resolution had wished to follow through by enabling legislation the development of the tidelands, they should have used a formula, or perhaps changed the percentage of the share as between the Federal Government and the State governments, corresponding somewhat to the Anderson amendment, or even to the suggestion made by the distinguished Attorney General of the United States. At least, that would not have been in the nature of an overruling by Congress of a decision by the highest Court.

Mr. HILL. Certainly it seems to me that the Attorney General of the United States made what might be called the maximum suggestion. What else could we call it? It was the maximum to which we could even contemplate going.

Mr. MONRONEY. The proposed legislation, as it is now drawn, in fact becomes a reversal of a judicial decision rendered by the highest court of the land; does it not?

Mr. HILL. It does, indeed. Not only does the language run counter to the proposal of the Attorney General, but, as I shall show later, it runs counter to the foreign policy of the United States, a policy which has been so well expressed by the present Secretary of State, a representative of the Eisenhower administration.

Mr. MONRONEY. May I also ask the distinguished Senator who has very ably

outlined the protection afforded by the three coordinate branches of Government, whether, if the 83d Congress sets a pattern for destroying the delicate boundary lines which have existed through tradition and usage, and the comity existing among the three branches of our Government, and affirmatively begins to have the legislative branch impinge upon the judicial branch or the legislative branch upon the executive, we may not be responsible for beginning a pattern which may lead to the very downfall of our great constitutional system?

Mr. HILL. The Senator is correct. Such action could not only well plague us in future years, but it could well carry within it the very seeds of destruction of our great American constitutional system of government, a subject to which I sought to avert earlier in my remarks, and which the Senator from Oregon [Mr. MORSE] so graphically and eloquently described. Ours is a marvelous system of government, one to which we often refer as a great system of checks and balances. Under it we have a free and independent court, the members of which hold life tenure, and there is in the Constitution a provision that their remuneration cannot be reduced during their terms of office.

The Founding Fathers threw every protection around our system of government to make it basically free and independent, in order to protect the individual rights of every citizen. If Congress should overrule the Court, if Congress should see fit to pass a bill of attainder, where would the citizen find protection from such unconstitutional actions on the part of Congress?

Mr. MONRONEY. Where would be the finality of judicial decision in this land which prides itself on having perhaps the finest system of justice to be found anywhere in the world.

Mr. HILL. I suppose that if that time should ever come, the great Federal system, the great system of three separate, independent branches of Government, the great system of checks and balances, would have been destroyed.

Mr. MONRONEY. I yield to no one in my respect and love for the Senate and the House of Representatives, but I cannot bring myself to believe that within the legislative halls there rests all the omnipotence of our great country, with its system of legislative, executive, and judicial branches as designed by the Founding Fathers.

Mr. HILL. Was it not that basic, fundamental thought that caused those wise men to meet in Philadelphia to draft the Constitution which gives us the very system we now have?

Mr. MONRONEY. The Senator is exactly correct.

Mr. HILL. The Founding Fathers knew the weakness of human nature, the temptations of human nature, and the natural urges, we might say, of human nature, to throw its grappling hooks ahead and to reach out and grapple always for more power.

Mr. MONRONEY. As I see it, we as a legislative body would be definitely inviting danger by overriding and overruling the Supreme Court and invading their functions, just as, perhaps, we would be overruling the Executive by trying to assume executive functions.

The executive branch also has a mandate from the people of the United States, and a threat of expanding in an ever-broadening sphere a legislative power that could develop into an all-powerful oligarchy, and override even treaties of our great country, could lead us into paths of great danger and confusion, so that no one would be able to say what the pattern of constitutional government might be.

Mr. HILL. I thank the Senator from Oklahoma for his contribution to this debate. He is familiar with the history of the world and the old story of the rise and fall of despots and despotism. He is aware of the consequences if one agency or one branch of the Government, feeling that it has all the wisdom, should assume and take unto itself all power, whether it be a dictator in the form of a Hitler or a dictator in the form of the tribune that assumed power after the French Revolution. The Senator is exactly correct.

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

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

Mr. HILL. I shall be glad to yield in a moment to my friend from Minnesota.

I suggest to the Senator from Oklahoma that if he has not yet had the opportunity to do so he should read the story of Pierre Vergerginaud, written by Claude Bowers, that great writer of history from Indiana. Of course, the Senator is familiar with the works of Claude Bowers. He has written a story of the life of a man about whom I had heard little. When we think of the French Revolution we think of Danton, Mirabeau, and others. I commend that story of the life of Pierre Vergerginaud to the Senator's reading. It deals with a French tribune which attained more and more power. The more power that group attained the more despotic it became, and the more heads were cut off. Finally all the leaders of the French Republic, those who had led the revolution and won freedom from the Louises for the people went to the guillotine. Pierre Vergerginaud was one of those men. Claude Bowers' story is the story of a really devoted democrat—and I spell that word with a small "d"—a real friend and champion of the people. The French tribune finally became a body of despots. Because Pierre Vergerginaud tried to stand up against their autocratic, tyrannical power and defend the rights of the people, they sent him to the guillotine. That is the history of one democrat.

I now yield to my friend from Minnesota.

Mr. HUMPHREY. Mr. President, my comment to the Senator from Alabama centers around what I consider to be the counterproposal which has been offered by the Senator from Alabama and the Senator from New Mexico [Mr. ANDERSON]. In a great deal of this debate, those of us who are attempting to defend the public interest, the great national domain, and the submerged lands under the sovereignty of the Republic, have been explaining and criticizing the Holland joint resolution. In fact, we are not here merely to condemn. We are here with a positive and concrete proposal.

I should like to make one addition to the remarks of the Senator from Washington [Mr. JACKSON] by pointing out that when he said the Anderson bill provided that 37½ percent—as under the Mineral Leasing Act—of the revenues should go to the coastal States where the oil wells or gas wells were within the 3-mile limit, he was only partially correct, because if the Hill amendment is adopted, they not only will get 37½ percent of the royalties, but they will also get their pro-rata share of the national trust fund which the Hill amendment would establish for purposes of education.

Mr. HILL. A little later in my speech I shall take up that question. I intend to show what all this wealth means in terms of some of the States which now seek to grab off the oil in the submerged lands.

Mr. HUMPHREY. It is a great tragedy that throughout America, except for the work of those of us who have been trying to debate this question and bring it to the attention of our constituents through our visits back home, the average American is led to believe that the only proposal before the Congress is the proposal to quitclaim these great resources to the so-called coastal States. It is around that proposal that all the propaganda has centered. I have had to go out to my State of Minnesota, from county to county, from town to town, from PTA to PTA, and explain what this is all about.

I recall the splendid work of the Senator from Illinois [Mr. DOUGLAS], but little of it really came to the attention of the American public. I am not condemning the press for that, because I know that the material is complicated. It is difficult to explain in 3 or 4 paragraphs.

The issue really is whether or not the Congress is to start to kill off the great public-land policies and the great conservation policies to which the Senator from Washington [Mr. JACKSON] referred as being established under the leadership of Theodore Roosevelt and Governor Pinchot.

A former President of the United States, Herbert Hoover, says, "Let us get rid of the power dams, and all the great public resources." There have been suggestions even to sell the post offices. It has been suggested that atomic energy be turned over to private interests. There have been suggestions to open up more timberland, and suggestions to turn over more grazing land to private interests. It seems that there is an insatiable appetite on the part of some to devour the great public resources of the United States.

The issue in this debate can be simply put. Shall all the people of the United States share in these resources, or shall only a few share? Shall a few States have more privileges than other States, or shall they have equal privileges? Did the States as they entered the Union

come in under special privileges, or on an equal footing? Does the Supreme Court of the United States have jurisdiction, or does it not?

Those are simple issues. There is no need to go into a long treatise on the law. This is basically a fight over public policy. When the Attorney General was before the committee the Senator from Nevada [Mr. MALONE] asked him some questions. I urge all Senators to read that testimony. The Senator from Nevada asked the Attorney General, "If you are willing to turn over these lands to the coastal States, why do you not turn over the public lands in our State of Nevada to the State of Nevada?"

What did the Attorney General reply? He said, "We are not talking about that now. We are talking about submerged lands."

I agree with the Senator from Washington [Mr. JACKSON] that if there is any justifiable claim to the public lands, it is on behalf of the States. I refer to the internal public lands. The public lands involved in this discussion are the external public lands, which are under the general control and supervision of the Federal Government.

I thank the Senator from Alabama.

Mr. President, it is a source of regret to me that when a debate such as this is in progress and we look around at the 96 chairs in the Senate Chamber, we see very few of them occupied. I remind the American people that we are talking about $50 billion, $100 billion, or more.

Mr. HILL. It may be $300 billion.

Mr. HUMPHREY. If some Member of Congress offers a little two-bit amendment in the name of economy, to cut off $25 million from the school lunch program, or $100 million from the soil conservation program, that makes him a hero for economy. Here is a chance for the Congress of the United States to save the American people from $50 billion to $100 billion, at the minimum, and to save it for all the people.

Where are the 96 Senators? The number present is very small. Only a few moments ago one side of this Chamber was entirely vacant.

Mr. HILL. Mr. President, will the Senator make it clear that it was the other side of the aisle?

Mr. HUMPHREY. It was the other side, the Republican side of the aisle. Finally, the majority leader returned and gave us the benefit of his presence. He again returns to receive further information. The distinguished Senator from Michigan [Mr. FERGUSON], who is now occupying the seat of the majority leader, is receiving information. One of the leading newspapers of his State, the Detroit News, proclaimed its support of Federal ownership of the submerged lands. It, too, saw the light.

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

Mr. HILL. I yield.

Mr. JACKSON. In view of the fact that former President Hoover has announced that he would like to see the Federal power projects sold, I wonder what suggestion the former President would have with reference to the further change of name of Hoover Dam? First it was Boulder Dam, and then Hoover Dam. What is the name of the dam going to be when it is sold in accordance with his suggestion?

Mr. HILL. I could not tell the Senator what the name would be, but, of course, if the suggestion is carried out, I take it that it will no longer be known as Hoover Dam.

Mr. HUMPHREY. It will be "The public be damned."

Mr. JACKSON. Mr. President, will the Senator further yield?

Mr. HILL. I yield.

Mr. JACKSON. The reason I asked the question is that in the 80th Congress there was a strong feeling that proper credit had not been given to the Republican Party for the great contribution it had made in developing the first great multiple-purpose Federal power project. So the name of the dam was changed from Boulder Dam to Hoover Dam, in order to perpetuate the remembrance of the contribution which had been made by the former President of the United States.

Now the former President of the United States desires to change the whole policy. He wants to sell his dam, and I am wondering whether he wants to convey the name that goes with the dam as a part of the title to the property of the Hoover Dam project. It is a very interesting development.

Mr. TAFT. Mr. President, if the Senator from Alabama will yield a moment, I do not believe the Senator wants to do an injustice to the former President of the United States. My clear recollection of the statement I read was that the sale related only to single-purpose dams, constructed for the generation of power alone, not to multiple-purpose dams.

Mr. HILL. Mr. President, I will be frank with the Senator from Ohio and say that I did not so construe the language of the former President. I have been following the matter of dams for some time, and the truth is that power is an incident to flood control and navigation, as a rule. The dams are built for the purpose of holding back water either for flood control, irrigation purposes, or navigation purposes.

We have been speaking about attributes of sovereignty. Power is more of an attribute of a dam which is basically and usually built for some other purpose. Does the Senator from Ohio know of dams built only for power?

Mr. TAFT. I think many such dams have been built by private companies, and that many such dams have been built by the Government.

Mr. HILL. With all respect for the former President—and I would not be disrespectful of him for a moment—Mr. Hoover was not talking about dams built by private companies. He was talking about dams built by the United States Government which he wants turned over to private companies.

There are many dams on the Ohio River. When I first came to Congress I voted for appropriations to help finish the chain of dams on that river. They were built basically for navigation purposes, and it is my understanding that practically all those dams built by Government funds and by the Government were built for navigation, for irrigation, for flood control, and not just simply and solely for the generation of power.

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

Mr. HILL. I yield to the Senator from Washington.

Mr. JACKSON. I certainly wish to be fair to the former President. It is my understanding, however, that in his statement he said he wanted to get the United States Government out of the power business. Perhaps he merely desires to sell the best part of the dams, the power part of the dams. If that be the case, of course, he is placing the Federal Government in a very difficult position.

I might add that if that is his program now, why did he not suggest it at the time Hoover Dam was authorized, at the time the project was constructed? Certainly his suggestion comes a bit late, many years late, announcing that the Federal Government ought to get out of the power business, when he was the author of the project, so to speak—and I give him credit for that, as I did a moment ago to Teddy Roosevelt, who started the great power and reclamation and irrigation programs in the West, for getting these Federal programs under way. It seems to me it does not make much sense, if the proposal is applicable only to the power feature involved in the great multiple-purpose dams.

As a matter of fact, in order to build a good power dam, it is necessary to have multiple-purpose features in it. When power is being generated, floodwater may be controlled, navigation may be aided, and in the West the owners of arid farms may be assisted by providing of water for their land. I believe the program is sound, and I think it would be regrettable indeed if Mr. Hoover's suggestion were carried out.

I have watched the newspapers very closely, and I do not recall that up to the present any leaders of the Republican Party have announced their approval of former President Hoover's proposal. Some of them have talked to me privately, and have indicated that they are much concerned about the statement of the former President.

Mr. HUMPHREY. Mr. President——

Mr. HILL. I will yield to the Senator in a moment. Of course, I hold Mr. Hoover in great respect as an ex-President, and I desire to accord him full credit for all he did in helping to make possible the building of the Hoover Dam by supporting the construction of that dam and signing the bill. I accord him great credit. But that dam was a project of such magnitude that it was not possible for any one man, even had he had all the power and prestige of the President of the United States, to build it.

Since I was a Member of Congress at the time the legislation was passed, and know at first hand its history, I wish to say that the then great Senator from California, that fighting Senator, Hiram W. Johnson, waged an indefatigable battle for the building of that dam, and at

the other end of the Capitol, in the House of Representatives, no man could have contributed more, could have been more faithful or more indefatigable in his efforts, than the then Representative from California, Philip Swing. So, whereas we accord great honor and credit to Mr. Hoover for the dam, justice requires that we also pay tribute to the late Senator Hiram Johnson and the late Representative Philip Swing, and the contribution they made toward the building of the dam.

Mr. SPARKMAN. Mr. President, will my colleague yield?

Mr. HILL. I am glad to yield to my colleague.

Mr. SPARKMAN. In connection with the suggestion by ex-President Hoover as to the disposal of the power dams, I have been much interested in the thought which has been injected by the very distinguished majority leader that the ex-President limited his idea to single-purpose dams, dams which, I understand to be those designed only for the purpose of generating power. Certainly I believe the RECORD ought to be very clear with reference to that, because I did not get such an impression from the statement.

I should like to ask my colleague two brief questions. He has been a Member of Congress a long time. He has completed 30 years' service.

Mr. HILL. I came to the Congress as a very young man.

Mr. SPARKMAN. I know that to be true; he was almost as young as the Constitution would allow. What I wish to ask is, does the Senator know of a single dam that has been built by the Federal Government for the sole purpose of generating power?

Mr. HILL. I will say to my colleague, as I stated a little while ago, because of our interest in the Tennessee River, and other streams in Tennessee and Alabama, he and I have been very much interested in dams. I know of no dam built merely for the purpose of generating power. Dams were built either for navigation, flood control, municipal water supply, or irrigation. They have been built for other purposes along with the generation of power, perhaps, but the generation of power has been more of an incident.

As I have said, we have been talking about attributes of sovereignty. Power has been more of an attribute of the other purposes for which the dams have been built.

Mr. SPARKMAN. Mr. President, will my colleague yield to me, to permit me to ask a second question?

Mr. HILL. I yield.

Mr. SPARKMAN. As a matter of fact, does the Senator understand that under its decisions the Supreme Court of the United States has ever determined that the Federal Government could build a dam solely for the purpose of generating power?

Mr. HILL. According to my knowledge of the Supreme Court's decisions, the Court has always held that the building of a dam was proper and constitutional if the dam was built for some purpose other than the generation of power. If there is any Supreme Court decision which holds that it is proper for the Federal Government to build a dam solely and exclusively for power purposes, I am not familiar with such a decision.

Mr. SPARKMAN. Was not that the substance of the decision in the Ashwander case?

Mr. HILL. That is entirely correct. Of course, that case dealt with the TVA.

Mr. SPARKMAN. In that case that great issue was presented to the court.

Mr. HILL. Yes. That great issue was presented by very able lawyers, one of whom, a distinguished lawyer from Alabama, received a $50,000 fee—which was a very large fee in 1933 and 1934—for arguing a case before the Supreme Court.

Mr. SPARKMAN. He is a very able lawyer, and probably his services were worth that fee.

Mr. HILL. Yes; I agree that he is one of the best lawyers in the United States.

Mr. SPARKMAN. I agree with my colleague.

Mr. HILL. The decision in that case turned on the question of the power of Congress to have such dams built for power-generating purposes.

Mr. GORE. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield to my friend, the Senator from Tennessee, who is very familiar with these matters.

Mr. GORE. Assuming that a single-purpose dam were built for the sole purpose of the generation of electricity, and assuming that such a purpose were in compliance and in conformity with the Constitution, would we not still come face to face with the basic problem of the correctness of a policy of expending the people's money for the building of electrical-generation facilities, and then the giving to a private-power monopoly the right to distribute the power derived therefrom?

Mr. HILL. The Senator from Tennessee is entirely correct. Unless a dam were built in connection with some national-defense activity—for instance, some of the past developments in connection with the work of the Atomic Energy Commission—we would face the very proposition the Senator from Tennessee has so well posed by the question he has asked.

Mr. GORE. Mr. President, will the Senator from Alabama yield further to me?

Mr. HILL. I yield.

Mr. GORE. Of course, the same result would be arrived at by a proposal now pending in the other body. I refer to a proposal which would deny the funds necessary for the construction of transmission lines. Without the necessary transmission facilities, the Federal Government is at the mercy of a company which has sufficient financial resources to enable it to build the necessary transmission lines.

Mr. HILL. The Senator from Tennessee is entirely correct. By prohibiting the construction of transmission lines by the Federal Government, Congress would render ineffective the section of the Flood Control Act of 1944 which gives a preference to municipalities and to farm and rural cooperatives in the case of the power generated by the Government at Government-financed and Government-built dams.

Mr. GORE. Mr. President, the statement made by the distinguished former President of the United States assumes an importance beyond the mere words used by him, because as surely as the distinguished Senator from Alabama is now debating the basic issue of the submerged lands question, there is bound to come before this body a basic issue on the question of public power. The statement which has been made by the distinguished former President of the United States is a part of the pattern that is being woven regarding a matter about which this body will eventually be called upon to make a decision. I am ready to face the making of that decision, and I will join the stalwart senior Senator from Alabama in trying to have the correct decision reached.

Mr. HILL. The Senator from Tennessee is exactly correct, Mr. President. He and I will stand together on the battle line, fighting for the people. We will meet these enemies at Armageddon, and will battle for the Lord.

Mr. HUMPHREY. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield.

Mr. HUMPHREY. I think we should make note of the fact that the remarks of the distinguished former President of the United States, Herbert Hoover, related directly to having the Federal Government get out of the generation and distribution of electric power.

In that connection let me say that I have before me a press release on that subject. It says:

> The former President urged the Federal Government, in a speech last night before the diamond jubilee convocation of the Case Institute of Technology, to "get out of the business of generating and distributing power as soon as possible." Then he spoke of selling the dams and the distribution and generation facilities.

Of course I am sure the Senator from Alabama will be happy to know that Herbert Hoover is just one of the many members of the Republican Party who today is speaking in our country for that party.

In connection with this matter, there seems to be a certain bargain counter, because this morning the Secretary of the Interior, Mr. McKay, said, "Oh, no; we are not thinking of doing that."

Incidentally, I recall that recently, on a Meet the Press program, Mr. Richard Wilson, one of the reporters for the Minneapolis Star-Tribune, a Cowles publication, asked Mr. McKay a series of questions, at the end of which he said to Mr. McKay, "Well, your position is about the one which was taken under the New Deal and the Fair Deal."

Mr. McKay replied, "I do not know about that, but I continue to believe in public development of power and public transmission of power."

What we have here is Herbert Hoover pioneering for the Republican Party for the return of those facilities to private enterprise and to the so-called free economy.

Mr. President, let us make no mistake about it; in that connection Mr. Hoover

has some stalwart cohorts, one of whom is Charles Wilson.

Mr. HILL. The Senator refers to the Charles Wilson who formerly was connected with the General Electric Co., does he not?

Mr. HUMPHREY. Yes.

Mr. GORE. The ex-stockholder of that corporation.

Mr. HUMPHREY. Yes.

In a recent issue of the U. S. News & World Report, Mr. Wilson pointed out, in a splendid article, that he believes the Federal Government should divest itself of all these power-generating and power-transmitting facilities.

In this connection, let me say that recently the President recommended that 28 synthetic rubber plants be sold. Incidentally, I shall be quite interested in the price that will be paid for them.

Mr. MORSE. Probably it will be about 2 cents on the dollar.

Mr. HUMPHREY. In addition, we have the proposal that the Federal Government close the RFC and get out of the direct-loan business.

So, one after another, these various proposals are made. Let us make no mistake about it, Mr. President: If the Holland joint resolution is enacted into law, the result will be, as was stated a little while ago, that the camel will get his nose under the tent. Such action will be the beginning of the end of an era in American public life, if that action is permitted.

Mr. HILL. The Senator from Minnesota knows that I have sought to support the administration and I have the most kindly and friendly feeling toward the President of the United States. I wish to support him. I wish to save him from some of those around him and about him and some of those who seek to lead him astray, as he was led astray in the case of the pending joint resolution.

Certainly I hope this administration will not build a record of a sort which will cause it to go down into history as a giveaway administration.

Mr. GORE. Mr. President, will the Senator from Alabama yield further to me?

Mr. HILL. I yield to my friend, the Senator from Tennessee.

Mr. GORE. I cannot quite agree with the distinguished Senator from Minnesota that the great former President of the United States is pioneering. The 80th Congress pioneered in this field. It was the 80th Congress that undertook the bus-bar policy in the case of power, and it was upon the 80th Congress that the American people rendered a verdict which I dare say will be repeated, should the policy now proposed be put into effect.

Mr. HILL. The Senator from Tennessee is absolutely correct. He and I have some poignant feelings about the 80th Congress, for in that Congress the junior Senator from Tennessee was fighting very hard, as a Member of the House of Representatives, for the appropriation of funds for the New Johnsonville steam plant, in the Tennessee Valley. In spite of the importance of the TVA to our national defense the House of Representatives at that time refused to appropriate those funds for that great arsenal of defense.

Mr. GORE. Mr. President, will the Senator from Alabama yield further to me?

Mr. HILL. I yield to my friend, the Senator from Tennessee.

Mr. GORE. Not only was the present junior Senator from Tennessee then working, as a Member of the House of Representatives, on matters relating to the TVA, but it was then my privilege to be a member of the Interior Department Subcommittee of the House Appropriations Committee, which dealt with the appropriations for reclamation projects and for public-power projects in the great West and Southwest. It was in that committee, as well as in action relating to the TVA, that the bus-bar power policy was spelled out and written into law, upon which the American people rendered a decision.

Mr. HILL. The Senator is entirely correct. In other words, there was an effort to meat-ax the preference given in the Flood Control Act of 1944 to municipalities and cooperatives and to make it absolutely definite and certain that selfish interests would be the beneficiaries of the capital investment which came out of the pockets of all the people of the United States.

Mr. JACKSON and Mr. MORSE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Alabama yield, and if so, to whom?

Mr. HILL. I first yield to my friend from Washington, after which I shall be glad to yield to my friend from Oregon.

Mr. JACKSON. Mr. President, I am glad the Senator from Alabama has made reference to the preference clause in the Flood Control Act of 1944. Many persons think the preference clause started with the New Deal. The truth of the matter is that the author of the preference clause was none other than the late President Theodore Roosevelt.

Mr. HILL. The Senator is entirely correct.

Mr. JACKSON. It has been called a socialistic scheme to give preference in the sale of power from the great Federal dams to municipalities, to cooperatives, and to public bodies. Former President Theodore Roosevelt, in 1903 or 1904, recommended to the Congress of the United States that the preference clause be written into the Reclamation Act, so that surplus power could be sold for municipal purposes. It was the 80th Congress that turned its back on President Theodore Roosevelt. Today, we find former President Hoover not only turning his back on the late President Theodore Roosevelt but also abandoning his own position in connection with the building of a great Federal power project such as Boulder Dam, Hoover Dam, or whatever it may be called, tomorrow.

Mr. HILL. The Senator is entirely correct. We find that the preference clause, after a debate on the floor of the Senate, was written into the 1944 Flood Control Act. But, as the Senator so well says, its genesis, was in Theodore Roosevelt's day, when, as President, he himself recommended and urged it, and used all the weight and power of his position as President to have it written into the law. In that connection, I commend to Senators the reading of a most interesting and excellent historical address delivered several weeks ago on the floor of the Senate by the Senator from Oregon [Mr. MORSE], in which he took the time to relate the history of the preference clause.

I now yield to the distinguished Senator from Oregon.

Mr. MORSE. I simply desire to say that I think the Senator from Washington is completely correct when he points out that the principle of the preference clause has existed in this country for almost a half century, and of course, its father was Teddy Roosevelt. But, speaking of the proposals of ex-President Hoover to turn public dams over to private industry, when he really means monopoly, I wonder whether the Senator from Alabama would agree with me, after reading the Ohio speech of ex-President Hoover, that it rather brings to mind a new political slogan, so apropos of the distinguished ex-President, with a slight modification.

We might say now that prosperity is just around the corner for the monopolists, but depression is hot on the heels of the common people of America.

Mr. HILL. I think it is so hot on the heels of the common people that they can feel the heat on the backs of their necks, I may say to the Senator from Oregon, and, unless the Members of the Congress, both in the House and in the Senate, stand up to fight the battle and stop this stampede, the people will lose precious rights, blessings, and benefits which have meant so much to them in the past, and which hold so much of promise for them in the future.

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

Mr. HILL. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I think we ought now to lay down the challenge, as the Senator from Oregon has done, that at any time any political leaders, former ones, or present ones, want to join issue on the policy relative to public lands, public power, and the preservation of our national resources, we welcome it. Ah, I can think of nothing that would be more delightful. If I can be sure that my opposition in my next campaign will concentrate on the issues of public policy relating to public lands, public power, and conservation of our natural resources, I will pay their filing fees merely for the privilege of having the fight. I would welcome it—make no mistake about that.

Mr. Hoover may make the headlines, but his appeal to the American people comes from one whom they respect as a former President of the United States. It is not a leadership appeal. Oh, how I would welcome the opportunity to have any group, in or out of Congress, raise some of these issues. They have already got something cooking on the stove, for instance, interest rates, the public power question, and the submerged lands question. Everyone of these issues is tailor made, and I repeat what I said before,

that I welcome in my State, as the Senator from Oregon does in his State, a political battle with any and all kinds of competition on the submerged lands issue. My opponent would not have enough votes even to be elected county precinct judge, much less to be able to be elected to an office in the city of Washington or even in the State legislature.

Mr. HILL. As we say in Alabama, he would not have a "shirttail full."

Mr. HUMPHREY. He would not have that many.

Mr. HILL. I now yield to my friend, the Senator from Oregon.

Mr. MORSE. Mr. President, the Senator from Minnesota makes me very happy. I do not mean to imply that he has not been of the same mind from the beginning, but it is encouraging to me to hear the comments from this side of the aisle which I have heard this afternoon from many of my colleagues, comments that show that now there is a recognition of the fact that the issue is joined. I have been trying to point out in the Senate of the United States since January 3 that the issue has been joined for months. I have been trying to point out that with the coming into power of the present administration, the issue is the joint issue of liberalism seeking to protect the interests of all the people, and reactionaryism, seeking to exploit the interests of all the people. That is the issue that has existed ever since this administration came into power.

I say, most respectfully and good-naturedly, that I have heard a little too much talk on the part of a great many of my colleagues about a honeymoon. It seems to me today there has been pretty much of a recognition that the honeymoon is over, and that at long last we are beginning to take positions in the Senate; we are beginning to recognize that the ultraconservatism of the Eisenhower administration, as represented, for example, the other night by the speech about which we have been talking, the Hoover speech in Ohio, is already entrenched. The time has come for the liberals, who represent, I say, the interest of all the people, to take their positions with respect to this joint resolution and to carry on the fight against, and with a united front. It is a symbol, in my judgment, of what this administration is up to, and if we let it get by with this measure without a fight, the administration will assume it will be easier to win on the next issue and the ones to follow—and it will be, of course. The only way to stop it, in my opinion, is to fight this measure for as many days as it will take to get the facts to the American people. I say to the Senator from Minnesota that I think we are marching together as liberals against the reactionary policies of the Eisenhower administration.

Mr. HILL. The Senator from Oregon is sounding the battle cry. He is saying that the enemy is on the march. "To your tents, O Israel." I say to my friend from Oregon that we will harken unto that battle cry. We shall certainly smite them hip and thigh.

Mr. President, we have been talking about our great natural resources and about one of the great men in the history of our country, Theodore Roosevelt. I would this afternoon admit my debt to him for the inspiration he gave me as a boy when he was waging battles for the rights and welfare of the people, battles to preserve the God-given heritage of the people of the United States.

While we speak of Theodore Rosevelt and of our great natural resources, I want to invite attention to the fact that in the days before Theodore Roosevelt we allowed our natural resources to waste with startling rapidity because of those who grabbed, spoiled, and then ran.

By the turn of the century, in 1900, for example—and I hope the Senator from Washington [Mr. JACKSON] will give me his attention, because I am using some facts which he has very kindly given to me and to the Senate—by the turn of the century, 800 million acres of original virgin forest had been reduced to 200 million acres.

The Senator from Oregon [Mr. MORSE] spoke about the wonderful forests in his State, and I said to him that I had visited those forests and had been so awe inspired by them that I felt like saying to the man who was driving the car in which I was riding, "Stop this car," for, standing amid those magnificent trees which God Almighty had placed there, I felt like getting on my knees and thanking God for giving us those wonderful trees. I am referring to the Cascade Forest in the great State of Oregon.

As I have said, by the turn of the century we had permitted some 800 million acres of magnificent forests to be reduced to approximately 200 million acres. That is 75 out of every 100 trees to be destroyed and wiped out, by the beginning of this century.

Mr. President, we know that erosion follows the destruction of trees. Trees are great umbrellas which God Almighty has placed to break the fall of water and to protect the precious soil from the wash of the water. We may find a copper mine where we can dig more copper; we may find bauxite and produce more aluminum; we may find clays and out of them burn and process bricks, but when the rich topsoil is washed away to the sea, it is lost and gone forever. We know it takes literally centuries for Mother Nature to produce such soil under the best of care and protection and the best of husbandry.

I do not want to delay the Senate, but after all is said and done, if we read the history of the world we find there have been two forces which have destroyed nations and civilizations. One is the invading army which takes over a nation and destroys its civilization. The other is the destruction of the soil.

I do not think we would have the terrible worries, and headaches, and problems which we have with Communist China were it not for the destruction, through the years, of the soil of China. China has turned to communism. Why? Because China has millions of persons it cannot feed. There is no adequate diet for millions of people in China. The Yellow Sea was not a yellow sea in the beginning, but its name was changed to Yellow Sea because of the rich topsoil of China which had washed down the river and made it yellow.

Theodore Roosevelt, finding this tragic situation in this country which carried with it threats and dangers to the very life of our Nation, appointed a commission which he called the Inland Waterways Commission. That commission made a report in May 1907, approximately half a century ago.

The Commission appointed by Theodore Roosevelt submitted a report in which it said:

> Hitherto our national policy has been one of almost unrestricted disposal of natural resources. Three consequences have been shown, first, the unprecedented consumption of natural resources; second, the exhaustion—

Note the word "exhaustion." When we are exhausted, it is about the end—

> Second, the exhaustion of those resources to the extent—

Of what, Mr. President? The Senator from Oregon has made a very wonderful contribution, as has the Senator from Minnesota, in this connection—

> That a large part of our available public lands have passed into great estates or corporate interests.

What do Senators think will happen if the views of those who are now advocating the Government disposal of great power projects and the disposal of public lands and great mineral rights should prevail? Who will get them? Will not history repeat itself? Will they not go, as the commission said, into the great estates and corporate interests?

Is it the idea to deplete the wealth of all the people, to take from all the people their riches in these great resources, to impoverish the people of the United States, and thus to enrich great estates and corporate interests?

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

Mr. HILL. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Does the Senator recall the grant to the Union Pacific Railroad, or is he coming to that in his remarks?

Mr. HILL. I recall it, but I should be delighted to have the Senator ask me a question, in order to refresh my recollection.

Mr. FULBRIGHT. As I recall, the grant involved a little less than 14,000,000 acres, or about twice as much land as comprises the State of Massachusetts. Although it was given for the purpose of building a railroad, and perhaps aided in that purpose, nevertheless, through a device known as crédit mobilier, if I pronounce the words correctly, the land was then siphoned off.

Mr. HILL. As I understand, the Senator's pronunciation is correct, although I should apologize to him for that statement, since he is an Oxford graduate, a former president of the University of Arkansas, and a distinguished educator. Of course, he always uses the correct pronunciation.

Mr. FULBRIGHT. I thank the Senator.

As I recall, the land was, to a very large degree, siphoned off from the Union

Pacific Railroad into private hands through the device of the crédit mobilier, some of the shares of which were used to influence Members of the House of Representatives, if I recall my history correctly.

Mr. HILL. I may say to the Senator from Arkansas that that is also my understanding.

Mr. FULBRIGHT. That is a good example of how the disposal of some of the public lands was handled during the period from about 1851 to 1871. During the course of approximately 20 years about 130 million acres, which was about the size of the nation of France, were given to various organizations.

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

Mr. HILL. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I should like to follow up what the Senator from Arkansas has pointed out with reference to the comments made by the Senator from Alabama about Theodore Roosevelt. I think something should be said about the situation that existed when Theodore Roosevelt and Governor Pinchot began their great programs of conservation. We talk about the steel interests, the utilities, the timber barons, the railroads. That period was a sad chapter in the life of America. I was reviewing some of that history a few days ago, because I recalled that the Senator from Illinois referred to it.

I point out that there was a time in the history of the United States when the railroad lobby wielded so much control in legislative bodies that it became a national scandal, which called for a great reform movement. It brought forth many political parties having radical points of view, and it is a wonder that there was even a moderate reform.

I hesitate to say this, but in recent years we have seen the oil lobby and the private utilities lobbies do everything within their power to propagandize the American people. I will tell Senators what I think is likely to happen. I regret that it is my feeling, but these lobbies, by means of their paid advertisements, which are deductible tax items, have so indoctrinated the people with the fear of what they call socialism, they have so convinced the American people that the Federal Government, performing its duties as a responsible agency of the people, is a monster, that that is one reason why the tidelands measure is going to pass. Frequently I receive from my constituents letters reading about like this:

"We do not want the Federal Government running the business of America. Turn the business over to the States."

Of course, both are public bodies. Such a feeling indicates to me that, somehow or other, the States must be more manageable, or else that somebody has bought a bill of goods.

I shall summarize my remarks by saying that I think we are in great trouble. There is not a committee of Congress that is really concentrating on the matter of conservation of our human and natural resources. We are investigating the schoolteachers, we are reading books, we are looking into libraries we are trying to determine how we can reduce taxes.

Mr. FULBRIGHT. Will the Senator state the kind of books we are reading?

Mr. HUMPHREY. I may say to the Senator that I refer to books pertaining to the Voice of America. There is not a committee in Congress that is spending its time or its resources on the question of what to do about the millions upon millions of acres of land which flow down our rivers every year. No effort is being made to protect the uplands. Two-thirds of the uplands in my State were once covered by virgin timber. Then, we never knew what a flood was, though the Lord made it rain in the old days just as He does now. But now every year when there is a flood, we come to the Federal Government seeking larger and larger dams, asking for more and more levees. How foolish can we become and still be paid for it? There is no possibility of preventing flood without a conservation and forestation program.

I submit to the Senator from Alabama that it seems idle to talk about the sale of public lands. I have before me a press release from the AP news ticker, in which the Senator from Alabama should be interested. It reads as follows:

The Government—

That is, the Federal Government—

today asked for bids by May 6 for lease of 3,322.41 acres of Idaho phosphate lands.

The Bureau of Land Management offered the land in 5 units, ranging in size from 160 to 1,160 acres. It is located about 12 to 19 miles northwest of Soda Springs.

A minimum bid of $1 an acre will be required. The Government will charge a rental which increases from 25 cents an acre for the first year to a level of $1 an acre annually for the fourth and subsequent years. It also will receive royalties on any production.

If the Government of the United States is asking for bids on the lease of lands in Idaho, and then in the Holland joint resolution proposes to give away land, I want to say a word for Idaho. If Idaho is to be denied the right to have this land and let it be exploited, then I say that other people should be denied their right in the same way. I believe in equal rights and equal protection under the laws.

There is before the Senate a joint resolution providing that public lands under the sea shall be given to certain States. But according to this news item, the State of Idaho will not be able to obtain lands within her borders. Idaho has thousands of acres of phosphate lands, but all it will receive will be royalties. I think equal treatment is deserved. I do not believe Idaho's public lands ought to be exploited.

While we seem to jest, and we have discussed this matter in good humor, I may say that the Senator from Alabama has done a wonderful job in presenting this issue. The issue is very, very serious. The so-called tidelands joint resolution is symbolic of the issue.

Mr. HILL. I desire to thank the Senator from Minnesota.

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

Mr. HILL. I yield to my friend from Illinois.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may be permitted to reply briefly to the Senator from Minnesota, without the Senator from Alabama losing his right to the floor.

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

Mr. DOUGLAS. I agree with virtually everything the Senator from Minnesota has said. Great private interests are trying to take the public domain. At the same time, it should be made clear again, as we have always tried to make it clear on the floor, that the sponsors of Senate Joint Resolution 13 have just as pure motives as have the Senators who oppose the joint resolution. I know that the Senator from Minnesota agrees thoroughly with me when I say we do not desire to take a self-righteous attitude. I am certain the junior Senator from Texas and the senior Senator from Florida have the public interest at heart just as much as we have. I believe they are grievously mistaken, terribly mistaken in their views. However, we do not question their motives.

Mr. HUMPHREY. I do not question the motives of any Senator. I merely say that all of us at time are victims of what I consider to be social orientation or the environment of propaganda. I submit that in the section of the United States where I live, people have been led to believe that if the Federal Government does something, it is bad. If the Federal Government builds a public power plant or a dam, or puts up a transmission line, it is bad. I submit that the Government is the agency of the people, that it can be good, and that it does good work and good deeds.

We have jested again and again about these matters. However, I will not stand idly by on the floor of the Senate and see my State denied what it has a right to expect. I came to the United States Senate to represent 3 million people in the State of Minnesota, as well as the interests and rights of the whole Republic. Just as I realize the importance of this issue to other Senators from their point of view, I consider it important from my point of view. We estimate that under the Hill amendment in the next 10 years, according to conservative estimates, the State of Minnesota would receive $165 million in royalties. We need new schools in my State. The legislature has turned down requests for appropriations to provide schools for children. Our forest lands need to be rehabilitated. I refuse to stand idly by as a Senator representing the State of Minnesota and see a great public domain go into the hands of only a few. I think it ought to be equally shared, and it will be equally shared, with proper consideration being given to the geographical location of the coastal States, which under the Anderson bill would receive 37½ percent of the royalties in the 3-mile zone, which is exceedingly generous, plus all the additional royalties or per capita income under the Hill amendment; and that would represent a very substantial amount.

Mr. HILL. I thank the Senator. I join with the Senator from Illinois and the Senator from Minnesota in making

it very definite and clear that we do not question the motives of our colleagues in their support of the Holland joint resolution. I know that the Senator from Minnesota certainly did not have any such thing in mind. He was talking about the great interests and great groups outside which are carrying on propaganda wars all the time, seeking to get this or that for themselves. In no way whatever did the Senator from Minnesota have in his mind, nor did he indicate by anything he said, any relationship to the distinguished Senators who happened to be propenents of this measure.

Mr. HUMPHREY. The Holland joint resolution would only turn the properties over to the States.

Mr. HILL. That is correct.

Mr. HUMPHREY. I recall my year and a half in Louisiana. I went to school in Louisiana. I concur in everything the Senator from Illinois [Mr. DOUGLAS] said about the late Huey Long and his great son Russell Long.

I know what the oil interests tried to do in Louisiana. I was out on the stump trying to protect the severance tax for the people of Louisiana. The State Legislature of Louisiana and the Governor of Louisiana were trying to give the people something from the oil, but the oil companies were gouging them as they now gouge them. It does not make any difference to the oil companies whether they deal with the Federal Government or the State government.

I should like to pay a tribute to the Texas Legislature and to the Conservation Department of the State of Texas, one of the very best in the Nation. It is operating against great odds. I am not speaking of any public official. I am simply saying what I will say at home in Minnesota. When the lumber interests wanted to ruin our forests they did it, and when they were through in Minnesota they went to Oregon, and they are out there now.

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

Mr. HUMPHREY. When the commercial interests got through ruining certain parts of our mines, they went somewhere else. The public interest must be protected by public officials.

Mr. MORSE. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield to the Senator from Oregon.

Mr. MORSE. The Senator from Minnesota is correct. The lumber interests are active in Oregon, but they are having pretty hard sledding in my State, because the people of my State have been giving support to sound conservation programs.

I do not mean to say that there are not a great many devastations on the part of the lumber interests which ought to be stopped, but, as I said earlier this afternoon, I am satisfied that the people of my State have learned something from the exploitations of the selfish interests which would seek to take advantage of our natural resources. My people are behind the point of view I am expressing here on the floor of the Senate, namely, that the kind of exploitation of natural resources which I think would be greatly encouraged by the passage of the pending joint resolution must be stopped if the public interest is to be protected.

Mr. HILL. I thank the Senator from Oregon.

Earlier the Senator referred to the great public power projects of this country. The Senator may recall that last June or July a power conference was held in Washington. I think the Senator from Oregon was one of the speakers. I know that he was very much interested in that power conference.

The power conference did not receive much publicity. I made a speech before it. I was supposed to make the opening speech. Some of the members in attendance were so kind as to say that they wanted me to make what they called a keynote speech. It may have "keyed," but it did not "note" very much so far as receiving publicity was concerned.

Inasmuch as the Senator from Oregon has spoken about the great power projects, and so much has been said upon that subject, I should like to quote a few words from the speech which I delivered at that conference. I said, in part:

> We had the good fortune to be blessed with the finest system of natural waterways in all the world and the good sense to look upon them as great national assets to be used and enjoyed by all the people.

I was speaking about the United States in later years.

> We recognized that our only sources of inexhaustible energy lay above the ground and not beneath it. What we have done with these resources is a marvel. A few years ago electric lights were a curiosity to most folks and a luxury for the few that could afford them. Today electricity is almost universal, even in rural areas. It has transformed our business and industry and agriculture and enriched our lives.
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> * * * * *
>
> The private utility lobbyists are after one thing and one alone—the cheap power generated with the peoples' money. They say it is free enterprise for them to have it and socialism for the people to have it. Of course, it is neither, and they know it. I know no definition of democracy that requires that the people surrender the rains from the heavens. I know no definition of free enterprise that imposes on private business the responsibility for controlling the floods, conserving and restoring the soil and the forests, deepening the rivers for navigation and commerce, or harnessing the streams for irrigation and energy. The waters that gather on the mountain peaks and flow down to the sea are the property of no man or corporation. They are a part of that vast body of natural resources given by our Creator for the use and benefit of all the people. No private business ever has or ever could undertake their comprehensive development. That is a job for the American people, through their Government.
>
> We might well ask ourselves where we would be today had the people not undertaken the job but depended on private enterprise to do it. The plain fact is that it would not have been done. There would be no river valley developments like TVA, no great dams like Boulder, Bonneville, Fort Peck, Dennison, Shasta, Wolf Creek, and Grand Coulee, no REA, and no great power districts and municipally owned systems such as we have today. Rural America and a great part of urban America would still be in the dark. Our industry would be hopelessly outclassed as other nations race to increase their hydro capacity. We might still be searching for the atomic bomb.

When I was in the House of Representatives I served as a member of the House Committee on Military Affairs. We had before us for consideration at that time the Muscle Shoals project. Senators will recall that the authority for the building of the great dam at Muscle Shoals, Wilson Dam, together with the nitrate plants, was carried in the National Defense Act of 1916. Former Senator McKellar, of Tennessee, then a member of the House Committee on Military Affairs, offered the amendment authorizing the construction of the great nitrate plants and the dam, first for the defense of our country, and second, for agriculture.

When I was a member of that committee, and before the TVA was created, witnesses appeared before the House Committee on Military Affairs and testified as to what we should do about putting those plants and that dam to work for the people, and to provide for the development of the Tennessee River. I recall that witnesses were there representing the private utilities, and we said to them, "Why don't you take power lines into the rural areas? Why don't you take them to the farms and the country stores and to the countryside generally?" What did they say? They replied, "We cannot do that. To do that would take so much money that it would even break the Treasury of the United States."

Mr. President, we know they did not do it; they would not do it. The Government of the United States through the REA Act did the job.

The distinguished Senator from New Mexico [Mr. ANDERSON] who was once the honored Secretary of Agriculture, under which comes the REA, I think would tell us that the REA loans turned out to be gilt-edged. The Government has not lost one-tenth of 1 percent on those loans, and instead of about 5 percent of the farms having electricity, today some 80 or 90 percent have electricity.

Not only do our people have electricity, and all the benefits and blessings that electricity has brought, such as the electric refrigerator, electric washing machines, and the like, but the Senator from New Mexico would tell us, too, that electricity on the farms has contributed much to the diversification of agricultural crops, and given our country greatly needed assistance not only from the standpoint of the welfare and incomes of the individual farmers, but from the standpoint of wise farm practices, from the standpoint of the conservation of our precious soil.

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

Mr. HILL. I yield to the Senator from New Mexico.

Mr. ANDERSON. Not only has the Senator from Alabama stated correctly the credit position, because the loans have been uniformly paid back and the credit situation could not be better, and certainly no one could have wished to have made better loans than the REA to the REA cooperatives, but the small merchant, who wondered what the REA was going to do to him, has discovered that he can sell electric washing machines, electric refrigerators, and his

whole line of goods to the agricultural population, who were not in his line before. It has made a contribution not only to the merchants but to the farmers. It was like a ball which, when we start it rolling, contributes to the prosperity of all.

Mr. HILL. It begins to multiply, and contributes to prosperity. Many crops which previously farmers could not raise can now be grown because electricity has brought refrigeration to the farms. I remember when I was at home in Alabama, if a farmer raised hogs he was always fearful that when he killed his hogs and got the meat, the weather might turn warm and he would lose the meat. Therefore farmers were very much disinclined to embark on hog raising. The same observation might be made as to the raising of dairy cattle. Now we have refrigeration, and farmers can keep milk indefinitely in their refrigerators. There are many illustrations I could give as to the benefits REA has brought, not only to the individual farmer, but to the economy and the strength of the whole Nation.

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

Mr. HILL. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. The Senator's last point is particularly important, because one of the present problems confronting the country and the administration is the dairy business. The one solution to the problem is to market the milk in the form of fluid milk rather than to make it into butter, and that is quite out of the question without the refrigeration that comes from the REA, which makes possible the maintenance of grade A dairies. One of the reasons why the production of butter has presented such a difficult problem in the past was that it could be made without refrigeration, and making butter was the one way of preserving the milk without refrigeration.

Mr. HILL. Mr. President, not many years ago my home county, where I was born and raised and have lived ever since, Montgomery County, Ala., was almost entirely a cotton-producing county, and very often the economy of the county was at pretty low levels. Today it is no longer primarily a cotton county. Today the dairy industry is first on the list, beef cattle raising is second, and the production of cotton is quite a way down the line, in third place. We have prosperity in that county, not only prosperity for the farmers but prosperity for the business people, prosperity for the professional people, prosperity for all the people the like of which we did not dream of in the old cotton days and the like of which we could not in any way have hoped to attain until REA was brought to us by the Government of the United States.

I wish to say also that along with the REA the people are getting rural telephones, and in the southern end of the county, I may say to the Senator from Arkansas, the REA is making rural telephone loans to people who for all these years have been denied anything like adequate or efficient telephone service. They will soon have such service as their neighbors in the city enjoy, so that if a farmer wants to call his market he will be able to do so, just as his neighbor in the city can call the market; if he needs to call a doctor or an ambulance to go to a hospital, he can call on the telephone exactly as his neighbor in the city can.

Mr. President, I was very glad the Senator from Minnesota paid tribute to the late Gov. Gifford Pinchot, of Pennsylvania. He was a comrade in arms with Theodore Roosevelt in the great battle for the conservation and the preservation of the natural resources of our country. Not only was he a distinguished governor of the Keystone State, his home State of Pennsylvania, but he was a mighty warrior, a mighty battler for the conservation of the great resources of the United States. It is impossible to think of Theodore Roosevelt and pay tribute to him without also thinking of and paying tribute to the great work, the devotion, the sacrifices, the magnificent leadership of Gifford Pinchot.

Mr. President, I had spoken of the Inland Waterways Commission which President Theodore Roosevelt set up, and I had quoted very briefly from the report of that Commission. I shall not delay the Senate by quoting the whole report, but I believe I should here make a brief quotation from President Roosevelt. After President Roosevelt got the report, which was submitted to him as President of the United States, he called the governors of the several States to convene in Washington. I wish to quote very briefly from his address to the governors on the matter of conservation. President Roosevelt said:

> The occasion for meeting—

That is, the meeting of the governors—

> The occasion for meeting lies in the fact that the natural resources of our country are in danger of exhaustion if we permit the old wasteful methods of exploiting them longer to continue.
>
> We are coming to recognize as never before the right of the Nation to guard its own future in the essential matter of natural resources. In the past we have admitted the right of the individual to injure the future of the Republic for his own present profit. The time has come for a change. As a people we have the right and duty to protect ourselves and our children against the wasteful development of our natural resources.

Mr. President, are not those words prophetic? Do not they contain a challenge to those of us who sit in the Senate today?

Senators have called attention to the movement now under way, to take over and exploit, for private gain and private profit, our great natural resources—or, as I understand what Theodore Roosevelt said, "To injure the future of the Republic."

The present movement, now under great impetus, I may say, would, in the words of President Theodore Roosevelt, "injure the future of the Republic, for the present profit of the individual."

The Federal Government did not dictate in this matter; it did not issue a mandate about it. The governors themselves, realizing the seriousness of the depletion of our natural resources and realizing their inability to cope with the situation, issued at that time a declaration in which they requested help from the United States Government. That action was not taken by the President of the United States or by someone who spoke for the Federal Government. On the contrary, that action was taken by the governors of the States. At that time the governors, the chief executives of the several States, representing the people of the several States, declared:

> We agree that the sources of national wealth exist for the benefit of the people, and that monopoly thereof should not be tolerated. We declare the conviction—

Mr. President, notice the use of the word "conviction." Could a stronger word have been used in that connection?—

> that in the use of the natural resources our independent States are interdependent and bound together by ties of mutual benefits, responsibilities, and duties.

When I traveled in the West, I observed that situation. Previously I have spoken of visiting the State represented in the Senate by the distinguished junior Senator from Oregon [Mr. MORSE]. When last fall I traveled in the West, I not only visited Oregon but I also visited the great States of Idaho and Washington. There I saw the Snake River, the great tributary of the Columbia. Almost everywhere I traveled in that area I saw either the great Columbia River or some large tributary of it.

Mr. President, the natural resources of our great country cannot be used or handled by one State alone. As the Governors said, the States are interdependent in connection with the use of the natural resources.

Mr. MORSE. Mr. President, will the Senator from Alabama yield to me?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Oregon?

Mr. HILL. I yield.

Mr. MORSE. When the Senator from Alabama traveled in the Western States, did he see the location of the proposed, great Hells Canyon Dam?

Mr. HILL. Yes. Let me say to my distinguished friend, the Senator from Oregon, that I had not been able to visit that location by automobile. Therefore, when on one occasion I happened to be traveling in an airplane, flying not far from the location of the proposed Hells Canyon Dam, I asked the pilot of the plane, "How far away is the location of the Hells Canyon Dam?"

He replied, "Not too far—about 30 or 40 miles."

I said to him, "When I was in the Middle East, a year ago last fall, I was flying with an English pilot, who was flying me from Beirut, Lebanon, to Jerusalem. An old crusaders' castle is located in that area, and the pilot wanted to make sure that I saw it. So he flew over and over it, and almost frightened me to death, by flying so close to the ground that I thought finally he would try to fly the plane through the doorway of the old castle, and I did not believe the doorway was wide enough to permit the wings of the airplane to pass through it."

In speaking to the pilot of the plane, while I was making my trip in the West

last fall, I referred to that incident in the course of my travels in the Far East, and said "That old crusaders' castle tells a historic story, and I was interested in seeing the castle. But I am much more interested in seeing the site of the proposed Hells Canyon Dam, because the Senator from Oregon has done me the honor of permitting me to join him in sponsoring the bill which calls for the construction of that dam."

So I asked the pilot to fly very carefully—and I emphasized the word "carefully"—so that I might have a full view of the site proposed for the Hells Canyon Dam.

I wish to say to the Senator from Oregon that I saw the wonderful site that God Almighty in His infinite goodness and beneficence put there, so that His children might construct at that point a means of deriving the great benefits and blessings which He intended His children to have from their wonderful heritage in the rocks along that river.

Mr. MORSE. Am I correct in understanding that this week the Senator from Alabama will join me in the introduction at the present session of Congress of the bill calling for the construction of the Hells Canyon Dam?

Mr. HILL. The Senator from Oregon is entirely correct. I am proud to join with him in the introduction of that bill, and I shall be at his side in the battle for the building of that dam. I do not wish to be pessimistic, but I am afraid we have some hard battles ahead.

But I shall join the Senator from Oregon in the fight for the construction of that dam. Knowing him as well as I do, I am confident he will continue in that battle and will persevere in the way that, as I have said earlier in my remarks, the late George Norris persevered in the battle he waged; and I believe that, in the end, that dam will be built for the benefit of the people of the entire Nation.

Mr. MORSE. In other words, the Senator from Alabama agrees with me, does he not, that we must stand together and must fight unceasingly for the preservation and development of our great natural resources in the way one of them will be preserved and developed by means of that bill?

Mr. HILL. The Senator from Oregon is entirely correct, and I am happy to join him in that noble endeavor.

Mr. MORSE. After having visited that part of the country, does the Senator from Alabama agree with me that it would be a colossal mistake, in terms of the development of our natural resources, to authorize the Idaho Power Co. to build a series of low-head dams which would generate approximately half the kilowatt hours the great Hells Canyon Dam would generate?

Mr. HILL. I would say it would be almost criminal to do such a thing.

In that connection, let me say a very serious proposal was made by certain of the Army engineers to have a number of low dams built on the Tennessee River. Such dams would not have made it possible to generate any power there. The dams would have improved navigation, but they would not have made it possible to generate any power. Think what a crime it would have been if Congress had carried out that recommendation.

Earlier in my remarks I spoke of what the power developed in the Tennessee Valley has meant to the defense of our country. I shall not repeat the statements I made in that connection, except to say that during World War II the availability of power from the TVA made it possible for our Nation to produce the aluminum necessary for the manufacture of the planes which carried our flyers over Germany and Japan, and thus contributed so much to the winning of our victory and the preservation of our freedom and the saving of our American institutions. Think what the availability of power from the TVA has meant to the development of the great atomic energy plant at Oak Ridge, which it was possible to develop only because the electric power was available. As a result, it was possible to develop and produce the atomic bomb. Mr. President, where would we be today if we did not have the atomic bomb, I ask the Senator from Oregon?

Mr. MORSE. The Senator is quite right. The building of these dams proved to be one of the wisest defense moves our Government ever made.

The next question I should like to ask the Senator from Alabama is whether he agrees with me that the Hell's Canyon Dam issue is really part and parcel of the same principle that is involved in the pending measure, namely, that it is the issue of protecting the public's interest in the natural resources of the country and preventing, in the name of private enterprise, private monopolists from getting control of the people's property? Is that not true, I ask the Senator from Alabama?

Mr. HILL. I apologize to the Senator. My attention was diverted for a moment by another Senator. Will the Senator kindly repeat his question?

Mr. MORSE. I am very glad to repeat the question, because it only helps emphasize a matter which I think needs to be emphasized over and over and over again in the RECORD. Does the Senator not agree with me that the issue involved in the construction of the Hell's Canyon Dam is in principle the same issue that is involved in protecting the oil lands which are covered by the pending joint resolution in the interests of the people? Is not the issue that of preserving the natural resources of our country for the promotion of the benefit of the people, rather than the promotion of the profit dollars of monopolists?

Mr. HILL. The Senator is entirely correct. The proposal to build that dam poses the question clearly and emphatically, exactly as the Senator has stated. I may say to the Senator, that as we talk about these big questions, we are only recalling the past, as we should. It was Patrick Henry who said, "I have but one lamp by which my feet are guided, and that is the lamp of experience." We should be guided by the light of the story of what has happened in the past, because we are threatened today with a challenge to our forests, to our public lands, to our grazing lands, and to our mineral lands; a threat that they may be despoiled and taken from the trusteeship of the Government of the United States, as the trustee for all the people, to be used, as Theodore Roosevelt said, for present causes, for a few people. It is well to recall the past.

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

Mr. HILL. I yield to my friend from Arkansas.

Mr. FULBRIGHT. In regard to the battle to which the Senator referred a moment ago, in connection with the public lands, I thought we had gotten entirely away from that type of action. Does the Senator recall the last time? Has there been any time subsequent to the era we discussed a minute ago with the Senator from Minnesota, when this type of thing, in regard to great and valuable public lands, has taken place? Has there been any recent period?

Mr. HILL. If there has been any recent period, I do not recall it. I think unquestionably the waste and depletion and despoiling was in the period to which Theodore Roosevelt referred and to which his Commission on Inland Waterways referred. That was in the period before Theodore Roosevelt appointed that commission, and before he and Gifford Pinchot set forth on their great crusade, to wage a battle for the conservation of the natural resources of our country.

Mr. FULBRIGHT. If the Senator will permit me, I may say that is the point I wanted to make, that we thought we had gotten away from this type of thing. Now, to start it again with the submerged public lands would be a revival of a practice which we thought we had discontinued. It would certainly be a new precedent for further action of that kind.

Mr. HILL. The Senator is entirely correct. We would return to the bad old days, the old days of waste, depletion, destruction, and the despoilment of our great natural resources. The Senator knows that a book could be written showing how foolish, how tragic it would be for us to return to the old policy of permitting waste and destruction, for we would not only be wasting and destroying our natural resources, but wasting and destroying the very life of the people of the United States, and the life of our Nation, the United States of America.

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

Mr. HILL. I yield to my friend from New York.

Mr. LEHMAN. I think Theodore Roosevelt was a very great President. He stood between the people who wanted to despoil the country for private profit and for private interest. But is it not a fact that the give-away program that was attempted at that time, a program which sought to take from the people of the country as a whole valuable resources, was on a relatively small scale compared to what is proposed today in this proposed give-away measure, which, in my opinion, would within a relatively short time include not only oil lands but also mineral resources, grazing lands, as the Senator has said, timber lands, and public parks. This would be 100 times more serious than what was proposed and to some extent carried out before the days of Theodore Roosevelt.

Mr. HILL. The Senator is entirely correct. I had contemplated going into that later in my speech to show something about the value of these properties and what it would mean. But what I want to emphasize is that there is no way in the world by which to determine the value of these resources, to determine what they mean now and will mean in future years to the life of our people and of our Nation. The value of soil cannot be estimated in terms of money. After all, all that we eat and wear, the very sustenance of life, has to be taken out of mother earth. For us to permit the depletion of the soil of our lands and the destruction of our forests would result in untold loss. As I said earlier, to destroy the forests would be to destroy the umbrellas which protect the soil from washing away and from erosion. It is impossible for us today to know or even to conceive the injury we would do to our Nation were we to do such a thing.

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

Mr. HILL. I yield to my friend from Arkansas.

Mr. FULBRIGHT. It might be that the Senator is correct about that, but I should like to call his attention to some of the lands where exactly that has happened, lands which today are practically desert areas.

Mr. HILL. I would be glad to have the Senator do that.

Mr. FULBRIGHT. In north Africa and in certain of the Middle East countries, there used to be some of the real garden spots of the world. But the thing about which the Senator is talking has taken place there.

Mr. HILL. I know the Senator from Arkansas has been there. The Senator and I have both been in the Middle East. We know how the Good Book speaks of Lebanon, Syria, Jordan, Palestine, Egypt, and other old countries. One who visits those countries probably feels that he is on holy ground. He remembers that the Bible speaks often of the green pastures. But today, when one goes there, instead of finding green pastures, he sees arid, dead lands, lands which afford no nourishment to sustain either animal or vegetable life. Their soil is incapable of producing anything.

Mr. FULBRIGHT. As the Senator has said, we have no conception of what would happen. We have proof of what has happened in the countries I have mentioned. We have been all through those countries.

Mr. HILL. It is impossible for our finite minds to picture how colossal would be the catastrophe and the tragedy of such a thing. That is what I meant.

Mr. FULBRIGHT. I agree with the Senator. Stated differently, owing to the short-sightedness of so many people, it is impossible for them to visualize what would happen, although it has happened in so many other parts of the world, as the result of just such factors.

Mr. HILL. I have often reflected, so far as the people of the Nation are concerned, upon what I consider to be one of the finest passages to be found in the Good Book, namely, "Where there is no vision, the people perish."

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

Mr. HILL. I yield. Maybe the Senator from New Mexico has a better passage from the Bible.

Mr. ANDERSON. That is a very good passage, but I think for men who are in public life there is no better story than the story of Joseph who was entrusted with the task of feeding a great many people. He stored grain in prosperous years, and when the lean years came the people were saved from starvation because of his wonderful work. When we read that story we take great satisfaction, and then, all of a sudden, we read on a few pages and find a sentence which is absolutely incomprehensible. It reads:

> And there rose over Egypt a king which knew not Joseph.

No matter how long a public servant may work for his people, no matter how many things he may do, no matter how well he may save in the good years in order to take care of the lean years, very frequently we find there rises "over Egypt a king which knew not Joseph."

I hope we shall not hasten that process by giving away the property of the people.

Mr. HILL. I thank the Senator for all he has said.

If I may have the attention of my friend, the distinguished senior Senator from Ohio, the great Republican leader of the Senate of the United States, I should like to pay my tribute to another President of the United States. We have talked much about Theodore Roosevelt. I want to pay my tribute to another President and to the great work he did, the great act of conservation he undertook, and his mighty contribution to the welfare and the life of the Nation in the conservation of its resources. I refer, of course, to William Howard Taft.

I have always honored him, but I particularly pay my tribute to him at this time, while we are considering the matter of the conservation of our natural resources—I might say, the saving of the life of our Nation and its people.

I invite the attention of the Senate to the fact that in the early part of the century President William Howard Taft established the Bureau of Mines and withdrew from public sale large areas of oil, coal, and timber lands. Then began a policy in contrast to the over-centralized development of the coal mines in the hands of a few big interests. We placed our minerals with their great values under Federal regulations for the purpose of conserving them for our people.

It is estimated that today the Federal Government owns 111 trillion cubic feet of gas, 324 billion tons of coal, 4 billion barrels of oil, and 138 billion barrels of oil in the form of shale.

It was the distinguished President of the United States, William Howard Taft, who not only established the Bureau of Mines, but who reached out and put an end to the depletion and the dissipation and the despoilment of these great natural resources.

Mr. MORSE. Mr. President, will the Senator from Alabama yield at that point?

Mr. HILL. I yield.

Mr. MORSE. I am very glad the Senator has paid that tribute to William Howard Taft. We have been so much in the habit of mentioning Theodore Roosevelt and Gifford Pinchot that I think we sometimes overlook the fact that if we go to the Taft papers and his public announcements we will find that during his administration he deserved the reputation of being one of the great conservationists in our history and helped to bring into being some of the Republican reforms in connection with our natural resources which were long overdue.

In my opinion, William Howard Taft, along with Theodore Roosevelt and Gifford Pinchot, will go down in history as one of the three great Republican conservationists.

I am very glad the Senator from Alabama has mentioned him in the debate, because if we study the history of the Taft administration we will find that at times the position he took concerning the resources of the Nation earned for him the criticism of some of the timber barons. Nevertheless, he stood his ground and took the position that, after all, these great resources should be conserved.

We will also find many references to our timber policy, namely, the looking upon our forests as being really agricultural products which ought to be scientifically harvested under a proper program instead of being simply a source of paper. President Taft believed in the constant-yield program, and he believed the forests should be scientifically harvested and preserved for future generations of Americans.

I should like to say, as I said earlier this afternoon, that I think that is the same principle that should be applied to protecting our natural resources for the benefit of all our people. We cannot take a part of our natural resources and say we are going to apply a certain principle to that particular segment. The test is, Are we doing what we should to conserve these natural resources as a heritage and a legacy for future generations of Americans? We can well go back and study the administration of William Howard Taft in connection with the whole field of conserving our natural resources.

Mr. HILL. We should follow the example he gave us of devotion in his efforts and in his determination to protect and preserve our great natural resources.

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

Mr. HILL. I yield to a worthy son of William Howard Taft to whom we have just paid a much-deserved and just tribute.

Mr. TAFT. Mr. President, does the Senator intend to continue indefinitely this evening?

Mr. HILL. No; I have consideration for my fellow Senators. I realize that this has been a very long day. We met today at 11 o'clock, and it is now 7 o'clock. Out of consideration for my fellow Senators I would be willing at this time to yield the floor. I will say to the Senator that if I continue the speech I have been making I think I can finish it in a much shorter time, but if the Senator desires me to start a new

speech tomorrow, I want to say to him that we shall have reached the point in this debate where no one will count the speeches. If the Senator forces me to start a new speech tomorrow, it may take longer than if I can just pick up where I left off and go on through.

Mr. TAFT. I shall be glad to stay here all night and listen to the Senator. But the Senator will have to take his chances on getting the floor in the morning.

Mr. HILL. The Senator from Ohio has not been present very much today.

I want to thank the Senator for what he said. When we started this morning, the Senator said there was not anything that anyone could add to the debate. Considering the friendly relations which I am proud to say have always existed between the Senator from Ohio and me, I thought he was a little hard on Senators who oppose the joint resolution. I felt almost like pulling my toga over my face and exclaiming, "Et tu Brute?" But since it happens that I serve in the Senate of the United States, I do not wear a toga.

The Senator from Ohio now says he is willing to stay all night to hear me talk, so I feel much better about the situation. The Senator has done much to ameliorate my feelings in the matter, because he has said he is willing to stay all night.

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

Mr. HILL. I yield to the Senator from Ohio.

Mr. TAFT. I merely wish to suggest that it seems to me that my statement has been borne out, because the Senator has talked at least two-thirds of the time on other subjects and has been unable to find anything new to say about the tidelands joint resolution. I think that very clearly there has now been developed a typical filibuster technique, which has been followed by the Senator in many other debates in which he filibustered against various measures that were attempted to be brought to a vote. I admire the technique of the Senator, but certainly it seems to me completely to justify my statement that he has run out of material that is in any way new in connection with the tidelands measure.

Mr. HILL. I appreciate the very high compliment my distinguished friend, the Senator from Ohio, has paid to me as a filibusterer. I even express some pride, if I may use the word, in my technique. I am glad the Senator has interrupted me. However, I say honestly, that I have no disposition in anyway whatsoever to filibuster the pending joint resolution.

Had the Senator done me the honor to remain on the floor, I believe he would have found that some contributions have been made to the debate that were not to be found in the RECORD before I took the floor this morning. I think they have been very important contributions. If I may say so, I think constitutional questions have been brought out with a clarity and a force that the Senate has not previously heard; and in so saying, I am not pinning a bouquet on myself, but I am expressing appreciation to my colleagues who have made so many fine contributions to the debate today. I wish I could persuade my friend, the distinguished Senator from Ohio, to read the RECORD of the debate today. If he would do so, I think the day would be saved. There have been very definite, very real, historic contributions made to the debate by other Senators.

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

Mr. HILL. I yield to the Senator from New York.

Mr. LEHMAN. In the first place, I desire to congratulate the Senator from Alabama for what I think has been a magnificent, constructive debate led by him. I think the entire question of constitutionality and the delays that will come from litigation over the pending measure, if it shall be passed—and I hope it will not pass—will tie up the development of the submerged lands for a very long time.

I wish to make it very clear that I would feel derelict in my duty as a Senator if I did not deny vehemently, with all the force at my command, that this is a filibuster in any sense of the word. It is not a filibuster. I do not recall that any irrelevant remarks or discussions have come into the debate, even though there has been great repetition, largely on the part of the proponents of the joint resolution. Contrary to the usual procedure of a filibuster, everything that has been said on the floor of the Senate since the debate began has been relevant and has been definitely connected with the important subject we are discussing.

A few minutes ago I read an item on one of the news tickers. It said that into the debate have been brought baseball news, racing news, comments on bald heads, and the like. I deny that statement. Nothing of that sort has been brought into the debate. I deny the statement because I am against filibusters with all the strength I have. I think they are evil. I have fought filibusters.

I may say to the distinguished majority leader, for whom I have very great respect, that, so far as the present debate is concerned, I think it is about time the American people, including Senators, understand what is happening. There have not been three Republicans constantly on the floor of the Senate during the day. Similarly there have been on the floor very few Democrats who support the Holland joint resolution. The same tactics are being used as were used during the debate on the McCarran immigration bill, when the opponents of the bill spoke in the hope of educating the public, but had to talk to empty seats. In that debate, the proponents of the bill did not even show us the courtesy of arguing. Senators who are proponents of the pending joint resolution have given the opponents that courtesy up until today.

I think we might just as well make up our minds that this subject has got to be brought home to the American people, so that they will know the evils in what is contemplated, the dangers to our economy, to our safety, to our security, and to the Constitution itself.

So far as I am concerned, I should be very glad and eager to continue this debate—not a filibuster. I deny that, in the slightest degree, it is a filibuster. It is a debate that is being conducted in the hope of educating the American people, including the Congress of the United States. I am willing to continue just as long as any other Senator desires to continue, not necessarily tonight, but next week and the week after, if that should become necessary, in order to educate the American people, if I may say so to my distinguished friends, the Senator from Texas [Mr. DANIEL] and the Senator from Florida [Mr. HOLLAND], because the people do not know the issues and do not understand them. I said earlier today that if the people understood the issues, they would repudiate the joint resolution without any question. The joint resolution is contrary to the interests of the American people, would take from them what belongs to them, and would give it to only three States.

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

Mr. HILL. I yield to my good friend.

Mr. HUMPHREY. On 3 or 4 occasions this afternoon——

Mr. TAFT. Mr. President, if the Senator will yield, I make the point of order that the Senator from Alabama has not yielded for a question. He has therefore lost the floor. The Senator did not yield for a question. The Senator from Minnesota began to make a speech. There was no question before us. I suggest that the Senator from Alabama has lost the floor.

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

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded, and that further proceedings under the call be dispensed with.

The VICE PRESIDENT. Is there objection?

Mr. MORSE. Reserving the right to object, Mr. President——

The VICE PRESIDENT. No debate is in order.

Mr. TAFT. Mr. President, the understanding is that the Senator from Alabama may have the floor in the morning without it counting as a second speech, if that is what interests the Senator from Oregon.

Mr. MORSE. I am not surprised that the Senator from Ohio knew what interested the junior Senator from Oregon.

Mr. TAFT. In view of the fact that I have told so many Senators that nothing would be done after 7 o'clock, I do not like to put them to the inconvenience of returning to the Chamber, which would involve a delay of at least half an hour or so. I am quite willing to agree to the understanding which I have stated.

The VICE PRESIDENT. Is there objection to the request of the Senator

from Alabama that the order for the quorum call be rescinded? The Chair hears none, and it is so ordered.

Mr. HILL. Mr. President, I ask unanimous consent that I may continue my speech when the Senate convenes tomorrow.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Alabama will be recognized when the Senate convenes.

PROTECTION OF PARLIAMENTARY RIGHTS

During the delivery of Mr. HILL's speech,

Mr. MORSE. Mr. President, will the Senator from Alabama yield, with the understanding that my interruption will not cause him to lose the floor, and that the interruption will appear at the close of his remarks?

The PRESIDING OFFICER (Mr. MARTIN in the chair). With that understanding, does the Senator from Alabama yield to the Senator from Oregon?

Mr. HILL. I yield to the Senator from Oregon, with the understanding that I do not lose my rights to the floor.

Mr. MORSE. I may say to my good friend, the Senator from Alabama, that I am hungry to hear his words. However, I find that I must take some food, the necessary fuel for the day. I have conferred with the Parliamentarian, and he has advised me that there is no rule that would prevent my eating a sandwich and drinking a glass of milk at my desk on the floor of the Senate. I do not wish to do that, because I think it would not be in keeping with the dignity of the Senate.

Mr. HILL. It might also be disconcerting to the speaker.

Mr. MORSE. However, I recognize that I dare not leave the floor and still expect to have my parliamentary rights protected unless I can make this appeal to the Senator from Alabama, and I now make it in the form of a question.

Can the Senator from Alabama give me assurance that if I should leave the floor long enough to have lunch, and if any Senator seeks to make a unanimous-consent request by interrupting the Senator from Alabama for that purpose, the Senator from Alabama will either object or afford me the courtesy of a quorum call?

Mr. HILL. I may say to my friend, the distinguished Senator from Oregon, that the only way in which a Senator could ask unanimous consent to have a committee meet during the session of the Senate would be to have the Senator from Alabama yield for that particular purpose. I assure the Senator from Oregon that I shall not yield for such a purpose, if the Senator from Oregon will have his lunch and return soon to the floor.

Mr. MORSE. I wish I could express adequately to the Senator from Alabama the appreciative and warm feeling that comes over me when a Senator extends to me the courtesy such as the Senator from Alabama has extended to me on the floor of the Senate.

Mr. HILL. The Senator from Alabama is always glad to extend any courtesy to the Senator from Oregon.

DISCLOSURE BY EXECUTIVE BRANCH OF THE FEDERAL GOVERNMENT OF INFORMATION ABOUT THE PEOPLE'S BUSINESS

During the delivery of Mr. HILL's speech,

Mr. HILL. Mr. President, I understand that the Senator from Texas [Mr. DANIEL] desires to make an insertion in the RECORD. I ask unanimous consent that, without prejudicing my rights to the floor, I be permitted to yield to the junior Senator from Texas.

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

Mr. DANIEL. Mr. President, I have prepared a brief statement on a subject about which I feel most deeply—the subject of the policies of the executive branch of the Federal Government regarding disclosure of information about the people's business.

I ask unanimous consent that my statement, together with a letter I have sent to the President, be included in the body of the RECORD at the conclusion of the remarks of the Senator from Alabama.

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

STATEMENT BY SENATOR DANIEL—INFORMATION ON THE PEOPLE'S BUSINESS, TIME FOR A NEW POLICY

Eighteen months ago, on September 24, 1951, former President Truman issued an Executive order establishing for the first time in our peacetime history a system of news censorship for all departments and agencies in the Federal Government, civilian as well as military.

Today I have written to President Eisenhower asking that he give careful consideration to revoking that Executive order issued by his predecessor.

I feel that such action by the present Chief Executive is advisable and important for these reasons:

1. The Executive order issued by former President Truman confers upon Federal officials unnecessarily broad authority to classify and restrict information without adequately defining the basis for such classification or prescribing the limits of information to be withheld.

2. The order is entirely negative in net effect; it fosters and even requires an attitude of secrecy on the part of executive officers without requiring or encouraging full and prompt disclosure of nonsecurity information.

3. The continuation of this Executive order in full effect can only serve to make secrecy a growing habit among the executive departments and agencies.

4. The national security requires the adoption of an executive policy encouraging full dissemination of information in which resort to classification of information will be the rare exception rather than the general rule.

A POTENTIAL DANGER

Executive Order 10290, as it now stands, constitutes a weapon of potential danger to the proper functioning of our system of representative government.

This was my conviction at the time the order was issued. It is my conviction still.

One year ago, when I began my campaign for the office I now hold, I stated as one of the fundamental principles of my campaign the following:

"To govern themselves, the people must have access to the truth without the censorship of nonmilitary information now imposed by Presidential order."

At that time, I pledged myself to work "to make sure that the people's business is transacted at all times out in the light of day, not under the censorship of official secrecy."

My deep concern about this matter—a concern not removed solely by changes at the White House—stems from personal experience. On the State level, it has been my privilege to serve as an official of the executive branch and of the legislative branch of State Government. Also, outside public service, I have been associated for nearly 25 years with the newspaper business, as a student, as a reporter, and, presently, as a co-publisher of two Texas weekly newspapers.

As a lawyer, as a public official, and as a newspaperman, I have seen the various sides of this question and from several practical vantage points.

A POWER EASILY ABUSED

Frankly, my anxiety over the existence of any executive censorship order arises more from my acquaintance with the powers and prerogatives of executive officers in representative governments than from my experience in the newspaper field.

The executive presiding over an agency or department, large or small, on any level of government holds enormous power over the molding of public opinion. It is a power easily abused. Give an executive an order instructing him to withhold information and granting him unlimited discrimination to exercise that authority and you render abuses virtually inevitable.

THE OPPOSITION OF THE PRESS

At the time President Truman's order was issued, the threat of potential abuse was almost universally recognized by representatives of the press and radio.

One of the most effective comments was made by the New York Times editorially on September 28, 1951:

"Thomas Jefferson several times pointed out that the success of real government by consent depended primarily upon the enlightenment of the electorate. A policy that tends to dry up information at the source through the device of classification will work against that enlightenment. We do not want security information to come into the hands of our adversaries if it can be avoided. But we do want all sorts of information in the hands of our public all the time."

The Associated Press Managing Editors Association described Executive Order 10290 as a "dangerous instrument of news suppression."

The National Editorial Association, representing 5,400 weekly and small town newspapers, declared in a resolution:

"The editors feel that the restriction constitutes a most serious threat to the traditional accessibility to information which is inherent in the Bill of Rights."

The National Federation of Press Women asked for modification of the order "so that the public may be assured of access to information and news that does not endanger the security of this Nation."

The American Society of Newspaper Editors, which had protested the impending release of the President's order before it was issued, reaffirmed its opposition, stating:

"We feel that the net effect of this executive order will be to formalize the suppression of much news to which the public is entitled."

These fears and criticisms were valid and justified in 1951, and remain valid today.

FULL ACCESS TO NEWS IN TIME OF CHANGE

In a period of changing policy and changing directions for our Government, it was never more important that the people be assured full and free access to the vital information upon which these changes are predicated. The people and the officials who serve them must work from the same set of books. Executive Order 10290 enables officials to keep one set of books while the

public is obliged to work from another. Because this is possible, such an order should not be allowed to stand.

True, we must have safeguards against unauthorized disclosure of true security information. To protect ourselves against the threat of carelessness, we need not be careless with the rights of the people to other public information. To protect ourselves against the theft of security information, we should not steal the rights of the free press.

THE BASIS OF TRUE SECURITY

Our national security is not a collection of data stored in metal files, as President Truman's order implies. Our real security lies in the wise decisions of a fully informed public.

No censor's pencil can draw a blueprint for national strength. To the extent that the people are informed, to that extent we are strong. While we may rightfully fear unauthorized disclosures of information affecting our national security, we have more to fear from unwarranted concealment of information by our own Government.

It is my opinion that security information which should be kept secret from our enemies can be protected by classification orders without denying our own people public information concerning the affairs of their own Government.

Because President Eisenhower has demonstrated his disapproval of censorship and other limitations on information concerning the people's business, it is my hope that he will give careful consideration to revoking Executive Order 10290.

I ask unanimous consent that a copy of my letter to the President be included in the RECORD.

RECESS

Mr. TAFT. I move that the Senate stand in recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 17 minutes p. m.) the Senate took a recess until tomorrow, Thursday, April 16, 1953, at 11 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 15 (legislative day of April 6), 1953:

RECONSTRUCTION FINANCE CORPORATION

Kenton R. Cravens, of Missouri, to be Administrator of the Reconstruction Finance Corporation.

FEDERAL HOUSING COMMISSION

Guy O. Hollyday, of Maryland, to be Federal Housing Commissioner.

GOVERNMENT PRINTING OFFICE

Raymond Blattenberger, of Pennsylvania, to be Public Printer.

HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 15, 1953

The House met at 11 o'clock a. m.

Rev. Neal Ellis, pastor, South Street Baptist Church, Portsmouth, Va., offered the following prayer:

Almighty God, the Father of our Lord Jesus Christ, we are grateful to Thee for Thy glorious grace and for all the many blessings that Thou art bestowing upon our great Nation.

We earnestly pray for our Government and our people as we face the stern realization that the welfare of the world and the eternal destiny of multiplied millions of immortal souls will be determined by our actions from day to day. We pray, O God, that Thou wilt grant unto us according to the riches of Thy glory that we will be strengthened with might by Thy spirit in the inner man, that Christ may dwell in our hearts by faith, and that, being rooted and grounded in love, we may be able to comprehend with all saints what is the breadth and length and depth and height: and to know the love of Christ, which passeth knowledge, that we might be filled with all the fullness of God.

And now unto Him that is able to do exceeding abundantly above all that we ask or think according to the power that worketh in us, unto Him be glory in all of our hearts by Christ Jesus throughout this critical century. Amen.

The Journal of the proceedings of yesterday was read and approved.

SPECIAL ORDERS GRANTED

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

Mr. JONES of Alabama asked and was given permission to address the House today for 5 minutes, following any special orders heretofore entered.

COMMITTEE ON BANKING AND CURRENCY

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may be permitted to sit during general debate this afternoon.

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

There was no objection.

IMPORTATION OF FOREIGN AGRICULTURAL WORKERS

Mr. HOPE. 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. 3480) to amend section 509 of title V of the Agricultural Act of 1949, to extend for 3 years the period during which agricultural workers may be made available for employment under such title.

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. 3480, with Mr. ALLEN of Illinois in the chair.

The Clerk read the title of the bill.

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

Mr. HOPE. Mr. Chairman, I yield myself 18 minutes.

Mr. Chairman, this is a very simple bill. It extends section 509 of title V of the Agricultural Act of 1949 for 3 years. Members of the House who were Members of the 82d Congress will remember that in the first session of that Congress we passed a bill which, after much consideration in the House and in the Senate and in conference, was finally worked out into what I believe is generally agreed now to be a very satisfactory measure; in fact, I think the best we have had dealing with the problem of imported agricultural labor.

The Committee on Agriculture held adequate hearings on this measure. At those hearings testimony was heard from the Under Secretary of Labor and other officials of the Department of Labor, from all of the general farm organizations, from one or two labor groups, and from individuals representing some of the organizations of users of this type of labor.

I believe it is generally recognized that we face a very serious problem in this country in the matter of agricultural labor. This bill deals with only one very minor part of that problem. The fact is the operation of the Selective Service Act and the great increase in industrial employment in this country have created a real crisis as far as farm labor is concerned.

I do not believe anyone can say that this measure does more than deal with one aspect of the problem. It relates to a type of labor, stoop labor, which is very much needed in the vegetable fields of the South and West and in other parts of the country. It is a national problem, but it is concentrated in certain areas where the production of fruits and vegetables is an important industry. It is used to some extent in the cotton-producing areas, where the lack of labor which formerly existed there and which has migrated to other areas has created a real problem. It is used to a small extent in the areas where sugar beets are grown. But in the main, this is a problem which relates to those parts of agriculture which are concerned with the production of fresh fruits and vegetables, a very important part of agriculture, and one which in recent years has been forced to expand because of the demand on the part of the American people for larger supplies of these commodities.

This measure in its present form has been in operation during the past 2 years. The situation was critical at the time it was passed and it is even more critical today. Farm labor, that is, the number of individuals engaged in agricultural labor in this country, has been constantly declining, and it is lower today than it has been at any time in the recent past. The only opposition I have heard expressed to this measure has been on the part of some of the labor organizations which have contended in the past that there is no need for imported agricultural labor. They have taken the position that there was sufficient domestic labor in this country if farmers were willing to pay a high enough price for it and were willing to furnish accommodations better than were generally in existence. That is definitely not the situation. I am not making that statement on my own responsibility, but I am basing it upon the testimony before the committee on the part of the Under Secretary of Labor as well as others who are thoroughly familiar with the situation.

I want to point out also that according to the testimony of the Under Secretary of Labor, out of a total agricultural employment of 13,852,000 last September,

which was the peak month in 1952, only 165,000 were Mexican contract workers, thus indicating that while these workers were important and necessary in certain areas they constituted but a small percentage of the total farm labor force. I want to point out also that under this legislation the Secretary of Labor cannot bring Mexican laborers into this country unless he first makes a finding and has certified that sufficient domestic workers who are willing, able, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed. Second, he must certify that the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed. And third, he must find that reasonable efforts have been made to attract domestic workers for such employment at wage standards and hours of work comparable to those offered foreign workers.

The argument was made before the committee on the part of opponents of this legislation representing labor groups that it was not necessary to extend it for 3 years. It was contended it should be extended for only 1 year or 2 years, on the theory that perhaps in a year or two the farm labor situation might be somewhat different and we would not need the legislation.

I am merely pointing out that under the terms of the law itself, if that situation should exist there will be no Mexican labor brought into the country, and that that objection therefore has no merit.

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

Mr. HOPE. I yield to the gentleman from Pennsylvania.

Mr. WALTER. Did your committee not give some consideration to the possibility of writing permanent legislation making some sort of arrangement whereby these people could pass freely back and forth across the border? Of course, it is important to bear in mind that there is no quota from Mexico, and it certainly seems to me that it should be possible to make an arrangement whereby when these people are needed they could come in here just as do the people who work in the forests in Maine and the automobile workers in Detroit, and so on.

Mr. HOPE. The only matter that the committee had before it was this bill. There has been some discussion at various times of some simple method of bringing in this labor, but we did not go into that matter or give it consideration at the time this bill was considered. It seemed to be the general opinion of those interested in the matter that for the present the best solution of the matter would be the continuation of the present legislation.

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

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

Mr. CELLER. This bill purports to renew these provisions for a 3-year period. Is that not right?

Mr. HOPE. Yes.

Mr. CELLER. Would it not be better to make that period shorter so that your committee can have an opportunity to explore this situation, particularly with reference to the fact that along the borders of the four particular States involved there is no real protection against the entrance of subversives into our land? I think the gentleman appreciates that point, does he not?

Mr. HOPE. I think this legislation in itself affords some measure of protection against the entrance of subversives along the Mexican border, in that all the testimony before our committee was to the effect that since this legislation had been in existence, whereby workers could come into this country lawfully, there have not been as many illegal entries as might have been anticipated otherwise. This, of course, does not deal with the immigration situation. We did not attempt to go into that at all. We have no jurisdiction over that matter. That jurisdiction belongs to the gentleman's committee. Certainly the testimony before our committee was that this legislation has lessened the possibility of subversives coming into the United States along the Mexican border.

Mr. CELLER. A recent survey by the New York Times indicated that over 500,000 are apprehended, as so-called wetbacks, who come in illegally; and that survey also indicated that for every one that is caught there are two others that are not caught. That would mean over a million and a half coming in without let or hindrance. There is an insufficient number of men on the border patrol. We have cut to ribbons the appropriations for the Immigration Service, so that it cannot now have an adequate number of men to police the border. I cannot conceive how this legislation has in any degree ameliorated the conditions with reference to the entrance of Communists into this country.

Mr. HOPE. The reason that it has ameliorated the situation is that it has provided a lawful way by which those who desire to come into this country to work in agriculture may do so. If we did not have legislation of this kind, the only way those people could come in would be to come in illegally. I realize there is a serious problem, in that a great many illegal entrants come into the country every year. But that is a problem of enforcing existing immigration laws, and a matter over which the Committee on Agriculture would not have jurisdiction.

Mr. CELLER. Would it not be well if the Committee on Agriculture would cooperate with the Committee on the Judiciary and possibly hold hearings for a few days to cover all of these situations? Do you not think it would be ill-advised to extend these provisions for 3 years, for that reason? Would it not be better, in view of the vast numbers of illegals coming in, that you do it for, say, 1 year or a year and a half? That would give the gentleman's committee ample time to delve into this problem and come up with some answer.

Mr. HOPE. As far as the question of whether or not the Committee on Agriculture would collaborate with the Committee on the Judiciary is concerned, the gentleman from Kansas would simply say that he has the greatest confidence in the gentleman from New York and other members of the Committee on the Judiciary and their ability to deal with these immigration problems. I do not think we have any business at all to deal with immigration problems in our committee. Of course, we do have this problem that deals with agriculture, and we are trying to take care of that. But I do not think the problems are related, as the gentlemen has indicated. If the Committee on the Judiciary can devise some way to prevent these wetbacks from coming in, I would be glad to go along on any legislation that may be developed.

Mr. CELLER. But in these provisions that we are extending, the right is given to the Secretary of Agriculture to actually hire illegal entrants after they have come in. If they are in a while he has a perfect right to take these men who have violated the law and put legality upon their entrance.

Mr. HOPE. Of course, the only provision in the law to which the gentleman can have reference—and I cannot place my hands on it at the moment—is the provision that does provide for recruitment of those who have been in the country for a period of 5 years.

Mr. CELLER. Yes; section 501, subsection (1), which permits the Secretary to recruit workers who are illegally in the United States. You can read that into that section, read that into the wording of the section.

Mr. HOPE. That, of course, is the gentleman's inference or interpretation of it. It permits the recruitment of such workers who have resided in the United States during the preceding 5 years or who are temporarily in the United States under legal entry.

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

Mr. HOPE. I yield.

Mr. CELLER. Does not the gentleman feel that that presents a very serious situation? In the first place, it puts a premium on ability to hide until the statute runs, and then it is important to bear in mind this very serious fact, that those people are here illegally because they cannot qualify legally because of communicable disease, or because they are felons, or because they are subversives. Last year in the State of California alone 1,500 subversives were deported. It seems to me it ought never to be legal to employ people who cannot qualify to come into the United States legally.

Mr. HOPE. Does not the gentleman think this might be one very excellent method of discovering who these subversives are or who these illegal entrants are if we do go out and employ them under the authority of this act? I do not think this sets a precedent because I do not think many of these people are recruited. I will be glad to look into that a little more fully before the close of the discussion today and advise the gentleman further on it.

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

Mr. HOPE. I yield.

Mr. MILLER of Nebraska. I just wanted to allay the fears of the gentleman from New York [Mr. CELLER] relative to the purpose of this act; it is to facilitate the orderly recruitment and movement of Mexican agricultural

workers, and they do it on a selective basis, sending them to reception centers. Regardless of this bill we would still have the illegal entrance of wetbacks in this country. You could have a revenue man stationed every half mile on the border and you would still have them coming in, I may say to the gentleman from New York, because there are ways and means; they want to come in, and they do come in.

I think because they are selected workers sent to a reception center that we need have little fear of the Communist group among these people. These workers are stoop laborers and most of the Communists are educated fellows who do not want to get out and get their hands dirty in the fields; they want to get busy spreading communism, not out working with their hands in the beet fields.

The farmers in my district of Nebraska where we raise many sugar beets need this stoop labor because the Selective Service law has stripped the farms of the country of the boys who otherwise would stay on the farms and produce sugar beets and do the manual labor. Without this stoop labor we would have a very critical employment problem.

The subversives would come in whether or not we had this bill and regardless of this bill. The Communists, as I say, do not want to work with their hands and get their hands dirty. This bill deals with selected workers to help the farmers of the United States who need help badly.

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

Mr. HOPE. I yield to the gentleman very briefly.

Mr. CELLER. I understand that these wetbacks have traveled all the way up to Nebraska. As a matter of fact, the evidence has shown these illegals go all over the country. They are up in Portland, Maine, they are in all of the States of the North, so that this is becoming a national problem. I think we ought to address ourselves to the evils attendant upon our failure to set up proper safeguards.

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

Mr. HOPE. I yield to the gentleman from Kentucky.

Mr. GOLDEN. At the time the Labor Department had its representative testify before the committee was it not shown that the operation of this bill greatly reduced the number of wetbacks entering this country? Did not the testimony also show that they were receiving cooperation from the Mexican Government as well as the farm owners and that this has been found to be the best remedy yet discovered to reduce the illegal entrance of these Mexicans into the United States?

Mr. HOPE. There is no question about that. That was the testimony of the Under Secretary of Labor and all other representatives of the Labor Department who appeared before the committee. I do not think that anyone who knows the facts will dispute that assertion at all.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. May I ask the gentleman, Does this legislation affect only the recruitment and employment of agricultural workers from Mexico?

Mr. HOPE. Yes.

Mr. SEELY-BROWN. Does it affect the Jamaicans who come into this country?

Mr. HOPE. No. This does not deal with agricultural labor from any country except Mexico.

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

Mr. Chairman, as the gentleman from Kansas [Mr. HOPE], chairman of the Committee on Agriculture, has explained, this bill, H. R. 3480, merely amends section 509 of title V of the Agricultural Act of 1949 by extending for 3 years the period during which agricultural workers may be made available for employment under such title. As he has said, there is a demand in this Nation for laborers from Mexico.

Some of our friends here seem to be excited over the fact that this bill may bring in more wetbacks; but, as a matter of fact, this bill eliminates to a certain extent the coming in of wetbacks because the matter is in charge of the Labor Department and the Agricultural Department of this Nation. These workers necessarily have to be cleared with the Mexican Government before they enter the United States.

I am not personally interested in this legislation because none of these laborers work in my district and, so far as that is concerned, none of them are employed in my State. But in Texas, Arkansas, California, and a good many other States of the Union there is a seasonal demand for these agricultural workers.

The Committee on Agriculture has been considering this legislation for several years. It has worked satisfactorily in the past and the committee by unanimous action has voted to extend the measure for 3 years.

Mr. Chairman, I now yield 5 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I realize that crops must be harvested and I also realize at this time it is very essential that the farmers in these farming areas must get help. Farmers must recruit migrant workers by importing them. They cannot get labor in the United States. I am for bringing in the Mexicans, and elsewhere. The gravamen of my complaint is that there are not proper safeguards in the act that permit their coming in.

For example, the New York Times—and I referred to it in my colloquy today with the distinguished chairman of the Committee on Agriculture—reports under date of January 11, as follows:

> In 1952 this invasion of wetbacks reached a peak of 1,500,000 or more aliens, it is indicated by the best available statistical evidence.
>
> According to figures just compiled from official sources, the apprehension of illegal aliens * * * totaled approximately 618,000.

Then information has reached the Committee on the Judiciary in our investigations that for every one caught there are two who go undetected. So, the conclusion is that over 1,500,000 have come in illegally in each year.

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

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

Mr. HOPE. My understanding is, and I believe there is little question about it, that this does not represent 600,000 different individuals; that in many cases 1 man has been deported 15 or 20 times, because they took him over and he came right back again. The figures are 600,000 deportations.

Mr. CELLER. Let us assume that some duplications are involved. Discount those figures, and I do not care how you discount them. If you be reasonable in your discount you will still have this vast array of illegals coming in. Section 501 subdivision of the act permits the Secretary to recruit workers illegally in the United States; it permits recruitments of wetbacks who have illegally resided in the United States for the last 5 years as well as contract workers who have overstayed any admission period. Section 501 of the act should read "Who are legally in the United States" and not "In the United States under legal entry." The language of the present law is tricky. It should be nailed down so that the Secretary cannot hire anyone who has not satisfied our immigration and other statutes as to health, security, and the like.

As the situation has developed now, there is no health examination, no security examination, and one would think that enlightened self-interest would prompt those along the border States to see to it that there are proper safeguards, especially health examinations.

Along the border counties of Texas, for example—and I am reading from Migratory Labor in American Agriculture, report of the President's Commission on Migratory Labor:

> One of the most sensitive indicators of the state of public health in any population is the rate of infant mortality. This is defined as the number of deaths under 1 year of age per 1,000 live births. For the United States at large, this rate in 1948 was 32. The statewide average for Texas was 46.2; for the 28 counties of Texas on or immediately adjacent to the border, the average rate was 79.5. In the three counties commonly regarded as constituting the lower Rio Grande Valley, the infant mortality rates were as follows:

Cameron	82.5
Hidalgo	107.2
Willacy	127.6

Those figures must give us pause. The numbers that are coming in undetected are increasing yearly. The figures for 1952 are larger than the figures for 1951, so it is not true that there is effective control here. Control becomes less effective.

I repeat, I want the crops harvested and gathered; on the other hand, we must see to it that our security laws are upheld, and it is our duty to protect the health of the Nation. The gentleman from Nebraska admits that they employ Mexican migrants up in his State. They are, frankly, infiltrating throughout the

country. What are you doing about it? You cannot extend this act for another 3 years with all its evils. In the emergency, extend, say, for only 1 year.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

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

Mr. AUGUST H. ANDRESEN. It seems to me it is up to the Immigration Service to prevent those wetbacks from coming over.

Mr. CELLER. The Immigration Service complains they have not got enough men to patrol the borders, and in our economy-minded attitude we slashed to ribbons the appropriations for that particular service.

Mr. HOPE. Mr. Chairman, I yield such time as he may desire to the gentleman from Kentucky [Mr. GOLDEN].

Mr. GOLDEN. Mr. Chairman, I think the problem that has been presented to the House by the gentleman from New York is not necessarily involved in this bill. I think there is a problem, but I think it should be solved by the immigration authorities and not the Committee on Agriculture.

As I stated a minute ago, I feel sure the adoption of this bill will help to relieve the very situation the gentleman from New York has spoken about.

There is one thing certain: The proof before our committee showed that the Labor Department had advertised and recruited all of the American labor they could possibly get before any Mexican labor was employed. It comes down to a proposal of permitting these crops to perish in the field and not be harvested or taking in this very small limited number of legal entrants.

Mr. Chairman, our committee held exhaustive hearings and heard much testimony concerning the reenactment of this bill. We heard testimony from the Department of Agriculture and Department of Labor, both of which are vitally concerned in the administration of this act. Both of these Departments favor the reenactment of this bill.

All of the testimony that I heard indicated that there is a real need for the importation of Mexican labor to help gather the crops in many of the Southern States. It was further shown that they could not get sufficient American labor to do this work, and these crops are needed by the consuming American public and some of them constitute valuable exports to other countries that strengthen the economy of the entire Nation.

However, I feel that great improvement can be made, and should be made, in the administration of this act. There are many troublesome problems connected with it. The Labor Department heretofore has done a great deal of work in bringing into these regions American labor. They have advertised and recruited labor from different parts of the United States and have furnished transportation for them for as many as would go each year. However, the kind of labor that is required and that is ordinarily referred to as stoop labor does not appeal to many American agriculture workers and hardly at all to the American laboring men who are accustomed to working in factories. If we were forced to depend altogether upon American labor, there is no doubt in my mind but that the crops in large measure would not be harvested and we would have an economic loss, not only to the farmers but to the consuming public throughout the United States.

Each year, although the Labor Department has endeavored to recruit all possible American labor that it could, they find themselves several thousand short to harvest the perishable crops in many of the Southern States. There is a constant menace and injury going on down on the border between Mexico and the United States. Many Mexican men enter this country illegally. They are ordinarily called "wetbacks" because they slip across the border and either wade or swim the river in many places. These Mexicans who enter the country illegally are the worst menace we have to contend with. They do not come in under our Labor Department or Agriculture Department, but when they enter the country illegally, many of them move north and undertake to stay in this country permanently and finally they get into competition with American labor and help to lower the standards of American labor, but it is almost impossible for the immigration authorities to prevent all of them from slipping into this country without a right to do so. The program under this bill, which is worked out by an agreement between the United States and the Mexican Government has done more to stop the large number of illegal entrants or wetbacks than anything else.

The farm owners are cooperating with the Department of Agriculture and Department of Labor and they are refusing to employ Mexicans who enter this country illegally. This tends to cut down to a very large degree the number of Mexicans that come in without legal permission to do so. Heretofore we have had agreements with the Mexican Government about furnishing Mexican labor to come into the United States under this program, but I believe that our representatives who negotiate these agreements with the Government of Mexico can greatly improve that system and can save the United States and especially the farm owners a good deal of money.

Heretofore the Mexican Government has insisted on bringing a large part of this Mexican labor from the interior of Mexico and the transportation charges by reason of this are much higher than they should be and there is room for improvement in obtaining the right sort of agreement between the United States and Mexico. The permission to allow Mexican labor to come in and do this hard manual labor is of great benefit to the Government of Mexico and it is my belief that we can negotiate better agreements with that Government than has been done in the past. I also think that with the experience heretofore acquired by the Departments of Agriculture and Labor that many improvements can be made in the administration of this act and that provisions can be made to see that these legally admitted Mexicans, after the job is done, are returned to Mexico and not allowed to escape into interior portions of the United States, and I think we can further improve our situation by the proper administration of this act in cutting down to a material degree the number of wetbacks that enter this country illegally.

Setting this program up on a 3-year basis so that the various departments of the United States Government will know what to expect will give them a much better opportunity to tighten up on this program and will enable them to know what to expect to administer this law more effectively than ever before and at the same time I think that a good deal of money can be saved to the Federal Government and to the landowners by better administration of the act and by making a more sensible and advantageous agreement with the Government of Mexico.

For that reason and because of the great need to gather these crops I think the bill should be passed and that it should be for a period of 3 years rather than for 1 year.

These various departments protect in every way they can the American labor. They require standards of pay that does not undermine the laboring people of America and the Department of Labor places every American worker that desires to do this work on the job before any foreign labor is used. It is simply a question of a shortage that cannot be met by American labor and it would be an unwise policy to allow these valuable crops to perish in the field and the only way to save them is to reenact this act and improve the administration of it.

Mr. GRANT. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, we of course all recognize the seriousness of the problem of the agriculturalist in obtaining stoop labor, but in attempting to solve it I do not think we should open the doors to the sort of thing that will occur under the provisions of this bill. It seems to me the way to meet the situation is to amend the bill extending the time by shortening the period, with the hope that during that time a long-range, permanent solution can be found.

It seems to me to be much more simple than the State or Justice Department believes it to be. In my judgment, there is no reason in the world why, after careful screening, work permits cannot be issued to the desirable workers wishing to come to the United States.

I repeat what I said a moment ago, there are no quotas between the United States and Mexico. There is no reason why all the people needed cannot come to the United States. But it seems to me that in obtaining all the workers needed in our economy we should pay attention to the type of people who come. Under the law which this bill would amend, it is legal to employ workers who have been in the United States for 5 years illegally.

Who is it that comes here illegally? It is the person who cannot meet the health requirements, it is the person who is a felon, it is the person who is subversive. In obtaining this temporary stoop labor we should make certain that none of that type of undesirable alien is employed in the United States. It has been

stated that this might be a way of ascertaining who they are. I do not agree with that at all. This is a huge problem and it is the kind of a problem that ought to be dealt with after careful consideration of the security of the United States.

Mr. GRANT. Mr. Chairman, I now yield 5 minutes to the gentleman from Arkansas [Mr. GATHINGS].

Mr. GATHINGS. Mr. Chairman, farming is a laudable undertaking. To meet the needs of an expanding population for food and fiber is of vital concern to all of us. It is estimated that there will be a population of 190 million people in America by 1975. In addition to supplying the necessary commodities for the sustenance of such a large population a goodly percent of the total production in farm products goes into export channels.

In 1790, practically all the population of the United States was engaged in agriculture, the first census taken shows that the urban population was 5.1 against rural population of 94.9. A series of percentages through the years is as follows:

1950: Urban 64 as against 36.0 rural.
1949: Urban 56.5 as against 43.05 rural.
1930: Urban 56.2 as against 43.08 rural.
1920: Urban 51.2 as against 48.8 rural.
1910: Urban 45.7 as against 54.3 rural.
1900: Urban 39.7 as against 60.3 rural.

The picture is different today. Farm employment in the years from 1946 to 1949 averaged only 11 million out of a population of 145 million or more people. This 11 million figure was reduced to 10 million in 1951. In 1952 the average declined to 9.8 million. This stupendous reduction in the farm labor supply has resulted in spite of the fact that the overall labor force during these years has shown a net increase. There has been a steady exodus from America's farms to the industrial centers where fabulous wages have been offered and paid these workers who had previously been employed in agriculture. From 1940 to 1950 many States in the Union lost population—principally because of the pay incentive and inducement offered industrial workers in the metropolitan areas. As a result those States have lost seats in this body.

It is a difficult problem to obtain workers for the harvesting of vegetables, fruits, sugar beet, and cotton. This type of work requires stoop labor.

Under Secretary of Labor Lloyd A. Mashburn stated before our committee that it was necessary to contract 197,100 Mexican workers during the crop year 1952. This figure was only a small percent of the total agricultural employment during the peak month of September, which was 13,852,000. The major labor force in agriculture is represented by farmers who live on the land, and their families. It is necessary to supplement this force in many States. Twenty-three States have found it necessary to contract for Mexican workers for short periods of time during the peak harvest season.

Although the Mexican migrant worker represents only a small percent of the total of those employed in American agriculture, it is most vital in many States that these workers be made available when the particular commodity is ready for harvest.

In the cotton-growing area of the mid-South an intense program is instituted by the State employment security offices of the Department of Labor to marshal as many workers from the domestic work force as is possible. Advertisements are placed in the papers, ministers tell the story from the pulpit, notices are posted on bulletin boards that workers are badly needed in the cottonfields to harvest the crop.

Before any farmer can obtain migrant workers under the provision of the law that is now on the statute books, such employer must enter into an agreement with the United States to do this:

(1) To indemnify the United States against loss by reason of its guaranty of such employer's contracts;

(2) To reimburse the United States for essential expenses, not including salaries or expenses of regular department or agency personnel, incurred by it for the transportation and subsistence of workers under this title in amounts not to exceed $15 per worker; and

(3) To pay to the United States, in any case in which a worker is not returned to the reception center in accordance with the contract entered into under section 501 (5), an amount determined by the Secretary of Labor to be equivalent to the normal cost to the employer of returning other workers from the place of employment to such reception center, less any portion thereof required to be paid by other employers.

No worker is to be recruited unless the Secretary of Labor has determined and certified (1) sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed; (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed; and (3) reasonable efforts have been made to attract domestic workers for such employment at wages and standard hours of work comparable to those offered to foreign workers.

Every precaution was made by this Congress to protect domestic workers and assure such domestic workers that they are given the first opportunity to be employed on the farm.

It is most expensive to agriculture producers to obtain foreign workers. He must pay the Mexican worker the prevailing wage in the community. He must give such worker an insurance policy against accident, pay transportation charges from the assembling center far into Mexico to the reception center at the border and back to such place after the contract has terminated. He must also transport such workers from the border to the farm and return. In addition he is called upon to provide living accommodations, water, fuel for heating, cooking utensils, beds, mattresses, blankets, and all other such facilities. The foreign worker pays no part of these expenses.

If there were any possible opportunity to obtain a sufficient number of local farm laborers, the farmer would take them in preference to the Mexican workers. To do so would eliminate the extra expense to get his crop harvested.

This bill comes before you by unanimous vote of the Committee on Agriculture, asking a simple extension of Public law 78 of the 82d Congress, 1st session, for the period of 3 years.

I trust that this body will see fit to pass this meritorious proposal.

Mr. GRANT. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. MCCARTHY].

Mr. MCCARTHY. Mr. Chairman, when this legislation was presented in 1951, it was presented as temporary legislation. I quote from the gentleman from Colorado [Mr. HILL] in the year the bill was passed:

> There is another thing I want to say, and that is that this is a temporary bill.

The gentleman from Kansas [Mr. HOPE] in June 1951, also said:

> It is a temporary measure but one which will meet the present situation.

We are today extending this for another 3 years, even though the original bill has another year to run.

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

Mr. MCCARTHY. I yield.

Mr. HOPE. Does the gentleman think the situation has improved any since this bill was passed as far as the farm-labor situation is concerned? We hoped at that time that the farm-labor situation would improve; as a matter of fact, it has deteriorated and the need for the bill is greater now than it was in 1951.

Mr. MCCARTHY. The argument that was made in 1951 was that the Secretary of Agriculture was imposing additional obligations upon the farmers. Now, does that still hold with regard to cotton, for example? Has the Secretary imposed any additional obligation with regard to fruits and vegetables at this time?

Mr. HOPE. The people of this country have a standard of living that demands the consumption of greater and greater quantities of fresh fruits and vegetables, and we have had a great market in cotton; we have no important surplus of cotton. The fact is that the burden on the farmers of this country, whether imposed by the Secretary of Agriculture or by the law of supply and demand, is still as great as it ever was, and particularly in the chief commodities which are the subject of the Mexican type of labor.

Mr. MCCARTHY. As a matter of fact, the Secretary of Agriculture has asked for a decreased production of cotton. I just want to know whether if this is temporary legislation, how long it is going to be temporary. And if it is permanent legislation, why has not the committee, which has had time, examined the whole problem of migratory labor? The President's Commission made an extensive study and report of this problem.

Why has no provision been made with regard to foreign labor brought in from other countries? And why is no attempt made to solve the problem of domestic migratory labor, which is one of the greatest social-economic problems in these United States?

Mr. HOPE. Does the gentleman favor making this bill permanent law rather than a 3-year extension?

Mr. MCCARTHY. I think if we are going to have this problem continuously

before us, that the bill should have made some beginning at least toward solving the problem of domestic migrants in this country.

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

Mr. McCARTHY. I yield.

Mr. HILL. I understood the gentleman to say that I said this was a temporary bill.

Mr. McCARTHY. That is right.

Mr. HILL. Let me ask my distinguished colleague from Minnesota whether or not this bill providing for an extension of the law does not qualify under the designation "temporary"? All we are doing at the present time is to ask for a temporary extension.

Mr. McCARTHY. Yes; for 3 years. I understand that we must legis'ate in time and that we are not legislating for eternity. If the gentleman means by "temporary" a period in the history of the United States, I may be willing to accept that limited definition. Certainly we are not legislating for eternity.

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

Mr. McCARTHY. I yield.

Mr. HILL. As I understand, we are all temporary Members of this House.

Mr. McCARTHY. That is right.

Mr. HILL. The second question I want to ask—and if my memory serves me correctly, it is admitted that some other Members have temporary memories, too—let me ask the gentleman this: I have the impression, although I could be entirely mistaken, that within the last year you have had very important immigration legislation passed by the Congress. Is not that true?

Mr. McCARTHY. That is right.

Mr. HILL. Then it is not our business here today to consider wetbacks coming in or going out. This bill has nothing to do with wetbacks.

Mr. McCARTHY. I am concerned principally about our failure to do anything to meet the problem of American domestic migrants.

Mr. HILL. It is not the province of the Agriculture Committee—I appreciate the gentleman's membership on that committee—it is not within our province to come into this House with permanent and definite legislation on immigration.

Mr. McCARTHY. I yield no further. I think the gentleman is right in saying that the Agriculture Committee perhaps has no authority over permanent immigration legislation, and probably no real authority over temporary legislation such as this, if we are going to be strict about it. Perhaps we should have called this emergency legislation, but, then, in view of the gentleman's party's declaration against emergency legislation we probably would have had no bill.

Mr. HILL. Probably we should have called the other one emergency legislation and this one temporary.

Mr. McCARTHY. I hope the gentleman will get me more time so I may proceed with my discussion. I would like to make one point, however, with regard to the illegal Mexican labor.

The House of Representatives was told in 1951 that the Mexican farm-labor bill would improve and solve the wetback problem—CONGRESSIONAL RECORD, volume 97, part 5, pages 7158 and 7159.

Mr. COOLEY. We are trying to improve the wetback situation.

Mr. POAGE. That is right.

Mr. FISHER. The passage of this bill would be a death blow to this wetback situation about which we have heard so much today; is that not correct?

Mr. HILL. Yes.

The facts:

First. The number of illegal entries apprehended in the United States has increased as follows:

1946	100,000
1948	200,000
1950	572,000
1951	736,000
1952	651,000

Second. The Mexican farm-labor program has been in operation for 2-crop years. It was supposed to solve the illegal-entries problem. Yet, the number of wetbacks apprehended in the United State has increased so much that the Mexican Government is this year contemplating stationing Mexican troops along the border in an effort to prevent the flow of its citizens into the United States as illegal immigrants.

Third. The facts indicate a possible relationship between the illegal-entries problem and Mexican farm-labor-importation program. Up to the middle of World War II illegal immigration from Mexico averaged around 10,000 to 12,000 persons per year. The extremely large and sudden increase in the number of illegals started in 1944. The contract-labor program started the year before. The relationship between the two facts is more than coincidental. Once having been in the United States as a contract worker, the Mexican worker knows the locations of farms and employers and is presented with a strong temptation to strike out on his own. This is the case because competition is keen among Mexican workers for the jobs in question, so that the worker jumps the gun and goes across the border on his own, rather than risk not being selected for a contract job. Even if he has never been in the United States, the existence of the contract program advertises the fact that jobs are available in the United States, and so he is lured across the border as a illegal entrant. The situation is made even more tempting for him by virtue of the ease with which he can cross the border.

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

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

Mr. HILL. I question the gentleman's figures on wetbacks.

Mr. McCARTHY. I got them from the present Republican administration.

Mr. HILL. I doubt very much if anyone anywhere has any definite figures or count on the number of wetbacks who slip across the Mexican border.

Mr. McCARTHY. These are only the ones who are caught. I am not talking about the number that came in.

Mr. HILL. That is not correct either, because they might catch the same man 10 times.

Mr. McCARTHY. That may be right.

Mr. HILL. That is right.

Mr. McCARTHY. This bill should have prevented them from coming in the first time.

Mr. HILL. Let me say frankly, I think the Agricultural Committee lost a real member and a very valuable member when the gentleman was removed from our committee.

Mr. McCARTHY. I appreciate the gentleman's comment.

Mr. HILL. But let me speak about the wetbacks coming in. I have seen that border. As soon as the sun goes down and the moon does not come up, they do not have to come over as a wetback; they can walk over on dry land. Now we are not considering immigration; we are considering a bill involving emergency farm labor. I think the gentleman has some basis for questioning this bill and if we were considering this as an immigration bill I would be opposed to it. But it is nothing more or less than a temporary emergency labor law. That is what the law is now and that is all we can make out of it.

Here is another thing I would like to call attention to. The Department of Labor representative who appeared before our committee gave one of the best talks on this legislation that we had in the entire hearing. Certainly he knew firsthand that he was talking about emergency labor and not about immigration. Let us not get off on the immigration laws because you will have wetbacks coming in here, probably a less number of them because we get a better count, than you did previously. I know the gentleman wants to be fair.

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

Mr. HOPE. Mr. Chairman, I yield the gentleman 5 additional minutes.

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

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

Mr. HAYS of Ohio. This wetback bill that we have had up here recurrently over the years has done one thing, as I see it. It has made two classes of wetbacks, the legal wetbacks and the illegal wetbacks. Is that not about the way it has worked out?

Mr. McCARTHY. I do not think we should apply that name to them. It has created some problems.

Mr. Chairman, I would like to comment on the remarks of the gentleman from Colorado as to what happens when the moon is down on the border. The statistics show that up until 1944 the number of illegal entrants was about 10 to 12 thousand a year. In 1943, I believe it was, we passed the first law legalizing entrance into the United States. In 1944 the number of illegal entrants jumped and has been increasing since. Maybe someone from Texas can tell us whether there has been a great planetary change there with regard to moonshine or lack of moonshine following 1943.

Mr. Chairman, I would like to make one more point with regard to this legislation, all of which I hope will be added to the basic argument I am making that either permanent legislation should have been brought in or we should have been

given broad opportunities to amend this bill. My point has to do with cost of the program.

In 1951 several members of the committee said there was no subsidy in the bill. The Grange testified that they did not want any subsidy. Speaking against an amendment which I offered, the gentleman from Texas [Mr. POAGE] said:

No, Mr. Chairman, there is no subsidy in this bill.

CONGRESSIONAL RECORD, volume 97, part 5, page 7265, the gentleman from Texas [Mr. POAGE], in speaking against the McCarthy amendment to prorate all costs among users of imported labor, said:

Mr. Chairman, the gentleman from Minnesota has just stated that we should not pay a subsidy to American farmers. I fully agree with him. That has been one of the objectives of the subcommittee that wrote this bill, from the very beginning. We do not propose to pay a subsidy to anybody.

We want to give the Government agencies the opportunity to recoup all the costs.

CONGRESSIONAL RECORD, volume 97, part 5, page 7266:

Mr. COOLEY. Let me make this clear: There is no subsidy contemplated by this bill. It is contended that the farmer shall do just what the gentleman has indicated he should do; that is, to pay all the cost incurred from the time he takes him from the reception center until he is returned there.

What has it cost?

Transportation and subsistence, July 15, 1951–Dec. 31, 1952	
Employees brought in	340,000
Average cost per employee	$11.25
Total receipts (received from employers)	$5,378,000
Total expenditures	$3,643,600
Surplus	$1,734,400
Administrative costs (paid by Government):	
Calendar year 1951—July 15 to Dec. 31:	
Number of employees brought in	140,000
Total cost	$1,400,000
Average cost per employee	$10.00
Calendar year 1952—Jan. 1 to Dec. 31:	
Number of employees brought in	197,000
Total cost	$2,245,800
Average cost per employee	$11.40
Total administrative cost (paid by Government):	
1951	$1,400,000
1952	2,245,800
Total (paid by Government)	3,645,800
Additional costs (paid by Government):	
Skips:	
1951—6,949 at $30 per skip equals	188,470
1952—2,115 at $30 per skip equals	63,450
Total skip cost	251,920
Department of Labor administrative cost	3,645,800
Skip cost	251,920
Total	3,897.720
Minus surplus from employers	1,734,400
Cost to Government	2,163,320

This final cost figure is incomplete. It does not include total Immigration Service costs.

Here are the statistics in regard to cost:

So, the program now is not self-sufficient; it does involve a subsidy, a subsidy which would not have existed if the amendment I offered in 1951 had been accepted and which I would offer today if a bill permitting extensive amendments from the floor were before the House.

I think we need to come to the realization that we do have a great problem here in regard to migratory agricultural labor, a matter of national policy, which we should face up to now rather than postpone it from year to year. It involves not only the approximate 200,000 legal foreign laborers who are brought in but approximately a half million American citizens who migrate throughout the area of the South and the West and the Southwest. This bill makes no real progress toward solving the problems of these people.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Can the gentleman state what this tragic situation is with reference to migratory labor in the country at the present time?

Mr. McCARTHY. Can I describe it to you?

Mr. AUGUST H. ANDRESEN. Yes. Tell us about it.

Mr. McCARTHY. Well, it has been adequately described to you in the report of the President's Commission on Migratory Labor which, as a member of the Agricultural Committee, you should have seen.

Mr. AUGUST H. ANDRESEN. I wish the gentleman would explain it to the House. I am not aware of it in the way the gentleman has tried to state that it exists.

Mr. McCARTHY. Well, as I recall, the average annual wage of these people was approximately $350 per year. That is an indication as to the standard of living they are enjoying. The gentleman from New York submitted some statistics in regard to the infant mortality among these people which shows that it is away above that of the national average, and in some cases two or three times that. I will include the additional information the gentleman desires.

The largest element in the migratory group in the United States is made up of the so-called Texas-Americans, that is, Texans of Mexican or other Latin-American origin. This group was previously migratory within Texas and from Texas into the Mountain and Great Lakes region. Within recent years its migrancy has increased both in numbers and in area of movement. The primary reason for this increase in migrancy is pressure from the influx of illegal Mexican workers, and to a degree also from legal entrants which has made it necessary for these Texas-Mexicans—United States citizens—to leave their homes annually in search of better wages and more secure employment opportunity elsewhere. For example, in 1949, some 65,000 Latin Americans left their homes in south Texas—were displaced—to work in agriculture in other States. Wages in their home State were as low as 15 cents an hour, but in the same year Texas farmers imported 46,000 Mexican nationals to work in agriculture in Texas. This number does not include the thousands of Mexican workers who entered illegally and who worked in the fields of Texas.

This Texas-Mexican group, together with ex-sharecroppers, and their descendants who moved from Florida, along the Atlantic Ocean through the Carolinas, Virginia, New Jersey, and New York, and even into Maine, make up about half of the 1,000,000 migratory agricultural workers. The other 500,000 has been made up of approximately 100,000 Mexicans, legally under contract, a small number of British West Indians, and Puerto Ricans, and estimated 400,000 illegal Mexican workers, the so-called wetbacks.

ANNUAL INCOME

The plight of these 1,000,000 human beings is truly tragic. Their housing, wages, food, are often wholly inadequate. Their standard of living is a national disgrace. During 1949, when crop controls were not imposed, 70 percent of these workers had fewer than 75 days at agricultural jobs. Only 5 percent had 250 days or more. During this same year they averaged 70 days of agricultural work and 31 days of nonfarm work, making a total yearly average of 101 days' employment. For farm work they received $352 and for nonfarm work $162, making a total average income of $514 for the year. Farm workers receive some perquisites, such as housing, which increased their real wages. The value of these for migratory workers as estimated by the United States Department of Agriculture in 1945 was about 36 cents per day. Multiplying this by an average of about 100 days' employment, gives $36 increase in the average annual wage of the migratory workers, making an average annual income of $550.

HOUSING

Members of the Commission report that the on-the-job housing of migratory workers consists of barracks, cabins, trailers, tents, rooming houses, auto court cabins, shack houses, and not infrequently a spot under a tree near a ditch. Much, if not most, housing of migratory workers is below a minimum standard of decency. Home base housing is even worse.

HEALTH

The diet of migrant farm laborers was found insufficient to maintain health. A physician testifying before the Commission made this statement:

I can say from the reports of the nurses that we do have dietary deficiency diseases such as pellagra and cases of that have come to my attention—due to a diet consisting of corn meal and perhaps rice and very little else—no vitamins. There are also evidences of merely ordinary starvation among many of these people which the nurses report * * *.

A survey which I made and photographed, in the Mathis, Tex., labor camps, showed that 96 percent of the children in that camp had not consumed any milk whatsoever in the

last 6 months. It also showed that 8 out of every 10 adults had not eaten any meat in the last 6 months. * * * The reason given was that they could not afford it with the money they were making.

CHILD LABOR

Child labor is common. The child's earnings are needed. This is the same reason given decades ago as justification for child labor in the coal mines, cotton mills, and other industries.

The trouble is that no one accepts responsibility in the matter. The grower claims that it is no concern of his what these families do when not in his employ. The consumer who breakfasts on foodstuffs from the far corners of the hemisphere does not see what he can do about it. Local and State relief authorities tend to feel that the problem is beyond their resources.

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

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, my colleague from Minnesota seems to be concerned about this legislation because it has been termed an emergency piece of legislation. He seems to think that the Republican administration, after having been in power for only 84 days, can correct all of the emergencies that have been forced upon the administration for the past 20 years. Now he should be a little cooperative and try to assist us in passing this bill so that we can get the labor to produce the perishable crops which are consumed by the people of the city of St. Paul and elsewhere in the country. I am sure he is concerned about that because he was on the Committee on Agriculture and a representative of the consumers for a couple of years.

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

Mr. AUGUST H. ANDRESEN. I am very happy to yield.

Mr. McCARTHY. I think the record should show I submitted some information to the committee this year while they were holding hearings, and I offered a couple of what I considered constructive amendments to this bill in 1951. Nearly all of them were rejected, but certainly if they had been accepted this legislation, I would feel, would not need to be called temporary, it could be looked upon as having some permanent status.

Mr. AUGUST H. ANDRESEN. I think it is a permanent proposition for this country because you will no longer find American citizens who are willing to do this type of stoop labor. Further, they do not have to do it because they are under social security and can draw compensation from the social security system when they state that that is not their customary type of work. So we have passed the day when we can count on American labor to do this kind of work to produce the food and the fiber for the American people.

I am not concerned about them. We do not use a great deal of this kind of labor in my area; some, it is true, because we cannot get Americans to do the work. We cannot use this type of labor on the dairy farms and the regular diversified farms of the country, but this type of labor is needed to produce the fruits and vegetables that make up a large portion of the diet of the American people.

I was rather amazed at some of the statements that have been made here that we should stop this labor from coming into the country. My colleague from Minnesota has said that if we did not pass this bill we would remedy the situation. It might appear to some people, and even to me, that they want a scarcity of fruits, vegetables, and cotton so they can have higher prices, possibly, and get an increase in the cost of living and an increase in wages. That will be the end result, because if we do not get the labor to produce this food and fiber we are going to have higher prices and shortages.

We had before our committee a representative of a great labor organization. He was opposed to Mexican labor coming into the country. I also want American labor employed when it is available, but when Americans will not do this type of work, necessity demands the type of labor permitted in this bill to produce the food for American consumers.

Mr. McCARTHY. I think, if the gentleman will read my remarks, he will be able to correct a few statements he has made. But let me ask him this: I know what his position is with respect to the tariff generally. How does he justify his position here in favor of bringing in cheap foreign labor to be used in producing crops in this country while he opposes the importation of cheap foreign products, principally because they have been produced by labor which has not been adequately paid? What is the difference between exploiting it abroad and exploiting it here?

Mr. AUGUST H. ANDRESEN. Can the gentlemen tell me where we can find any American labor, organized or unorganized, to do this type of work in the fields?

Mr. McCARTHY. I think you can get much more American labor if you pay them adequately. That should be the first attempt—to give them decent standards of living, decent working conditions, and some assurance. Under this proposed legislation, the imported laborer gets much better assurance of employment, he gets assurance of better pay, and he gets better conditions of work than the American laborer who is in the same area.

Mr. AUGUST H. ANDRESEN. Under this act and the agreements reached with Mexico, these people are treated much better than any American citizens.

Mr. McCARTHY. That is what I say. Why do we not do something about these American citizens?

Mr. AUGUST H. ANDRESEN. We cannot legislate on American citizens. They have the minimum wage.

Mr. McCARTHY. They do not have it in this field.

Mr. AUGUST H. ANDRESEN. They are paid comparable wages in accordance with what the standard is in the area. That is my understanding.

The gentleman has asked me a question as to why I favor bringing this labor into the country, and then being against having cheap labor outside the United States produce things to ship into this country. I just want to feed the gentleman very well, so that he can have an abundant supply of all kinds of food for his constituents, for the constituents of the gentleman from New York, who is opposing this bill, and for the rest of the American people. If we do not get it produced for lack of American labor I cannot follow the philosophy that we ought to let foreign labor produce it outside the United States. We have the land here in this country and we should use it up to the maximum productive capacity in the production of food. I know that we have problems. We have problems because the gentleman and others favor free trade. They favor increasing foreign production and bringing the commodities into the United States. I know the gentleman is a great student and I hope he has read the Bell committee report. Mr. Bell was the head of a commission appointed by President Truman to study our foreign-trade relations. The committee filed a report recently. Do you know what they recommend? They recommend free trade in every line. They say we should let all foreign products come in here. These are produced by cheap labor and if anybody is thrown out of work in this country the committee has made an unusual recommendation. They recommend to increase the social-security payments and put the unemployed American on high social security and then if a farm or an industry is thrown out of work because of these imports they say to transport these people from one part of the United States to another until you find some type of work for them to do. I am opposed to that kind of a deal for the American workers and for the American farmers. There is nothing that would bring about a lowering of the standard of living of the American people quicker than free trade. That is the way I feel about it. I know the gentleman disagrees with me, but we cannot help that. We have a right to our own convictions.

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

Mr. AUGUST H. ANDRESEN. I yield.

Mr. REGAN. The gentleman is making some very good points which I hope our colleagues generally and our colleague the gentleman from Minnesota are taking in. The gentleman is exactly right about this. The gentleman has been making statements about cheap labor. I do not know what you pay for wheat harvesters in Minnesota. What is the daily average, Mr. ANDRESEN?

Mr. AUGUST H. ANDRESEN. It varies but you have to pay as high as $200 a month with room and board.

Mr. REGAN. This so-called cheap labor to which the gentleman has constantly referred comes over from Mexico and they earn more than $10 and $12 a day in United States money, which in Mexico is the equivalent of 85 to 100 pesos a day—a fortune. So you can see that it is not cheap labor. I think we ought to get off of that subject. The gentleman says they earn $350 a year.

If they only earn $350 a year it is because they are only working a couple of weeks or 3 or 4 weeks and then they go back home. They are not working a full year for that money. But they make enough in 2 or 3 weeks to provide enough to live the balance of the year in Mexico.

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

Mr. AUGUST H. ANDRESEN. I yield.

Mr. McCARTHY. May I remind the gentleman that I have been addressing my remarks principally to the American workers in this field. I have not been concerned about the Mexicans who can take advantage of the exchange rate. I have not opposed this bill. All I have been saying is that we ought to do something about raising the standard of our own American migratory farm workers. That I hope has been the principal weight of my arguments.

Mr. AUGUST H. ANDRESEN. That is a very laudable ambition and I hope the gentleman succeeds. In our section of the country, as the gentleman knows, we have very little migratory labor and the men who are working on the farms in our area are paid very good wages because the industries in the gentleman's city and other cities take the regular hired labor away from the average farm, and the farmer must get along with his wife and children to operate the farm. Furthermore, the draft comes along and takes many of the essential farm boys away from this essential production of food. We are in a very difficult situation which I am sure the gentleman does appreciate.

Let me add just one more comment concerning this Bell report which I have mentioned. The Bell report was subscribed to by the A. F. of L., the CIO, and other labor organizations. The report has come out now urging free trade for the United States. I know there may be some groups in Congress who want that type of policy. I cannot understand how our labor leaders are ready to sacrifice their own workers. Take the case of Henry Ford, who has had a lot of publicity lately. Of course, he is not a labor leader, but certainly Mr. Reuther is the head of one of the big labor organizations in that industry. Mr. Ford wants free trade. He wants to go over into foreign countries to build factories. For what? To secure cheap labor to make Ford automobiles and to ship them into the United States, which will eventually put the automobile workers out of business in this country. He does not say he wants to be protected on that, on this matter of free trade or what he does in other countries. But his tax attorney said it. His tax attorney said they should have protection on their foreign profits by way of elimination of taxes in this country.

Other groups who want free trade say they should have guaranties from the Treasury of the United States or the American taxpayer to protect their investment abroad.

What kind of monkey business are we engaged in? We should have an American policy to protect our American standard of living and keep our country great. If we do not do that, we in the Congress will be responsible for the tragedy that will fall upon the American people.

I urge the passage of this bill in the interests and for the benefit of American consumers and for the producers of these perishable commodities that make up a large percentage of the diet of the American people.

Mr. GRANT. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. THOMPSON].

Mr. THOMPSON of Texas. Mr. Chairman, I take this time to answer some questions that were specifically asked of Texas Members, and also to try to clear up some misunderstandings that seem to have been left with the Committee.

In the first place, the gentleman from Minnesota [Mr. McCARTHY] asked how the wetback situation is affected by this law. It has corrected it to a very considerable extent, but it will never stop all illegal entry over any border. However, it is in much better shape now than it has ever been. I know the situation in the lower Rio Grande. I talked with the gentleman from Texas [Mr. REGAN] and the gentleman from Arizona [Mr. PATTEN]. I think you will find that is true all along the Mexican border, that this has gone further to stop the wetback problem than anything we have ever attempted.

Something was said about, "Why not hire American labor?" The reason is there is none available to do that type of stoop labor. Anyone who is familiar with either the agricultural problem or the labor situation in this country will recognize the truth of that. If we had available the American labor we would not need this legislation.

As to why the legislation should be temporary; a 3-year extension rather than an indefinite bill: The reason is that we hope the situation is temporary. Surely there is one reason for the emergency, that no one has touched on. There is a war going on, and the young Americans are going into the armed services, even though they might get exemption. That is one reason why it is so acute down in our country. The young fellows have gone to war. We hope that will not always be the case.

With reference to a 3-year extension, it takes quite a lot of machinery to set this in motion. If we try to do it from year to year it breaks down. The continuity is not there. The people on the other side of the border and on this side do not know just how to proceed. Three years is the lowest figure that we felt was workable. That is why we took that period instead of a 1-year extension.

Let me stress this fact: In opposing this legislation there is always reference to wetbacks. The workers who enter under this bill are not wetbacks at all. They are legal entrants into this country, temporary it is true.

It has been suggested that they are not screened. That is not true at all. They are screened twice, once in Mexico, and then they are brought to the border and screened on this side; screened from the standpoint of loyalty, as best we can screen them, and of course from the standpoint of health. No farmer in this country wants Mexicans or anyone else who is not able to do a day's work. So, of course, they are screened from all these points of view.

I think that answers some of the misapprehensions that are in the minds of some few Members in this body. I do hope you will pass the bill as it is. It has been carefully thought out in the Committee on Agriculture; it has worked, and we believe that it will continue to work.

Mr. GRANT. Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, my colleagues of the House will remember that I vigorously opposed this legislation when it was up for enactment in original form. I predicated my opposition largely on economic grounds. I attacked the proposed estimates of cost. I think the figures given by the gentleman from Minnesota have proved conclusively that my contentions were right, that it would be a considerable burden on the Treasury of the United States. I note that the appropriation alone for the bureau of the Department of Labor handling this bill asks for $2,600,000. That is far in excess of the estimates offered by the proponents of this legislation at the time it was enacted.

I opposed it also on the further economic ground that the Mexican laborers brought into this country were exempted from the operation of the income-tax laws. All Americans must pay taxes on their incomes, but these migrant workers are exempt from our income-tax laws; they are even given workmen's compensation payments, in fact, they are put into a special category over and above that given to the American workers. I attacked it on the ground that it was unfair because of these exemptions.

I think, Mr. Chairman, we should give careful attention to this matter; and if this legislation is to be reenacted I am of the opinion that we should reenact it for a period less than that proposed in the bill before us. I am interested in calling the attention of the membership to the fact that the Assistant Secretary of Labor appearing before your committee—and I have his testimony here—recommended an extension of this legislation to December 31, 1954, not a 3-year extension. His plea was predicated on the fact that the situation was such that further study was necessary of the operation of this legislation, and he thought that changes might have to be made; so he asked only and recommended only an extension to December 31, 1954.

I want to assure you, Mr. Chairman, that when the bill is read for amendment, an amendment will be offered to carry out the wishes of the administration and the wishes of the Department of Labor as to the time limit set in this bill.

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

Mr. HOPE. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. KING].

Mr. KING of Pennsylvania. Mr. Chairman, going back to the wetback problem, I think there should be just one explanation made as to the effect of this bill on this problem. Actually

this bill authorizes our Labor Department to negotiate with the Mexican Government for the use of their labor; and, therefore, it is necessary for us to work out with them the terms of the actual contracts executed.

The rules under which these men are employed are not altogether satisfactory to the Texas employers. There are many things about the contract they would like to improve, but first it must be recognized that Mexico has something to say about this problem. What have they said that affects this wetback situation? They have said that the recruiting point, the assembling point, for this labor coming in under the present arrangement shall be 900 miles down in Mexico; so that if a Mexican living just across the Rio Grande decides he wants to come into Texas to work, he finds himself faced with a trip 900 miles down into Mexico and 900 miles back. It becomes much easier to just sneak across the border.

If we were able to stipulate all of the terms of this arrangement ourselves, probably it would have a very beneficial effect upon the wetback problem, but not being able to do that, we must recognize that Mexico has an interest in the matter and for her own good stipulates that the labor be taken out of the deep interior rather than from the territory just immediately across the border.

This bill, of course, is necessary now to perpetuate a scheme of production which has existed in this country in certain sections since the start of the industry. Texas vegetable and fruit crops have depended from the beginning of their existence upon Mexican labor.

It is true that the Government has injected regulation into this problem that has become quite expensive. It seems to me it should be handled much cheaper. I know that it could be made much cheaper on the employers if there were fewer regulations which exact costly things from the employers. That, however, is perhaps beside the point except to explain how the thing actually works.

This legislation should be extended because it is necessary to maintain a high level of production in the fruit and vegetable industry. On the basis of the regulations provided, we may be able to work out something that will satisfactorily solve the immigration problem.

Mr. GRANT. Mr. Chairman, I yield 7 minutes to the gentleman from New Jersey [Mr. HOWELL].

Mr. HOWELL. Mr. Chairman, I am interested in this legislation. I represent a district in New Jersey that is pretty well balanced. We have a lot of industry and a considerable amount of agriculture, mostly family farms, such as dairy, poultry, truck, fruit, and so forth. Some of our fruit farmers do have a need many times for migratory or transient labor although I do not think this bill will do anything directly for them. However, I am sincerely interested in the problems of agriculture, even in agriculture beyond my district.

The necessity for a balanced, healthy agricultural economy is pretty basic to our whole economy, perhaps even to the situation that prevails in the world today.

I think farmers and agriculture in general have some unusual problems which other segments of our population do not have, and I think in many cases they need some special consideration and treatment of some of their problems and needs.

I have always been interested and anxious to help them to the best extent we can, in all fairness to the rest of our population. I think there also is a situation where probably agriculture, or what in some cases amounts almost to industry under the guise of agriculture, gets out of a lot of its social responsibility to its workers in particular. I say all this knowing that these problems do exist and that we cannot apply all of our Federal and State laws requiring additional expenditures and additional responsibilities to agricultrue in the same way that we can to industry and other better organized segments of our economy which do not have the same problems. But it seems to me that the large industrialized type of agriculture enterprises could begin to accept some of these responsibilities. They get out of collective bargaining; they get out of old-age benefits; they get out of unemployment compensation. They get some special concessions in the child labor laws and do a lot of things that we like to apply to the rest of the peeople of our country, and for good and sufficient reasons in many cases we grant exemptions to agriculture and make a very broad definition of agriculture in granting those exemptions.

So it does seem to me that it is time for the kind of agriculture which in the main is affected by this legislation to begin to try to exercise some of that social responsibility and to improve working conditions in that segment of agriculture that is not like the family-type farm to a very great extent but is really a highly mechanized and industrialized operation. I realize that they do need temporary influxes of migratory labor or some form of extra seasonal labor or they could not get their crops to market to help feed the country, and in some cases the rest of the world.

I think this act that we are presently contemplating extending, and I admit this somewhat reluctantly, should be extended. I would much prefer to see it extended for a temporary period of 1 year or something in the nature of a temporary extension rather than either an indefinite extension or a 3-year extension which also has been talked about. I think if we go ahead and proceed on that basis and give them some time to deal with the problems that they have, and then put a little bit of the onus on them to make some of the working conditions in these areas more attractive to American citizens, give them a little better wage, give them better working hours, give them better living conditions, and some of the things that other American labor gets either through the strength of their union organizations or for other economic conditions that prevail in other lines of endeavor—that gradually they will be able to find that they can get more easily the needed labor supply.

As I said before, I am probably going to vote for an extension of this act. I hope that it will be a temporary or limited extension and I sincerely hope that these people who need this migratory labor, who need both the legitimate and the wetback labor that travels down in that area, will do something through their own efforts to make this kind of work more attractive to American workers and help to improve conditions so that they will not have to come back to us a year or 2 years from now and ask for this same special consideration that we are about to vote to them today. I feel very strongly about that, in all fairness I do want to deal with it properly, but I do hope that it will be a temporary extension and that the farmers who are benefitting from this program will exert some responsibility on their own to improve these conditions.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. HOWELL. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I would think the gentleman would be concerned about the consumer angle of this, because it takes this type of labor which is unavailable in this country to produce an abundance of fruits and vegetables to supply the consumers of the country.

Mr. HOWELL. I am concerned about it, and I am not at all anxious to pay a lot more for my food, but if I have to pay a little more I might enjoy that food a little better than I enjoy it knowing that it was produced by underpaid workers working under very poor conditions. I think we just have to face some of these things.

Mr. AUGUST H. ANDRESEN. The gentleman is an unusual character when he speaks that way.

Mr. HOWELL. I hope I am not that unusual.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. HOWELL. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. I am sure the gentleman is disturbed, as many of us are, that we find ourselves in the very strange position of drafting American boys off the farm to fight our wars all over the world and at the same time bringing in people from outside our country to do the work of our farm boys.

Mr. HOWELL. I am glad the gentleman brought that up. The draft boards up in my district have not been very generous in granting proper and really necessary exemptions for agriculture under the Selective Service Act. We do have situations where they are taking boys off the farms and then bringing in people from Mexico to do that kind of work.

Mr. THOMPSON of Texas. Mr. Chairman, will the gentleman yield?

Mr. HOWELL. I yield.

Mr. THOMPSON of Texas. The reason why this is temporary legislation, as I tried to point out a little while ago, is that the need is only temporary. However, during the 3-year period you can go right ahead with permanent legislation if you think it is necessary. We hope it will not be, and that by the end of that

time our own boys will be back and at the farm work that they left to go to war.

There is another thing the gentleman brought out, about getting American labor to do the job. Our experience is that no matter what you pay, the American worker who can get a job in a factory or somewhere else is not inclined to do the stoop labor this bill would provide.

Mr. HOWELL. I know that that exists, and I hope it can be improved by improving the working conditions, paying the men a more liberal wage, and making that type of endeavor more attractive to them. I realize that it cannot be done quickly, and it is not as easy as it sounds, but I do hope we can work out something better than this to take care of the situation in the long run.

Mr. HOPE. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, I have taken this time to address a question to the chairman of the committee. I have been recently in Puerto Rico, where I made a Lincoln Day speech, and had a chance to look over conditions on the island. They have a large amount of surplus workers, many of them agricultural workers. In New York City we have had a movement from Puerto Rico of roughly 50,000 a year for the last few years and housing conditions as well as economic opportunity should certainly be opened up throughout the country for these hard-working citizens who have come to the mainland to seek greater opportunity.

May I ask the gentleman whether any real effort has been made to seek to employ these American workers with excellent agricultural skills for this kind of work?

Mr. HOPE. Yes, I may say to the gentleman there have been efforts to recruit Puerto Ricans and there have been efforts to secure American labor here on the mainland, as far as that is concerned.

I refer to the testimony of Mr. Mashburn, the Under Secretary of Labor, before the committee, in which, after enumerating some of the things that are being done to meet the farm labor situation, he said:

> We have made special efforts to place American Indians, to contract Puerto Ricans, and to use volunteer farm placement representatives in areas which cannot support regular employment offices.

I also have a letter from Mr. Robert C. Goodwin who is in charge of the Farm Placement Service of the Department of Labor in which he makes the same statement. In enumerating some 10 different methods which the Farm Placement Service has tried to meet this situation without using Mexican labor he says among these things, "by contracting Puerto Ricans for agricultural employment before they are transported to the mainland." I believe I am safe in saying that if it were possible to get Puerto Ricans to come in to do this work and go into the areas where this labor is needed that that type of labor would be preferred to the Mexican labor because then we would not have to meet all of the conditions that have been imposed by the Mexican Government before they permit Mexican laborers to come into this country.

Mr. JAVITS. Does the gentleman feel it is low wage scales and working conditions as compared with those elsewhere on the mainland which keep away the Puerto Rican worker or does the gentleman feel that they just do not want to work in that area. After all, they do need rewarding work, that is evident by the conditions of the movement from Puerto Rico.

Mr. HOPE. I do not think it is the low wage scale because for this type of work I do not think the wages are low. In any event, under our contract with Mexico and under the law the Mexican contract labor must be paid the prevailing wage. Undoubtedly the Puerto Ricans would be able to secure at least the prevailing wage in the areas from which they come and in the areas along the east coast where the Puerto Ricans have been brought in, they come in under contract where the wages are made a part of the contract.

Mr. KING of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. KING of Pennsylvania. It is true that we should look here in the East particularly to Puerto Rican labor rather than Mexican labor covered by this bill. I, too, have just returned from Puerto Rico and have had considerable experience in the handling of Puerto Rican labor. I would like to say that we would be employing more Puerto Ricans and Puerto Rico could send to this country one of its greatest resources other than sugar, to a greater degree, if it were not for the attitude of the Puerto Rican department of labor with respect to this matter. This spring, speaking for the eastern employers of Puerto Rican labor, we got into a conflict over the terms of the contract which they demanded. Of course, in sending to us Puerto Ricans who are citizens there is nothing they can give to us in the way of a contract guaranteeing any service whatsoever. The Puerto Ricans can leave employment the day after they arrive. On the other side, they have demanded what we consider excessive terms, terms as has been charged in this whole labor movement, which go beyond the offer that we make to native labor. I am happy to say that within the last few days we think that difficulty with the Puerto Rican labor department is being resolved and I am hoping in a conference which we will have tomorrow to arrive at a final agreement satisfactory both to Puerto Rico and to the eastern employers.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. AUGUST H. ANDRESEN. We have found this situation out in our section of the country. We would like to have Puerto Rican laborers but for some reason or other they all like to go to New York or Chicago. Probably you treat them so well there that they do not care to be out in the Midwest to do this type of work.

Mr. JAVITS. We treat them no better and no worse than other citizens, but there are many inducements which would make it attractive for such citizens to get jobs around the country, especially because of the difficult housing conditions to which they are subjected.

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

Mr. JAVITS. I yield.

Mr. HOEVEN. I think it should be pointed out that the Puerto Rican laborer can come and go as he sees fit. There are no restrictions on him, he being an American citizen. I was very interested in the gentleman's comment or in his inquiry, rather, as to whether or not the low-wage scale in the stoop labor field would not deter these people from coming over. I do not think that is the case at all, because it is my understanding that in the coffee areas of Puerto Rico their wage scale is about 18 cents an hour. Their daily labor scale is approximately 30 or 40 cents an hour, and skilled labor is 60 cents an hour. So that it should be an inducement for them to come over here where they can get much higher wages.

Mr. JAVITS. That is exactly my point. This discussion bears out the validity of the fact that this ought to be a 1-year extension; that we ought to do better on our domestic labor supply than we have done. The worker from Puerto Rico must make a comparison with what he can earn elsewhere on the mainland, not in Puerto Rico.

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

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

Mr. HUNTER. Apropos of the remarks of the gentleman from Iowa [Mr. HOEVEN], the Mexican nationals are being paid 85 cents an hour in California. In addition to that, they receive free housing and free utilities. I would not think from that that they were being paid slave labor wages.

Mr. JAVITS. We ought to do a better job in utilizing our domestic workers, including those from Puerto Rico.

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

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

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> *Be it enacted, etc.*, That section 509 of title V of the Agricultural Act of 1949, as amended, is amended by striking out "December 31, 1953" and inserting in lieu thereof "December 31, 1956."

Mr. BAILEY. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

> Amendment offered by Mr. BAILEY: On page 1, line 5, strike out "December 31, 1956" and insert "December 31, 1954."

Mr. BAILEY. Mr. Chairman, I predicate this amendment on the testimony offered by the Under Secretary of Labor, Lloyd A. Mashburn, who appeared before the Senate Committee on Agricul-

ture on March 23 in connection with this proposed extension of Public Law No. 78. He started his testimony as follows:

> It may be well for me to emphasize at the beginning of this testimony the policy of the Department of Labor. This policy has been, and will continue to be, to make intensified efforts to fill our farm-labor needs from all available domestic sources.

It is plain that the Department of Labor considers this being emergency legislation, temporary legislation, and that they are not interested in it as legislation as such, but only as a stopgap to take care of a situation due to existing shortages in the availability of American labor.

I am not going to belabor the question by offering some of his arguments. However, I again quote from Mr. Mashburn:

> As to the question of extending or revising Public Law 78, I am sure that the committee appreciates that we are a new administration which has assumed office about 2 months ago. We have had little opportunity to observe the operation of the program under the present law. We know full well that there have been conflicting views on various aspects of the program. We are also convinced that an extension of the present law is needed. We believe it would be most desirable, however, for us to have an opportunity to look into the various phases of the program during the coming crop season so that we can be in a position to determine where the problem areas are and to evaluate the conflicting views which have been expressed by those concerned with the program. We feel that, having had such an opportunity, we could then determine what remedial steps, if any, can be taken administratively and whether or not substantive amendments to Public Law 78 would be desirable. For these reasons we recommend a simple extension of Public Law 78 to December 31, 1954. I believe that this period will give enough time for us to develop, and for Congress to consider, our recommendations for a course of action for the future.

I am predicating my amendment on the basis of the recommendation of the people who are administering this law, and I assume he is speaking for the present national administration.

Let me say in conclusion that everybody concerned, even the proponents of this bill, say it is temporary legislation. Why, then, do we need a life of 3 years when the situation may be such at the end of December 1954 that we will not have further need for the legislation? I sincerely hope that my colleagues of the House will not only be consistent with the Department of Agriculture but will also be consistent with the new administration.

Mr. HOPE. Mr. Chairman, I hope the Committee will not adopt the amendment just offered by the gentleman from West Virginia.

The committee very carefully considered the question of how long this legislation should be continued. We had several witnesses before the committee, representing farm organizations and users of this labor. They recommended that the law be extended indefinitely. We had others who suggested that it be extended 3 years as provided by the bill now before us.

It is true that the distinguished Under Secretary of Labor suggested an extension of 1 year. The committee considered that carefully. The principal reason he gave was that he thought it might be easier to deal with the Mexican Government if we had a 1-year extension. I want to call attention to the fact, however, that the Under Secretary also made the following statement. He said:

> I want to be honest and say that the administrators of the program recommend a 3-year extension instead of a 1-year extension. Their reasons are sound, that it is much more difficult for them to administer a program where it is set up year to year than where it is set up for 3 years. But we have felt that the leverage in negotiating the new agreement was such that under 1-year conditions it was so much better than 3-year conditions. We disagreed with the administrator. Now, maybe we are wrong again; it is a matter of judgment.

The committee felt that there was much to be said for the position of those who were administering the act in that it gives us a program under which we can know from one year to the next what the producers of the country can depend upon in the way of agricultural labor from this source. That was also the viewpoint of the users of the labor who appeared before the committee, including all the general farm organizations. I am sure that is not only in the interest of the producers but also in the interest of the consumers of this country.

Then I want to call attention to one other point that I think is a complete answer to the proposal of the gentleman from West Virginia, and that is that this law will not be put into effect unless and until the Secretary of Labor finds three things: First, that sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are employed; second, that the employment of such workers will not adversely affect the wages or working conditions of domestic agricultural workers; and third, that reasonable efforts have been made to hire domestic workers at such wages and standard hours and working conditions as apply to the foreign workers. Unless all those conditions exist this law will not be called into effect; it will simply be there to be used if necessary.

So taking all of those conditions into consideration the committee unanimously voted to extend the act for 3 years. I sincerely hope this Committee will go along with the Committee on Agriculture on this point.

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

Mr. HOPE. I yield.

Mr. GATHINGS. Public Law 78 of the 82d Congress, 1st session, was passed by both Houses of Congress in the summer of 1951. That is the act we are attempting to extend for 3 years. This legislation was approved on July 12, 1951, and gave the farmers in the 23 States who contract for this labor the privilege of using migrant labor in the harvesting of their crops for 3 years: for the years 1951, 1952, and 1953. So what is already on the statute books practically amounts to a 3-year term, although it was approved in July 1951, and would extend until December 31, 1953.

Mr. HOPE. In other words, what the gentleman is saying is that the present law covers 3 crop years and we are extending it for another 3 crop years.

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

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, one of the most significant statements on this bill, in my opinion, was made by the gentleman from Nebraska [Mr. MILLER] who said in substance that this legislation is necessary because selective service has stripped the farms of Nebraska of necessary labor.

Mr. Chairman, the Republic of Mexico, a member of the United Nations, has not contributed a single combat soldier to the fighting in Korea, not one, so far as I know, and I had the records checked just a few moments ago. I opposed similar legislation on that ground when it was before the House last year and I am opposed to it now.

I am opposed to this business of shipping American boys 7,000 miles across the Pacific to fight and die on Old Baldy, and then import laborers into this country from Mexico to take up the slack. I simply do not go along with that sort of procedure.

I am opposed to this bill. I will vote for the pending amendment to limit it to 1 year, and then vote against the bill altogether.

I assume that Mexico voted in the United Nations for the war in Korea. If there is to be fighting and dying, if there is to be warfare in this world to which Mexico subscribes, let that country send its boys to Korea, too.

Mr. CELLER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, in answer to the inquiry propounded by our distinguished colleague from New York [Mr. JAVITS] may I say that the reason why Puerto Rican labor does not get into the areas now overrun with the so-called wetbacks is because of the fact that wages are suppressed in those areas. Minimum wage laws are in effect nonexistent. Social-security benefits are not recognized. Pensions are out the window.

Let me read to you a paragraph from the report of the President's Commission on Migratory Labor:

> The wetback is a hungry human being. His need of food and clothing is immediate and pressing. He is a fugitive and it is as a fugitive that he lives. Under the constant threat of apprehension and deportation, he cannot protest or appeal no matter how unjustly he is treated. Law operates against him but not for him. Those who capitalize on the legal disability of the wetbacks are numerous and their devices are many and various.

That is the reason, I say to the gentleman from New York, that the Puerto Ricans fail to go to those areas. If they did they would have to compete with these wetbacks. They refuse to subscribe and embrace the damaging conditions obtaining.

Our source of migratory labor is not only Puerto Rico and the Republic of Mexico, we recruit these workers from Canada, we recruit them from the British West Indies.

I support the amendment offered by the gentleman from West Virginia so that ample time may be afforded to go into these questions. In a year we can come up with solutions to this problem of migrant labor. We have only touched the periphery of this very vexatious problem. We have not plumbed the depths. The argument was made that the Judiciary Committee had developed a comprehensive code on immigration. That is true. The question was propounded, Why did not the Subcommittee on Immigration of the Committee on the Judiciary go into this matter? We did go into the matter. We devised a section which provides that it shall be unlawful to conceal, harbor or shield any alien who is not lawfully in the country. But we left out the word "hires," which is the nub of the situation. We have failed to put into that fabric of the immigration code the word "hires." Anybody can hire these people, here, legally or illegally. The employers of these wetbacks in many instances feel they have a sort of God-given right to hire wetbacks, to hire those who come in illegally. Resolutions have been actually passed by chambers of commerce in localities along the Mexican border. Those resolutions say that farmers and ranchers have traditional, inherent rights to hire illegals and no authority is going to interfere with them. They have exercised great power. Their influence prevented us from including the word "hires" in the aforesaid statute. They thus can "hire" at will anyone—be he here illegally or legally.

Now, the Committee on the Judiciary will have to go into that problem again. They need time to do that. One year is enough. We do not need 3 years. There is no reason, therefore, why we should extend this statute, with all its attendant abuses, for a period of 3 years. I am very anxious to help the farmers, just as are all the members of the committee on Agriculture, including the distinguished chairman. I want the vegetables and I want the cotton and I want the fruit picked. It is essential to get workers to pick that productivity, but I want those workers brought in in a decent, legal fashion. That is not the case now. I am willing to accept the abuses that have been pointed out for 1 more year, but I do not want to go beyond that. Laws called temporary have a habit of becoming permanent, and the longer the temporary period the greater the temptation to extend those statutes into perpetuity.

It is said the Agriculture Committee cannot concern itself with the immigration aspects. That is a faulty approach. Here agriculture and immigration are intertwined and related. They are joined like the obverse and reverse sides of a coin. You cannot consider in this instance the one without the other.

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

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

Mr. ABERNETHY. With due deference to the report from which the gentleman just read, which indicates that the reason Puerto Ricans do not go into these short labor agriculture areas is because of the low wages, the report is in error. I was in Puerto Rico last week with Members of the Committee on Agriculture. I was in the coffee region of the island, and we were informed that the coffee workers in Puerto Rico were paid 18 cents an hour, and that is all. I am certain that there is not an agricultural area in the United States which is paying any low wage of that kind or character.

Mr. CELLER. All I did was to quote what the President's Commission gave us. The report did not conclude that Puerto Ricans do not go into wetback areas for the reasons assigned. I concluded that.

Mr. ABERNETHY. They are in error.

Mr. CELLER. Well, that may be, but I must say that I have confidence in them. We, in New York, are plagued with this problem. We have vast numbers making the trek from Puerto Rico to New York City and its environs, creating many difficult sociological and political problems. No committee of Congress has adequately gone into that situation nor have they gone into the situation adequately with reference to Canadian and Carribean migratory labor.

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

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

Mr. JAVITS. In the first place, I am with the gentleman on the 1-year extension, and I shall vote the same way. I would like to ask the gentleman whether he can tell us the difference, legally, between what has ben said here that the Puerto Rican worker can leave, if he wants to, and the Mexican worker cannot if he wants to, and what is the practical effect of this regulation under which he comes in making him work even if he does not want to work?

Mr. CELLER. If he is what is called a wetback and is here illegally, he is not likely to leave. He is almost—I do not like to use the word—chained onto that farm, because the farmer who employs him has a whip over him in the sense that if he leaves the farmer will disclose to the authorities that he is a wetback, and in that sense he is in a serious disadvantage to the Puerto Rican. The wetback dare not leave no matter how low the wages or burdensome the conditions of employment. The wetback can thus be blackmailed into submission. He is helpless. Many take undue advantage of this helplessness.

Mr. JAVITS. Therefore, the virtue of the bill is it regulates the conditions under which he is held, and certainly we should not continue that situation for a day longer than we have to. So I thoroughly agree with the gentleman that it should not be for more than 1 year.

Mr. KING of Pennsylvania. Mr. Chairman, will the gentleman yield?

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

Mr. KING of Pennsylvania. The reason that Puerto Ricans do not get into the western district is purely a matter of transportation cost, and it is not true that the wages paid in California and Texas are lower than are paid by the agriculture industry in the eastern section that does employ Puerto Ricans. It is purely a matter of transportation cost.

Mr. CELLER. Extend for 1 year. During that period the entire question might well be canvassed and all the bugs in the law can be removed. Do not extend beyond 1 year. If after 1 year more time is essential, it will be a simple matter to extend for 1 more year.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. BAILEY].

The question was taken; and the Chairman being in doubt, the Committee divided and there were—ayes 41, noes 70.

Mr. BAILEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BAILEY and Mr. HOPE.

The Committee again divided; and the tellers reported that there were—ayes 50, noes 114.

So the amendment was rejected.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it seems evident that the House will quickly approve the pending resolution which would extend for an additional 3-year period the present law with respect to the importation of agricultural labor from the Republic of Mexico. The present statute is by no means fully adequate, but it appears that, as a practical proposition, there is no present opportunity to secure approval of any significant changes. Under the circumstances, I am supporting the pending resolution as the most practical approach to a very difficult agricultural farm-labor problem.

I know from firsthand experience about the trials and tribulations of the farmers who have sought to utilize agricultural labor from the Republic of Mexico. They have been confronted with an agreement with the Republic of Mexico which has been quite one-sided in favor of Mexico. Last fall, in my own congressional district, we had a problem of the most serious nature involving the establishment of the prevailing wage for the pulling of cotton. At one time thousands of farmers were confronted with a rather disastrous possibility of having to pay for cotton pulling at a higher rate on a retroactive basis. Through the efforts and cooperation of the Under Secretary of Labor and members of his staff, this problem was to a very considerable degree adjusted. We cannot afford to have a repetition of the uncertainties and difficulties which we had with this legislation during the 1952 crop year. I want to express the hope that those who administer the program in 1953 will be able to work closely with the agricultural producer and formulate a policy that will be reasonably fair and satisfactory to all concerned.

One of our principal agricultural difficulties arises out of the shortage of agricultural labor. The present measure is not fully satisfactory, but it seems that it represents the best we are able to get at this time. I hope the House will approve the pending resolution. I was pleased that the amendment which had

restricted the extension to 1 year was defeated.

Mr. McCARTHY. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. McCARTHY: On page 1, after line 8, add the following: That title V of the Agricultural Act of 1949, as amended, is amended by adding a new section, section 503, as follows:

"SEC. 503. (a) Any employer who contracts employees under the terms of this title for the planting, cultivating, and/or harvesting of crops for which the employer receives payments under title III of the Sugar Act of 1948, as amended, or which are supported at 90 percent of parity under the terms of the preceding titles of this act, and who also employs citizens of the United States for the same work on such crops, shall pay to such citizens of the United States so employed an hourly wage at lease equal to 90 percent of the basic minimum wage provided for by the Fair Labor Standards Act of 1938, as amended.

"(b) No workers shall be made available under this title to, nor shall any workers made available under this title be permitted to remain in the employ of any employer who violates the provisions of paragraph (a) of this section."

And renumber the sections which follow accordingly.

Mr. HOPE. Mr. Chairman, I make the point of order against the amendment that it is not germane to the bill under consideration.

Mr. McCARTHY. Mr. Chairman, does not the point of order come too late?

The CHAIRMAN. Does the gentleman from Minnesota desire recognition?

Mr. McCARTHY. Mr. Chairman, I thought I had been recognized.

The CHAIRMAN. The gentleman from Kansas makes a point of order against the amendment. Does the gentleman from Minnesota seek recognition on the point of order?

Mr. McCARTHY. No, Mr. Chairman; I will await the ruling of the Chairman.

The CHAIRMAN. Will the gentleman from Kansas state his point of order?

Mr. HOPE. Mr. Chairman, I make the point of order against the amendment on the ground that it is not germane to the bill under consideration. It is an attempt to deal with matters entirely outside the purview of this legislation, legislation which would properly come within the jurisdiction of another committee. It attempts to fix wages and deal with matters that come within the jurisdiction of the Committee on Labor. It might properly be an amendment to the Fair Labor Standards Act, but not to this bill.

The CHAIRMAN. The Chair is ready to rule.

The amendment proposes to bring in a new class not contemplated in the bill. Therefore the Chair sustains the point of order.

Mr. McCARTHY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, of course I accept the ruling of the Chair, but I think we all know that the basic act we are amending dealt with the problem of fair labor standards and the act of 1938. I had hoped that the proponents of this bill might accept my amendment without objection, because it seems to me so eminently fair to provide simply, as my amendment does, that any American citizen who is employed in the planting, cultivation, or harvesting of crops which are subsidized under the Sugar Act, which are supported at 90 percent of parity, ought to receive 90 percent of the minimum wage of 75 cents an hour. It seems to me that no one should object to having those employees receive 90 percent of the minimum wage. That is the simple proposition in my amendment.

As I say, I think my amendment should have been accepted unanimously, but it has been ruled out of order on a point. I do hope that the Committee on Agriculture will see fit to bring in, when next this legislation is before the Congress, a bill which will at least permit us to make some attempt to solve the problem of the domestic American migratory worker of the United States of America.

I do hope that this amendment will be remembered by that committee as a constructive suggestion.

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

Mr. GUBSER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, as I became a Member of this body on January 3, I resolved never to solicit the privilege of the floor unless a bill was being considered upon which I thought I could make a definite contribution. I feel that I do know something about this problem, and so rise in support of the bill. I am a farmer raising row crops, such as sugar beets, lettuce, and other types of vegetables in central California. I am an employer of Mexican nationals, whom I hire in accordance with the agreement between the United States and Mexico. I would like to talk about this because, as I said, I feel I know something about it.

Before speaking on this question, I would like to reach a definition of terms, because it appears to me there is confusion here regarding terms.

In the first place, we hear the word "wetback" used very, very loosely. To us in central California, who employ migratory laborers, a wetback is a person who has gained his entry into the United States illegally. The man who is working under contract as the result of a treaty between the United States and Mexico we call a national. So, when I refer to the people that I hire, I am referring to nationals. I am not referring to wetbacks; and this bill, as I understand it, is not concerned with wetbacks.

The inference has been made that these nationals are cheap labor and that they are underpaid. It has also been inferred that we hire them in order to keep from paying the domestic laborer the amount that he deserves to be paid.

In order to answer this, I would like to give you one example from my own experience. Last year I had entered an order for Mexican nationals for use on my ranch. I canceled the order at the last minute because I was able to secure domestic labor. All of us in central California, and I think throughout the entire State of California, exhaust every possibility for hiring local labor before we hire Mexican nationals, because the Mexican nationals cost us more money. We pay 85 cents an hour to the local laborer. We pay 85 cents an hour to the national, but the national costs us transportation, bond, housing, and the amount that we pay to the association which hires them for us, usually 10 percent of 85 cents an hour. Mexican nationals, all things considered, cost us about $1 per hour. So the Mexican national is not cheap labor. On the contrary, he is expensive. That is why we exhaust every possible means of getting local labor first. In fact, the Mexican national is the last resort, and we want that last resort available to us in the event of an emergency. Therefore, I urge your favorable vote on the bill before the House.

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

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

Mr. JOHNSON. I offer my hearty compliments to the gentleman, as I see he thoroughly understands the problem. I am not a farmer, but I have lived in the San Joaquin Valley for over 30 years. As you have well pointed out, these Mexican nationals cost more money for what they do in the fields of California than the Americans, because we give them all these privileges, mentioned by my colleague. Furthermore, Stockton, where I live, is the center for the recruitment of farm labor. It is utterly impossible for many of the ranchers who raise these row crops, like asparagus and onions, and tree and vine crops, to get American labor. They want American labor, but we simply cannot get enough of them to work on these fabulous farms. There are over 100 specialized crops raised in California which are sent to all parts of the United States.

Mr. GUBSER. I thank the gentleman.

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

Mr. GUBSER. I yield.

Mr. HUNTER. I, too, wish to commend the gentleman from California for his straightforward and enlightening statement on this subject. The condition he describes prevails also in the San Joaquin Valley of California, part of which I represent. The farmer does not use Mexican nationals except as a last resort. I believe last year in the San Joaquin Valley some 3,200 were used. It is very possible that this year none will be needed at all.

I am very glad the gentleman has stated the situation in such a clear and concise way as he has.

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

Mr. GUBSER. I yield.

Mr. GATHINGS. I want to commend the gentleman for a very fine statement. Let me say that in the State of Arkansas we have to transport our labor about 1,200 miles north of the border and it is an additional cost to us. The gentleman has stated the case exactly as it is.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ALLEN of Illinois, 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. 3480) to amend section 509 of title V of the Agricultural Act of 1949, to extend for 3 years the period during which agricultural workers may be made available for employment under such title, pursuant to House Resolution 204, he reported the same back to the House.

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

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 question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 133, noes 28.

Mr. HAYS of Ohio. 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. The Chair will count. [After counting.] One hundred and seventy-nine 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 role.

The question was taken; and there were—yeas 259, nays 87, answered "present" 1, not voting 84, as follows:

[Roll No. 23]

YEAS—259

Abbitt	Cretella	Hillings
Abernethy	Crumpacker	Hoeven
Adair	Curtis, Mass.	Hoffman, Mich.
Albert	Curtis, Mo.	Holmes
Alexander	Curtis, Nebr.	Holt
Allen, Ill.	Dague	Hope
Andersen, H. Carl	Davis, Ga.	Horan
	Davis, Wis.	Howell
Andresen, August H.	Deane	Hunter
	Devereux	Hyde
Andrews	D'Ewart	Ikard
Angell	Dies	Jackson
Arends	Dondero	Jarman
Aspinall	Donohue	Jenkins
Auchincloss	Dorn, S. C.	Johnson
Ayres	Dowdy	Jonas, Ill.
Barden	Doyle	Jonas, N. C.
Bates	Edmondson	Jones, Ala.
Battle	Ellsworth	Jones, N. C.
Beamer	Engle	Judd
Becker	Evins	Kearney
Belcher	Fernandez	Kearns
Bender	Fino	Kilburn
Bennett, Fla.	Fisher	Kilday
Bentley	Ford	King, Pa.
Berry	Forrester	Krueger
Betts	Fountain	Laird
Boggs	Frazier	Landrum
Bolton, Frances P.	Frelinghuysen	Lantaff
	Gamble	Latham
Bonner	Gary	LeCompte
Bosch	Gathings	Long
Bramblett	Gavin	Lovre
Brooks, La.	Gentry	Lucas
Brooks, Tex.	George	McCulloch
Brown, Ga.	Golden	McDonough
Brownson	Goodwin	McGregor
Broyhill	Graham	McIntire
Budge	Grant	McMillan
Busbey	Gregory	McVey
Bush	Gubser	Mack, Wash.
Byrnes, Wis.	Hagen, Calif.	Magnuson
Camp	Hagen, Minn.	Mahon
Campbell	Hale	Mailliard
Cannon	Haley	Martin, Iowa
Carlyle	Halleck	Mason
Cederberg	Hand	Matthews
Chatham	Harden	Meader
Chelf	Hardy	Merrill
Chenoweth	Harrison, Nebr.	Metcalf
Clardy	Harrison, Wyo.	Miller, Kans.
Clevenger	Harvey	Miller, Md.
Cole, Mo.	Hays, Ark.	Miller, Nebr.
Cole, N. Y.	Herlong	Miller, N. Y.
Condon	Hess	Mills
Coon	Hiestand	Morrison
Cooper	Hill	Moss
Cotton	Hillelson	Mumma
Murray	Robsion, Ky.	Thompson, Mich.
Neal	Rogers, Colo.	Thompson, Tex.
Nicholson	Rogers, Mass.	Trimble
Norrell	Rogers, Tex.	Utt
Oakman	Sadlak	Van Pelt
Ostertag	St. George	Van Zandt
Passman	Scherer	Velde
Patman	Scrivner	Vinson
Patten	Scudder	Vorys
Patterson	Seely-Brown	Vursell
Pfost	Selden	Wainwright
Phillips	Shafer	Walter
Pilcher	Sheppard	Wampler
Pillion	Short	Watts
Poage	Shuford	Westland
Poff	Sikes	Wharton
Poulson	Simpson, Ill.	Whitten
Preston	Simpson, Pa.	Wickersham
Rains	Small	Widnall
Ray	Smith, Kans.	Williams, N. Y.
Rayburn	Smith, Miss.	Willis
Reams	Smith, Va.	Wilson, Calif.
Reece, Tenn.	Stauffer	Wilson, Ind.
Reed, Ill.	Steed	Wilson, Tex.
Reed, N. Y.	Stringfellow	Winstead
Rees, Kans.	Taber	Wolcott
Regan	Talle	Yorty
Rhodes, Ariz.	Teague	Young
Roberts	Thomas	
Robeson, Va.	Thompson, La.	

NAYS—87

Addonizio	Fogarty	Morgan
Bailey	Forand	Multer
Baker	Friedel	O'Brien, Mich.
Bishop	Garmatz	O'Brien, N. Y.
Blatnik	Green	O'Hara, Ill.
Boland	Gross	O'Neill
Bolling	Hays, Ohio	Osmers
Bonin	Holifield	Perkins
Bow	Holtzman	Polk
Bray	James	Powell
Buchanan	Javits	Price
Burdick	Karsten, Mo.	Radwan
Byrd	Kean	Rhodes, Pa.
Byrne, Pa.	Keating	Riehlman
Canfield	Kee	Rodino
Case	Kelley, Pa.	Saylor
Celler	Kelly, N. Y.	Schenck
Chudoff	Keogh	Sheehan
Crosser	Kersten, Wis.	Shelley
Cunningham	King, Calif.	Sieminski
Dawson, Ill.	Kirwan	Spence
Delaney	Kluczynski	Staggers
Donovan	Lane	Sullivan
Dorn, N. Y.	Lesinski	Sutton
Eberharter	McCarthy	Tollefson
Elliott	Machrowicz	Wier
Fallon	Madden	Wigglesworth
Feighan	Marshall	Withers
Fenton	Mollohan	Withrow

ANSWERED "PRESENT"—1

Moulder

NOT VOTING—84

Allen, Calif.	Gordon	O'Hara, Minn.
Barrett	Granahan	O'Konski
Bennett, Mich.	Gwinn	Pelly
Bentsen	Harris	Philbin
Bolton, Oliver P.	Harrison, Va.	Priest
	Hart	Prouty
Boykin	Hébert	Rabaut
Brown, Ohio	Heller	Richards
Buckley	Heselton	Riley
Burleson	Hinshaw	Rivers
Carnahan	Hoffman, Ill.	Rogers, Fla.
Carrigg	Hosmer	Rooney
Chiperfield	Hruska	Roosevelt
Church	Hull	Scott
Colmer	Jensen	Secrest
Cooley	Jones, Mo.	Smith, Wis.
Corbett	Klein	Springer
Coudert	Knox	Taylor
Davis, Tenn.	Lanham	Thornberry
Dawson, Utah	Lyle	Warburton
Dempsey	McConnell	Weichel
Derounian	McCormack	Wheeler
Dingell	Mack, Ill.	Williams, Miss.
Dodd	Merrow	Wolverton
Dollinger	Miller, Calif.	Yates
Dolliver	Morano	Younger
Durham	Nelson	Zablocki
Fine	Norblad	
Fulton	O'Brien, Ill.	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Pelley for, with Mr. Hull against.

Mr. O'Hara of Minnesota for, with Mr. Heselton against.

Mr. Nelson for, with Mr. Bennett of Michigan against.

Mr. Smith of Wisconsin for, with Mr. Klein against.

Mr. Oliver P. Bolton for, with Mr. Buckley against.

Mr. Lanham for, with Mr. Heller against.

Mr. Brown of Ohio for, with Mr. Roosevelt against.

Mr. Rogers of Florida for, with Mr. Gordon against.

Mr. Lyle for, with Mr. Rooney against.

Mr. Cooley for, with Mr. Miller of California against.

Mr. Bentsen for, with Mr. Moulder against.

Mr. Taylor for, with Mr. Dodd against.

Mr. Williams of Mississippi for, with Mr. Dollinger against.

Mr. Dempsey for, with Mr. Dingell against.

Mr. Hébert for, with Mr. Fine against.

Mr. Richards for, with Mr. Hart against.

Mr. Riley for, with Mr. Barrett against.

Mr. Rivers for, with Mr. Granahan against.

Mr. Durham for, with Mr. O'Brien of Illinois against.

Mr. Wheeler for, with Mr. Mack of Illinois against.

Mr. Thornberry for, with Mr. Philbin against.

Mr. Burleson for, with Mr. Rabaut against.

Mr. Priest for, with Mr. Yates against.

Mr. Davis of Tennessee for, with Mr. Zablocki against.

Mr. Boykin for, with Mr. Secrest against.

Until further notice:

Mr. Merrow with Mr. Carnahan.

Mr. Allen of California with Mr. Colmer.

Mr. Chiperfield with Mr. Harris.

Mr. Wolverton with Mr. Harrison of Virginia.

Mr. Weichel with Mr. Jones of Missouri.

Mr. Hosmers with Mr. McCormack.

Mr. CUNNINGHAM changed his vote from "yea" to "nay."

Mr. MOULDER. Mr. Speaker, I have a live pair with the gentleman from Texas, Mr. BENTSEN. Had he been present he would have voted "yea." I voted "nay." I therefore withdraw my vote and answer "present."

Mr. BOLAND changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE POSTAL DEFICIT

Mr. FORD. 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 Michigan?

There was no objection.

Mr. FORD. Mr. Speaker, we are all well aware that the United States Post Office Department operates at an annual deficit of hundreds of millions of dollars. Unless postal rates are increased and/or the operations of the Post Office Department made more efficient, the only source of supplementary funds to make up this deficit is, of course, the General Treasury funds. In other words, at the present time as in the past, general taxes of all kinds are used to support the day-to-day operations of the Post Office Department. In the light of this fact, it behooves us who guard the Nation's purse strings, to adopt every measure which legitimately seeks to make the mail service self-sustaining, and thereby relieve our already overstrained Federal budget.

For this important reason, I am introducing a bill today which will return to

the Post Office Department some of its much-needed revenue. I refer specifically to the franking privilege enjoyed by certain Government corporations which claim to be self-supporting. In my judgment, these allegedly profit-making agencies such as the Tennessee Valley Authority, the Bonneville Power Administration, Reconstruction Finance Corporation, the Inland Waterways Corporation, to mention only a few, inasmuch as they are in competition to a greater or lesser degree with privately owned businesses, should be subject to the same postal regulations as private business.

I have recently read Senate Report No. 2685 which, in effect, bears out my contention that Government agencies in direct competition with private enterprise should be subject to the same regulations. For your own information on this subject, I urge all Members to read this report. Determine if you can the justice of this situation.

In this Senate document which I have just mentioned, the Comptroller General strongly urges the Congress to place these Government-assisted agencies on an equal basis with private enterprise. He finds sufficient cause for such action from the standpoint of good accounting alone.

It seems to me to be strange, indeed, that a legitimate operating or business expense incurred by one of these subsidized agencies would be charged to the Post Office Department, plunging it further into the red. It is unjust and bad bookkeeping as well to force the Post Office Department to bear the burden of agencies which masquerade as profit-making units in the Federal Government. If any or all of these agencies are capable of making a profit for the United States Treasury I am all for it, but there should be no sham or delusion in their operations or their bookkeeping methods.

For example, let us compare the figures of just one of these agencies with those of the Post Office Department.

The Tennessee Valley Authority reported for fiscal year 1952 a net income, after payment of interest, of $25,100,000. This is indeed a nice profit providing there is no rigged discounting procedure or sizable expenses shunted off to the Post Office Department. The TVA, by having a franking privilege, along with many other agencies made a profit in fiscal year 1952 at the expense of the Post Office Department.

In the same fiscal year 1952, the Post Office Department reported a deficit of $727,050,218. Part of this deficit resulted from franking costs absorbed from so-called profit-making agencies set up by and operated under the control of the Federal Government.

I maintain that in determining whether a profit has been earned, every agency should be required to list all costs—and this, of necessity, includes mailing expenses.

Therefore, I introduce this legislation to release a number of specified agencies from the franking privilege as one more step in the direction of reorganization and economy. In the spirit of the recommendations proposed by the Hoover Commission, this bill would place responsibilities where they belong.

AMENDMENT OF SECTION 5210 OF THE REVISED STATUTES

Mr. NICHOLSON. Mr. Speaker, I call up House Resolution 205.

The Clerk read the resolution, as follows:

Resolved, That 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. 4004) to amend section 5210 of the Revised Statutes. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, 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 amendment recommended by the Committee on Banking and Currency now in the bill. 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. NICHOLSON. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Virginia [Mr. SMITH].

Mr. Speaker, this bill comes from the Committee on Banking and Currency and does away with liability on 16 banks out of 5,000 in the country. This General Liability Act was on the books for a great many years, but recently we have insured the deposits of banks up to $10,000, therefore it is not necessary for these several banks to carry this double liability. One liability is sufficient. As long as they are taken care of under the $10,000 insured provision, the Committee on Banking and Currency thought it might be well to pass this bill.

Mr. SMITH of Virginia. Mr. Speaker, I have no requests for time.

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

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. WOLCOTT. 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. 4004) to amend section 5210 of the Revised Statutes.

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. 4004, with Mr. CUNNINGHAM in the chair.

The Clerk read the title of the bill.

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

Mr. WOLCOTT. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I should apologize to the committee for taking this much time on the present bill because it is a very simple one and is not technical in nature.

At the present time the national banks, of which there are about 4,900, are required about the 1st of July to file a list of their shareholders with the Office of the Comptroller of the Currency. The Office of the Comptroller of the Currency makes no use of this list. The law provides that the president and the cashier of each national banking association shall keep a list up to date and shall make this list available to other shareholders and creditors of the bank. The law does not require that the Comptroller of the Currency make public this list.

Now, this is a practice which has been going on for about 89 years, and was affiliated up to 1933 with a provision in the National Banking Act, which provided for double liability of a shareholder. In the Banking Act of 1933 we provided by law that shares issued after 1933 would no longer be subject to double liability. In 1933, I believe, we passed the Federal Deposit Insurance Act by which we first insured deposits up to $2,500; then shortly afterwards we insured deposits up to $5,000; and then in 1950 we amended that so that coverage on insurance was $10,000. The double liability prior thereto was an additional security. Depositors are, of course, the principal creditors of banks.

In the 1935 act, in addition, when we did away with double liability on outstanding shares, we provided that 10 percent of the net earnings of the banks should be set aside until the earned surplus in reserve was the equivalent of the outstanding common capital stock so we provided in substance and in fact for double protection and required the banks to keep it in surplus so that there would be no question about the solvency of the asset which originally had attended double liability.

This practice after 1937 of filing these reports was continued up to the present time for no purpose whatsoever. It was just one of those things which had been overlooked. Of the four-thousand-nine-hundred-odd banks, of course, they are put to a certain amount of paper work and the Comptroller's office is put to a certain amount of expense and paper work in tabulating these reports, and they find their way into the files and nobody refers to them after that.

In lieu of the annual reports of stockholders to the Comptroller's office we have provided in this bill that the Comptroller can demand a list of shareholders of each and every one of the national banks, which must be verified by the oath of the pesident or cashier, and that list must be furnished to the Comptroller's office within 10 days after demand. It assures the Comptroller's office that upon demand he can get an up-to-date list for any and all purposes. It is a better procedure than existed under the old law because it enables the Comptroller's office to get an up-to-date list of shareholders. If any liability, which I cannot imagine exists in addition to their investment in shares, is found, then of course he has his fresh list to do business on.

The committee also found that there were 25 banks in the United States which had not given the notice required under the 1935 act terminating double liability. These are all small banks. So the committee amendment provides that the Comptroller's office shall cause the notice of such prospective termination of double liability to be published, and 6 months after the publication there is

no double liability on the part of the 25 out of 4,900 banks that have not given that notice. Whether by oversight or not we do not know why these 25 banks did not publish the notice authorized by law.

I think that is in substance what the bill provides.

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

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

Mr. GROSS. This applies only to 25 banks?

Mr. WOLCOTT. The amendment applies only to 25 banks, the amendment which causes the Comptroller's Office to cause the notice to be published that they are no longer under the double liability.

Mr. GROSS. They were in difficulty because they did not provide it to some agency of Government? What agency was it?

Mr. WOLCOTT. There is no difficulty at all. They have continued double liability because they have never given notice of termination of double liability.

Mr. GROSS. The difficulty arises, then, out of the fact that they did not give notice?

Mr. WOLCOTT. I dare say that in most of the instances it was an oversight. Perhaps they did not know they had to give notice.

Mr. GROSS. This is double liability on the part of the stockholders?

Mr. WOLCOTT. Yes. We do away with double liability. We did away with double liability in the 1935 act, except with respect to 25 of the 4,900 banks.

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

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

Mr. VORYS. Is the amendment mandatory in that as to these 25 banks the notice shall be published, so that you do not leave it to some bank which possibly through ignorance or for some other reason might fail to get rid of the double liability? You do not leave it to them, but this amendment has the Comptroller take steps so that the double liability will be eliminated after due notice has been given?

Mr. WOLCOTT. Yes. It is mandatory on the Comptroller of the Currency to publish the notice, and 6 months after the publication of the notice the double liability on the 25 banks will expire, as it has on all the rest of the 4,000 banks.

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

Mr. WOLCOTT. I yield.

Mr. WIER. When did you hold hearings on this bill? I have been away during the Easter vacation.

Mr. WOLCOTT. We had 1 day of public hearings and I think 3 days of executive hearings.

Mr. WIER. What generated this amendment?

Mr. WOLCOTT. The Comptroller's Office came down and asked for it.

Mr. WIER. I know there is some opposition to this piece of legislation.

Mr. WOLCOTT. The Acting Comptroller of the Currency came down and testified in favor of it, and then when the new Comptroller of the Currency was confirmed I talked with him and he approved the bill. The Secretary of the Treasury also sent a letter to the Speaker of the House requesting the passage of the bill.

Mr. WIER. Mr. Chairman, my interest here is that I know there are some independent banks in my area, at least, that do not look with great favor on this piece of legislation. If it were one of those things where the governmental agency came before the committee and requested this change, I think that change ought to be considered important enough so that all banking circles would have knowledge of this contemplated change.

Mr. WOLCOTT. We knew of the opposition of some of the independent banks, but the committee came to the conclusion that the independent banks were not involved, and if they wanted a list of the shareholders the law provided that the president and cashier of all of the national banks make such list available to the shareholders and creditors.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. WOLCOTT] has expired.

Mr. WIER. Mr. Chairman, I would like to get an answer to some questions here.

Mr. WOLCOTT. Mr. Chairman, I yield myself 2 additional minutes.

Mr. WIER. I have heard it said here on the floor that out of the 4,900 chartered banks in this Nation—I think the gentleman from the Committee on Rules said 17 and the gentleman from Michigan [Mr. WOLCOTT] said about 25—that half of them have not applied or have not made known their wishes in signing this waiver, or whatever it is. I do not think that in itself would justify the Comptroller of the Currency thinking that this ought to be changed merely to make it—well, it has already been made.

Mr. WOLCOTT. The committee amendment I refer to in respect to this double liability was not suggested by the Comptroller of the Currency's Office. That was the committee amendment. The Comptroller has no objection to it, however.

Mr. WIER. Suppose this bill came before the House. Those 17 or 25 banks could have done exactly what all the rest of the 4,900 banks have done under the law.

Mr. WOLCOTT. That is right.

Mr. WIER. That is what arouses my curiosity at least.

Mr. WOLCOTT. It may arouse the gentleman's curiosity, but I cannot see where the gentleman makes out a very good case against the adoption of the amendment that would require these 25 banks to be put in the same status as the other 4,900 banks.

Mr. WIER. Mr. Chairman, my answer to that is simply this, you have already stated that you had 1 day of hearing. This bill was prompted by the agency.

Mr. WOLCOTT. I said that we had 1 day of public hearings and 3 days of executive hearings. The thing was mulled over completely, I can assure the gentleman. As a matter of fact I cannot see any particular reason why the bill should not have been reported out of committee in 10 minutes and gone on the Consent Calendar and have been adopted by the House under consent.

Mr. WIER. Then why is it here?

Mr. WOLCOTT. Why is it here? Merely because there was objection in committee to it. I think the objectors to it might think they are reasoning logically but I cannot see the logic of their objections to it.

Mr. SPENCE. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. PATMAN].

INADEQUATE HEARINGS

Mr. PATMAN. Mr. Chairman, this bill was introduced 1 day and it was available as a printed bill the next day. We were called together the next day and asked to report it out favorably and unanimously because the chairman did not think there would be any objection to it. The bill repeals a law that is 89 years old, a law that has been complied with for 89 years without objection, so far as we know. The Comptroller of the Currency came before us and he did not know of any complaints against it. He had no complaint. The banks had not complained—at least he did not remember any—certainly not recently. Well, "Why do you want it done? I just believe it would be relieving the banks of a lot of extra work and the storage space in the Comptroller's office is important, and we do not need the list and the double liability has been taken off and we do not need it." That is all the testimony we had. I sought other information which I did not get, because other witnesses were not brought before us who had the information at hand. But the way I view it, this is a very important bill; a very important bill.

I look upon a Congressman as a watchman for the people. I think it is the duty of a Member of Congress to be a watchman for his constituents. It oftentimes occurs that a Congressman must take a stand that is not popular in his district, because in the position that he has been placed by the votes of his constituents he is in a position to see things that his constituents do not see, and he has information that they do not have, and he is sent here as their watchman. He must have information also, at all times.

Now, there is a reason why this list is sent to the Comptroller of the Currency every year. Banking is a very important function. I do not know of any group that performs a finer or better service in time of war and in time of peace than the bankers. I have nothing to say against them, but many words of praise for them. The banks perform a very important function. They operate on the credit of our Nation. What do they put out as money? Money, greenbacks. Who guarantees it? Is it guaranteed by the banks? No. It is guaranteed by Uncle Sam, the United States Government. It is printed and put out as a blanket mortgage on all the property and the income and the taxes paid by all the people to make it good. So the banks, in their privilege of expanding $6 for every $1 they have, are given a great privilege. I am not objecting to the fractional reserve

system. That is all right. It is needed in our economy. But they are given a great opportunity. We are for the profit system. We want the bank to make money, but the people who are given this great opportunity and this great franchise by Uncle Sam, the Congress should know something about who owns the stock in these banks that are exercising these great privileges.

Under the law, for 89 years, they have annually on July 1 filed a statement with the Comptroller of the Currency showing every shareholder. The banks do not object to doing that, but the Acting Comptroller of the Currency says it ought not to be done. I am not reflecting in the Acting Comptroller for his views. That is his privilege to so assert himself. I know him to be a very fine man and a good, sincere public official. Well, let us see if it ought not to be done.

MONOPOLISTIC BANKING

First, we have a trend in this country toward monopolistic banking. We have a trend toward chain banking and affiliated banking and bank holding-company banking. That trend can only be noticed as the interlocking relationships between banks is known; it can only be discovered if you have a list of all the shareholders available. Under the law that list is available to the Comptroller of the Currency, and if there is a dangerous trend going on he discovers it. If you take this list away from him and tell him that he cannot have it any more, and then we discover a bad situation where racketeers in some town have moved in and have bought the stock of certain banks and gotten control of them, foreign people have gotten control of certain banks, can we blame the Comptroller of the Currency? No. Because we denied him the only opportunity he had of getting the information which would have shown that up. So we should not do that. We should keep it in his hands.

If there is any inconvenience about it, we can lessen that inconvenience by adopting an amendment which would provide that the banks shall file a statement showing their stockholders as of the closing of its stock transfer records for purposes of voting at its annual meeting. There is one time each year that the banks must get up that list anyway. That is when they elect their officers and perform their annual business of the year. They have to get it up anyway, in order to know who is entitled to vote. So if the bank will just file a copy of that list with the Comptroller of the Currency, not on any certain date, like July 1, but any date during the year that they want to, the date they get it up for themselves, that is all that is necessary. There is absolutely no trouble of any kind whatsoever in that; so that answers the argument that it causes the bankers a lot of trouble. The bankers have not complained about it; they have not complained about it possibly because the bankers realize it is in their interest to let somebody in the Government know who owns the shares of stock in the different banks of the country.

Mr. CELLER. Who wants it, may I ask?

Mr. PATMAN. That is what we cannot find out, and that is the reason I wanted hearings. I cannot find out anything about it except that the Acting Comptroller came in and asked for it. True, the gentleman from Michigan [Mr. WOLCOTT] says that the Comptroller who has just recently been confirmed says it is all right. But I think we ought to have some testimony to find out what is behind this thing. I do not understand it. It is no trouble to anybody, no expense to anybody. It certainly is a basis of good information that Members of Congress should have at their fingertips if they should want it, and the only way they could get it is to have it from comptrollers of the currency.

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

Mr. PATMAN. I yield.

Mr. GROSS. Then this goes beyond double liability for stockholders in 25 banks; is that correct?

Mr. PATMAN. With great respect to my good friend from Massachusetts who presented the rule I do not think that is the important part of this bill.

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

Mr. PATMAN. I yield.

Mr. CELLER. Is it not true, however, that the Independent Bankers' Association opposed this bill?

Mr. PATMAN. Certainly they opposed it, because the independent bankers can see in this thing a threat. They do not want monopolistic banking; they do not want affiliate banking; they do not want chain banking; they do not want bank holding companies to run roughshod all over this Nation and buy up the banks. They can see in this a threat to the backbone of the Nation, a threat through the ownership of this stock. I do not know what is going to happen or what is behind this.

Now, about this double liability, my good friend the gentleman from Kentucky [Mr. SPENCE] offered an amendment requiring in the case of these banks that have not dispensed with double liability of their shareholders, that the Comptroller of the Currency can do it and is compelled to do it in this amendment.

If you vote for this bill there are 25 banks that have not dispensed with double liability. I did not see the names of them until yesterday; the gentleman from Michigan [Mr. WOLCOTT] let me see them; but there are five of them in Texas, in different districts down there. It happens that there is none in the district I represent, but I feel for the Members in whose districts they are in if this bill goes through, and then the Comptroller of the Currency inserts in a local newspaper a notice that hereafter the shareholders in X bank will not be doubly liable. They are likely to have a run on that bank, ask: "What is wrong? Why has the Federal Government all at once seen fit to come down here and give us warning about this bank? What has happened up there in Washington?"

Talk about regimentation. That is regimentation at its worst. We had an election last year and that was a principal issue; they said: "Let us get rid of regimentation; we have too much regimentation, too much legislation, too much Washington, too much Federal control." Yet here you are writing a bill, this very Wolcott bill, an amendment which says that 25 banks that have not dispensed with double liability must within a certain length of time, or the Comptroller of the Currency will be compelled to go into the local community and put a notice in the newspapers that it will be dispensed with. Can you imagine any regimentation worse than that?

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

Mr. PATMAN. Will the gentleman from Kentucky yield me 2 additional minutes?

Mr. SPENCE. We have only half an hour, but I yield the gentleman 2 additional minutes.

Mr. PATMAN. The gentleman in charge of the bill has an hour; certainly those against it should have a little time.

This is really a bad bill, and if I have time I hope to explain it.

Now these 25 banks the gentleman asked about that have continued double liability, I feel sorry for the Congressmen in whose districts these banks are. They do not know it. Do you know why? They do not know it. There have been no adequate hearings. I tried to get hearings but I could not get hearings. They are not available except one witness who could not answer the important questions. There is no testimony on this bill, no hearings. I have always prided myself that our committee system of consideration of bills was the best system on earth; we have witnesses come before the committee, and we ask them questions about every phase of proposed legislation; we know all about a bill. We know the reason for every word, every paragraph in that bill, everything about it, every punctuation point, period, comma, semicolon and everything else. We know exactly why it is in there. We are careful, we are painstaking, we are meticulous, we know all about it. But here is a bill before us that we do not know anything about.

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

Mr. PATMAN. I yield to the gentleman from New Jersey.

Mr. WIDNALL. I picked up a copy of the hearings when I came into the Chamber today. They are available for everyone.

Mr. PATMAN. But they are so limited. You did not see the names of the 25 banks. One of them might be in the gentleman's district. If it is, he will hear about it later on and he will probably hear plenty. I suggest the gentleman look into it carefully.

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

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

Mr. HAYS of Ohio. There is not one word in that copy the gentleman is holding about this double liability amendment.

Mr. PATMAN. Ordinarily, as alert as we are against communism, why Communists could own these banks and you would not know it. They could bore

from within and there would be no way of finding it out. Ordinarily if a bill of this nature came up for consideration somebody would have an amendment providing they should not only file a list of the shareholders but they would have to make an affidavit that they are not Communists. But here you are dispensing with the list of owners entirely.

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

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. MERRILL].

Mr. MERRILL. Mr. Chairman, in the very careful consideration that the committee gave to this bill, the fact was brought out the requirement for these stockholders' lists being filed was for the exclusive benefit of one person, the Comptroller of the Currency. No other person can benefit from the filing of these lists. That was made perfectly clear. It is not possible for other banks, the independent banks or for any other person, to make use of these lists.

Now, when you have a situation in which the only person who has access to a list of stockholders of a bank comes before a committee of this House and says, "We no longer need that list; that list is of no value to us and we as the only person concerned with the problem say that we are willing to dispense with that red tape," then I say the only course of action this House can take is to remove the requirement of the list being filed. It has been said, "But we do not know; there might be some possible reason why this list should be filed." My answer to that is that is not the proper attitude for the Government to take.

There has been an attitude existing for years that no matter how much we inconvenience the individual citizen, it is all right to inconvenience that individual citizen as long as we want to and as much as we want to so long as it might possibly be of some convenience to a governmental official. I think it is about time that we reverse that idea and have the Government take the position that we are not going to inconvenience any individual citizen unless we feel it is of importance to the Government. The only reason that is offered for continuing the filing of these lists is the attitude that we do not care how much we inconvenience the individual provided it might help us out in Government a little. If there is no other reason back of this bill, it is that this Congress is saying publicly at this time that we are trying to put an end to the red tape, to the needless reports, to the needless impositions upon the individual; and we are saying publicly that wherever we can remove a burden upon the individual to make a report, wherever the Government can be made to cease to encroach upon the individual's time, we are going to do it.

We have found one place where the Government does not need the information it has been requesting and we say that we are not going to ask for it any longer.

Ask any businessman who has been spending dollars and dollars and dollars making needless reports to this Government and he will tell you that if you are moving in the direction of not making needless reports, you are moving in the direction of considerate government. For that reason, if for no other, we should put it in this bill.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentleman yield?

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

Mr. O'HARA of Illinois. Is not this list available for inspection by the FBI?

Mr. MERRILL. It is available to the Comptroller of the Currency. Whether the Comptroller of the Currency would permit the FBI to see it or not, I do not know. But, let me say this in answer to your question, to make it more complete. You will remember that this bill has one more provision. Whereas the old law required that the reports be filed once a year at a definite time, the new bill says that whenever the Comptroller of the Currency wants a report filed, he can ask for it. As the gentleman from Texas said, there might be a time when this information should be brought to the Comptroller of the Currency because things might be looking a little black in one bank. But what this bill does is this: By giving permission or giving the Comptroller of the Currency the right to ask for a report any time he wants it, that puts an additional weapon in the hands of the Comptroller of the Currency. If the FBI wants to look at the stockholder list and the Comptroller of the Currency wants to cooperate, they can ask for a report any time they seek it. Under the bill we are trying to seek passage for here, they can get a report any time they want it and as often as they want it, but under the old law they could get the information only once a year, and it might be at a wrong time. So, as far as investigating the status of any bank is concerned, the new bill gives the Comptroller of the Currency the right to ask for a report whenever he wants it, and the new bill puts a more effective tool in the hands of the Comptroller than he has under the old law we have been living under.

Mr. O'HARA of Illinois. If the Commies are infiltrating into a bank, is it not possible at the present time for the FBI to inspect this list in the Comptroller's office?

Mr. MERRILL. If there is any suspicion that the Commies are infiltrating into any bank, the Comptroller of the Currency, under the bill we are trying to pass, could immediately call for a report of the stockholders.

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

Mr. SPENCE. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I had no idea that this was going to develop into a political fight. Usually, when political fights occur, I am on this side of the aisle. But, I do not think this is such an important matter that it will shake the pillars of our Republic or destroy our economy. These lists of shareholders, as the gentleman from Texas [Mr. PATMAN] said, have been filed since 1864. They were filed, I think it is obvious, because in all these years there was double liability of the shareholders of banks. It was to give the Comptroller of the Currency the information that would be necessary to recover from these shareholders in case the bank failed.

I introduced the amendment to make mandatory the required steps for relief from double liability. Double liability was one of the most unjust and cruel laws that was ever placed upon the statute books. When a bank failed those who were on the inside often knew it was going to fail. They usually found a way to protect themselves. They had sufficient warning to induce them to sell their shares, often to innocent purchasers. Many of the shareholders in banks were widows and orphans who had received them by bequest or inheritance. When the bank failed they not only lost their investment but often by reason of double liability lost the rest of their property including their homes. It has been said in debate that these few banks that have not taken the necessary steps will wish to advertise that their shareholders are still subject to double liability. If they do, they are practicing an obvious fraud. Double liability gave their depositors no additional security.

When the Federal Deposit Insurance Corporation, which insures the deposits of each depositor up to $10,000, takes over the assets of a bank it waives the right to proceed against the shareholders.

There are 25 banks that have failed to take advantage of this act. They have failed to take the necessary steps to relieve the stockholders of the double liability. I am confident that most of those stockholders do not know they are subject to double liability.

Since 1935, 10 of these 25 banks have issued stock, and 3 of them are in Texas. What is the legal status of their shareholders? Are they subject to double liability, or are they relieved from double liability? Certainly the shares issued after the effective date of the act are free from double liability. Does it then become a hybrid bank with part of its stock subject to and part free from double liability?

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

Mr. SPENCE. I yield to the gentleman from Texas.

Mr. PATMAN. What would the gentleman do in a case like this, where the directors have put it up to a vote of the shareholders in the bank, and they voted unanimously against relieving from that double liability? Is the gentleman going to compel them to do it anyway by a mandate from Washington which was in the local paper? Does not the gentleman think that is regimentation?

Mr. SPENCE. A shareholder that would say he wanted double liability ought to be taken to court and have his mental state examined. It is very probable that sometimes the directors or officers of a bank were not so anxious to have the shareholders relieved from double liability because, if the bank failed, they would be responsible and they would like to have some innocent shareholder share the burden with them. I do not think any shareholder, if it were put up to him, would say that he wanted

to have double liability on the stock, with all the perils that formerly accompanied it.

I talked to Mr. Preston Delano, and I talked to the Honorable William McChesney Martin. Mr. Delano was the Comptroller of the Currency under the Democratic regime, while Mr. William McChesney Martin is Chairman of the Board of Governors of the Federal Reserve System. They both said they saw no reason for filing this list.

I wanted to get some information from a Democratic source on that subject. If you want to make a political issue of this, I cannot see shooting a popgun at our opponents. I hope before long to get some heavy artillery to shoot at them, but we cannot kill them with a bill like this. Therefore, I voted for this bill. I offered the amendment to prevent double liability because I have seen the widows and orphans in my district deprived of their property and their homes because of the double liability, when they had nothing to do with the administration of the bank.

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

Mr. SPENCE. I yield.

Mr. BROWN of Georgia. I think every member of the committee thought we had done away with all double liability in national banks of this country, and I am quite sure that a good many of the stockholders of those banks did not understand they were subject to double liability. I think if for no other reason this bill should be passed. We are making a mountain out of a molehill. What do we do? Every national bank has to issue under oath a certified copy of the stockholders and the number of shares held. That is placed in the office of the bank. Every stockholder and every creditor has access to that list and can see it. The tax authorities have the right to see that list. We do not change that. The only change we make is that instead of sending this list on the 1st day of July each year to the Comptroller of the Currency we do away with that by giving the Comptroller of the Currency the authority to call on any national bank and get this list within 10 days. I think this bill ought to pass.

Mr. SPENCE. There will be an amendment offered here that the banks will be required to file with the Comptroller of the Currency a duplicate list of their stockholders prepared for the annual election of officers. I have no objection to that. It may go into the dusty files but it will be there. I am willing to compromise by voting for that.

But I want to say that I introduced a bill to regulate holding companies. The independent bankers were largely responsible for the provisions of that bill. I do not want to hurt the independent bankers. When I was home I asked a good many of my banker friends what they thought about the filing of that list. They said it was useless and it was a hardship. They have to make a list of the stockholders for the meeting for the election of officers which usually takes place in December. In the present law they are required to make a list on the first Monday in July which means a meticulous going over of the stockholders' list and also means a lot of trouble and annoyance. So far as doing away with the holding companies or regulating them I do nothing to make that more difficult and this bill will have no effect in that respect. I think that it is essential that they be regulated because I think a monopoly of money and credit is the most dangerous monopoly that can take place in America. I certainly do not think this bill would have any effect on these questions and I do not think this bill is important enough to arouse the heat that has been engendered in the debate. It saves the bankers a little trouble. It does not do any harm to anyone. I think the provision that makes it mandatory to do away with double liability is a moral provision and is good for the banking interests and good for the people of the United States.

Mr. PATMAN. Mr. Chairman, will the gentleman yield? Is it not a fact that the passage of this bill will help the holding companies?

Mr. SPENCE. I do not think so.

Mr. PATMAN. Will it not help the holdings that in their devious ways of getting control of the majority of the stock it will help them because there is no record of it and it cannot be detected? There is no record on file here in Washington.

Mr. SPENCE. The holding companies are powerful institutions. If we pass a law providing for their regulation, will that regulate them? Why no, a suit in court will have to be instituted by the Government. It will be a long-contested case and it will be bitterly fought. All of these things would be brought before the court by subpena. This act will have no effect upon that. I am perfectly willing to vote for the amendment of Mr. PATMAN which will require them to file a list, a duplicate list, that they make for their stockholders' meeting which would not involve any great labor on the part of the bank and would give the Comptroller of the Currency a better list than he could get in any other way.

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

Mr. SPENCE. I yield to the gentleman from Kansas.

Mr. GEORGE. Is it not true that every time a bank is inspected this list becomes available to the Comptroller?

Mr. SPENCE. Oh, yes. They are available at the banking office. They are available to the shareholders; they are available to the taxing authorities; they are available to anybody who is interested in seeing them.

Mr. GEORGE. And this is just one instance of duplication that we are stopping?

Mr. SPENCE. That is right. Whatever may be the fate of this bill our banking institutions will still function. The foundations of our Government will still be secure and our national economy will not be involved.

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

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

Mr. SPENCE. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I think we can get rid of the molehills, if there are any in this bill, if we will only try to understand it.

The distinguished gentleman from Indiana started his short discourse by pointing out how we were trying by this bill to relieve the banks of a burden and he wound up by indicating to you how under this proposed amendment you are putting a greater burden on the banks. Let me try to clarify that.

During the course of the hearings, as the distinguished gentleman from Texas [Mr. PATMAN] pointed out, the Acting Comptroller told us that no one had come to him on behalf of any bank or banking association, in support of this bill; that it was his own idea. He was doing it not to relieve the Comptroller's office of any burden, as stated at page 10 of the hearings, but to relieve the banks of a burden. I tried to find out what that burden was.

Under existing law, as of July 1 of each year, the banks must prepare a list of shareholders and file it. So I asked him:

Is it not true that for each annual meeting the bank must prepare a list in order to be able to conduct that meeting?

After some quibbling he finally said they could not conduct such a meeting without such a list.

Then I said:

If you want to relieve the banks of a burden, the way to do it is not to require them to give you a new list on July 1 but merely to require them to supply to the Comptroller's office a copy of that list which they must prepare and without which they cannot conduct their annual meeting.

And he said:

That is right.

By doing that, you then would save the banks from this burden that he was speaking of. If it were not for the pride of authorship, I think we could probably get a concession here and now that the thing to do is not to require the bank to file a list of shareholders as frequently as the Comptroller of the Currency required it. As the gentleman from Indiana pointed out, the Comptroller can come in and ask every day for an up-to-date list for any bank. He can keep a particular bank busy 365 days a year supplying him with a new list, because there is no limitation in this bill on the right of the Comptroller to ask for that list as often as he wants to.

In the committee I offered an amendment which the gentleman from Texas [Mr. PATMAN] I understand will offer today, that the banks file with the Comptroller of the Currency a copy of that list which they must prepare to conduct their annual meetings. Then I will offer another amendment which will provide that once that list is filed with the Comptroller of the Currency, he must make it available to inspection by shareholders. During the course of the hearings the Acting Comptroller was asked:

Do you not permit a shareholder who comes into the Comptroller's office to inspect that list?

And he said:

No. That list is confidential.

Now, this is the same list that the bank has in its office. I said:

What makes it confidential Is there any law or any court case?

He said:

Oh, no. It is just a rule of our office.

He said:

We will not permit anybody to see that.

Then I asked him to explore that and see if there was any legal basis for that office rule. He sent us a letter which is in the RECORD, and he cited a case in New York. I took the trouble to read the case, and the case does not sustain his point at all. In that case the shareholder was permitted to examine the list. Then I asked the Library of Congress to do some research on the matter. They sent me a letter under date of April 3 indicating in very precise language that all of the courts wherever the question has been tested held that the list must be made available to shareholders in accordance with the very express, clear, and unmistakable language of the statute.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. BYRNES of Wisconsin. Those cases refer, though, to the requests on the bank making the lists available, not that the Comptroller make some list that he has available to shareholders.

Mr. MULTER. The gentleman is right.

Mr. BYRNES of Wisconsin. Those suits were against banks.

Mr. MULTER. Those suits were against banks, but the same lists must be filed with the Comptroller of the Currency and the statute says that the lists shall be made available to shareholders and creditors, and requires that they be kept on file with the bank and with the Comptroller of the Currency. The shareholder is entitled to inspect it at the bank's office, or if he goes to the Comptroller's office and identifies himself there as a shareholder and his name appears on the list, and the Comptroller sees it is on the list, the shareholder is then entitled to see it without litigation. In that way the shareholder can see the list promptly.

Mr. BYRNES of Wisconsin. Does the gentleman not think it preferable that the shareholder get his information from the bank if he is entitled to see the list?

Mr. MULTER. Of course that is so. But if the bank officials are obstreperous, he should be able to see it in the Comptroller's office. He is either on the list or he is not on the list. If he is on the list he is entitled to see it. The matter is just that simple—vis-a-vis the Comptroller.

Mr. BYRNES of Wisconsin. That is the duty of the bank, but now you would make it also the duty of the Comptroller's office.

Mr. MULTER. The Comptroller cannot be sued. If the shareholder demands to see the list the Comptroller merely looks at the list. If his name is on the list, the Comptroller should permit the shareholder to examine the list; if it is not on the list he should not submit it to him; as a matter of fact, today the Comptroller's office will not even show these lists to Members of Congress.

The CHAIRMAN. The time for debate has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 5210 of the Revised Statutes (12 U. S. C. 62) is amended by deleting the last sentence thereof and substituting therefor the following sentence: "A copy of such list, verified by the oath of such president or cashier, shall be transmitted to the Comptroller of the Currency within 10 days of any demand therefor made by him."

Mr. PATMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: On page 1, lines 7 and 8, strike out the words "within 10 days of any demand therefor made by him" and insert in lieu thereof the following: "annually as of the date of its annual meeting or as of the date fixed for the close of its stock transfer records for purposes of voting at its annual meeting."

Mr. PATMAN. Mr. Chairman, this is the amendment that the distinguished gentleman from New York [Mr. MULTER] discussed. Existing law, as it has been since 1864, requires that the banks file a list of these shareholders July 1 of each year.

The amendment as proposed in the bill introduced by the gentleman from Michigan [Mr. WOLCOTT] states instead that they shall not be required to be filed each year but that the Comptroller of the Currency can get the list from any bank upon 10 days' notice. Let us see which is better. Where they all file there is nobody whose curiosity is aroused, the inquisitive mind is not at work at all, everybody files a list. But any time you run into a little town and demand a list right off, why, the curious, inquisitive people and the scandal mongers will jump to say: "There must be something wrong with our little bank around the corner; the Comptroller of the Currency swooped down upon us this morning and demanded a list of the shareholders, so there is something wrong." You will have a run on that bank. I do not think any bank carries enough money to pay off all its depositors although they can all get enough without any trouble.

Do you not think it is better to go ahead with this like it is now and just let them all file each year? There is no curiosity, nobody to be inquisitive about it, no investigations, and the scandalmongers cannot do anything about it.

All right; in place of the amendment offered by the gentleman from Michigan [Mr. WOLCOTT] I have offered this one which states that the banks shall not even be required to swear to the list; they do not have to file it by July 1. It might be a little inconvenient but they can file it at the same time or even within 10 days; you file it for your own purpose at your stockholders' meeting, at your officers' meeting; you have one each year so you must prepare a list for them. So just send a copy to the Comptroller of the Currency so that he will have it on file. That is all you will have to do. There is no trouble at all. You do not have to go to a notary public, there is no swearing to it, nothing at all if by chance the law should require an affidavit to be attached it will be no trouble. Just send a duplicate list, a mimeographed copy or the 10th copy. Do you not think that is preferable? I ask you to vote for my amendment.

Mr. Chairman, the truth is that there is a good reason for this list. The gentleman from Illinois [Mr. O'HARA] asked a good question when he said: Does not the FBI have this list? No, they do not have the list. They can get it now because it is down there in the Comptroller's office in Washington, D. C., but if this bill passes it will not be there next year. In order for the FBI to get it they would have to go to every bank in America and there are 15,000 of them. The way it is now we have all of the national banks under these requirements right here in Washington. Therefore the FBI would have it.

I do not know whether the Communists are trying to get hold of the banks in America or not, but if they are they certainly should be happy with the passage of this bill. They will be shielded. I do not know whether the criminals are trying to get into these banks or the racketeers of America, but if they are they ought to be happy at the passage of this bill. They should kick up their heels at its passage. They like darkness and this will cause darkness, not light. Which do you want, darkness or light?

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

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

Mr. MEADER. May I ask the gentleman if the testimony does not show that the Comptroller of the Currency now sends out requests for these lists and then follow-up letters? It would be just as easy for them to write on their own motion and ask them to make the report, as he does now.

Mr. PATMAN. I did not know the Comptroller was running for office. Only a person running for office would go to that trouble. They are being unduly kind and nice to the banks. They do not have to do it at all. The law requires them to file it and they have to file it. Why should he be writing letters? Put it in the law that they should file it if it is necessary.

The gentleman from Kentucky does not see this attack on his holding company efforts, but I can see in this something that the holding companies will certainly be proud of.

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

(By unanimous consent, Mr. PATMAN was allowed to proceed for 2 additional minutes.)

Mr. PATMAN. Mr. Chairman, these people who are working for holding companies are smart. We know that money will hire brains and these holding companies have hired the best brains in America. They are slipping into one State after another and doing it without the knowledge of the local people. But if you have this list here available all the time why the Comptroller of the Currency will be charged with some responsibility. A few years later if some-

thing comes up that is devastating to our economy, we could ask the Comptroller of the Currency: Why did you not warn Congress of that? You had the list down there. You could see that this holding company was taking charge of the banks all over the area and you said nothing about it.

We could hold him liable, we could hold him responsible. If he does not have it there, there is no responsibility.

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

Mr. PATMAN. I yield to the gentleman from Kansas.

Mr. GEORGE. Did not the Comptroller of the Currency state that list was made available to nobody?

Mr. PATMAN. That does not make any difference. He can make it available to Members of Congress through committees. We could call for it and could get it.

Mr. GEORGE. But you would not get it if he did not want to give it to you.

Mr. PATMAN. He is the servant of Congress. I think if the gentleman entertains any opinion like that he is mistaken.

Mr. GEORGE. Is it not true that any time the banks are inspected those lists are sent on into Washington as a part of the inspection?

Mr. PATMAN. Sometimes, if they demand them. There is one big master list under present law. The FBI could see it. There would be life to it. Congressmen could see it. Here you are causing darkness and nobody could see it.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I am afraid that the FBI is not checking the lists as much as they should. Why does not the gentleman add on a requirement that the FBI annually inspect the list?

Mr. PATMAN. The gentleman has the right to offer an amendment along that line, if he wishes.

Mr. Chairman, I ask for the adoption of my amendment.

Mr. WOLCOTT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the object of this bill is to minimize the amount of work and bookkeeping in the Comptroller's office. I want to call the gentleman's attention to the fact that a letter was sent to the Speaker of the House of Representatives over the signature of the Secretary of the Treasury, George M. Humphrey, on March 14, asking for this legislation. He calls attention to the fact that the passage of this legislation would result in economies of time, space, and effort in the Comptroller's office, and commenting upon the bookkeeping necessary to compile and keep these lists. He calls attention to the fact that there is a certain amount of followup on the lists, seeking to determine whether the bank had made a report, and if not, a follow-up letter calling their attention to the fact that it had not been filed.

The gentleman from Texas [Mr. PATMAN] offers an amendment which would perhaps double the amount of work in the Comptroller's office. In the first place the Comptroller must ascertain the date of each annual meeting of each of the 5,000 banks, and he must also ascertain the date that each of the 5,000 banks fixed for the closing of its stock transfer records for the purpose of voting at its annual meeting. Then he must get in touch with the bank to determine which of those dates they elect to follow; then on that particular date throughout the year each bank must be checked to determine if the Comptroller's office has received this annual report.

I do not think the gentleman intended to say that the report of the banking institution would not have to be under oath. The gentleman's amendment, as I understand it, strikes out the language on page 7 "within 10 days of any demand thereof made by him" and provides therefor for a copy of such list verified by the oath of such president or cashier shall be transmitted to the Comptroller of the Currency in accordance with the provisions of the amendment.

Mr. PATMAN. Mr. Chairman, if the gentleman will yield for a correction, the gentleman is absolutely wrong.

Mr. WOLCOTT. Then I cannot read the English language.

Mr. PATMAN. I will read it.

Mr. WOLCOTT. Have you not said that he has to verify it?

Mr. PATMAN. No. He does not. Let me read it:

> Annually as of the date of its annual meeting or on the date fixed for the closing of its stock transfer records for purposes of voting at its annual meeting.

There is no desire to have any notary public——

Mr. WOLCOTT. All right, I have yielded sufficiently for the purpose of having the gentleman correct me. But the gentleman does not strike out the language "a copy of such list" the list referred to in your amendment "verified by oath of the president or cashier." Does that mean it is sworn to, or does it not? Of course it does.

Mr. PATMAN. If they want to swear to it, that is all right.

Mr. WOLCOTT. Then do not argue that they have not got to swear to it, because the language of the amendment provides that it be sworn to. However, I do not think that is too material.

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

Mr. WOLCOTT. No; I cannot yield any further, I am sorry. The gentleman has had ample time on this.

I want to stress the point that the gentleman's amendment would be rather confusing and would double, perhaps, the paper work necessary in the keeping of these records to which no purpose is put whatsoever. Why did we do away with the double liability in these respects, and why is it not necessary, therefore, to file this statement? The Secretary says that the purposes for filing these statements were done away with when we did away with double liability.

I want to call the attention of the committee to one fact which has not been brought out here, but I think is a complete answer to the gentleman's objections to this bill, and also the objections which might be made to the committee amendment. You must understand that under the Federal Deposit Insurance Act, the act under which a depositor's deposit is insured up to $10,000, it provides that in case of a closing of a bank the Federal Deposit Insurance Corporation must be named receiver.

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

Mr. WOLCOTT. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

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

There was no objection.

Mr. WOLCOTT. The FDIC must be named receiver, have that in mind, but more important than that, after the FDIC is named receiver, the FDIC Act goes on to provide, the FDIC must waive the double liability in favor of the stockholder with respect to all the depositors' rights to which the Corporation has been subrogated. In other words, there is no opportunity under existing law to collect that double liability in the banks in Texas or anywhere else among the States that have these 25 in them, and any bank today which is holding out that it is securing its creditors and securing its shareholders more than any other bank because of the double liability, if it is a national bank is not stating the truth, it is not intellectually honest with its creditors or with its shareholders.

The Federal Deposit Insurance Corporation must waive this double liability. For that reason that there is no earthly reason under the sun why the banks should continue to make these reports and why the Comptroller's office should continue to store them and file them.

I hope the amendment offered by the gentleman will be overwhelmingly defeated.

Mr. MULTER. Mr. Chairman, I move to strike out the last word.

I hope the Members of the House will have clearly in mind that this statute as originally enacted, will continue to provide, even if this amendment prevails, that the shareholders' list shall be subject to inspection by shareholders and creditors. Every argument that has been made here as to why the lists no longer need be filed with the Comptroller of the Currency applies to creditors. The creditors, because double liability has been eliminated, no longer have any need to look at this list, but the shareholders have a right to look at it, and they need that right in order to protect their interests as shareholders. Therefore, you should require that this list be filed with the Comptroller at least once a year.

Let me read to you from the record of the hearings. Mr. Jennings, the Acting Comptroller was before us. I asked this question:

> You are not asking for this amendment because it is any burden on the Comptroller's office?

Mr. Jennings replied:

> No, sir.

Then I asked Mr. Jennings this, after pointing out to him the language of the statute and the language of his proposed amendment:

That gives you the right to make this furnishing of a list a greater burden on the banks?

Mr. Jennings said:

It would.

Then I inquired:

In other words, you can go in every 10 days and ask for another list if you so desire, whereas under the existing law they can't be required to do it more than once a year?

Mr. Jennings answered:

That is correct, sir.

Then when it came to the question of storage space, I asked him about that, and he pointed out that that question is unimportant, that they do not have to get rid of these lists to get storage space because they do not keep them for more than 2 or 3 years in any event.

Let us look this squarely in the eye. By this bill, we are relieving no one of any burden. You are creating a greater burden on the banks if you keep the amendment as it is in the bill, but if you adopt the amendment as offered by the distinguished gentleman from Texas there will be no burden. They must prepare a list for their annual meeting. They will merely make a copy of that list—they make that at the same time—and file it with the Comptroller. There is no burden on anybody. Then if you will adopt the later amendment requiring them to make that available to the shareholders you will be carrying out the original intent of the law, against which there can be no objection.

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

Mr. MULTER. I yield.

Mr. BROWN of Georgia. Under this bill the shareholders have the opportunity to view this list in the office of the bank.

Mr. MULTER. But if the bank says no they must go to court.

Mr. BROWN of Georgia. No.

Mr. MULTER. If the list is filed with the Comptroller of the Currency they can examine the list in the Comptroller's office.

Mr. BROWN of Georgia. The law is that the list must be made available in the office of the bank.

Mr. MULTER. What does the shareholder do if the bank says no? Any stockholder would rather go to the office of the Comptroller of the Currency and look at the list there than be compelled to go to court.

Mr. BROWN of Georgia. So far as the availability of the list here in Washington there is not a soul in the United States who ever called upon the Comptroller of the Currency here in Washington to see that list of stockholders of banks.

Mr. MULTER. May I answer that by simply reading from the resolution adopted by the Independent Bankers Association. Here is what they say:

Be it resolved, That the Independent Bankers Association believes this provision of the law should not be repealed but should be amended to provide for the acceptance by the Comptroller of the Currency of duplicates of shareholders lists prepared for the annual meetings of shareholders of national banks.

Precisely as Mr. PATMAN's amendment provides and directly to the contrary of what you are seeking to do under the bill as reported.

Mr. BROWN of Georgia. In the hearings, our colleague, the gentleman from Michigan asked Mr. Jennings:

Do you know about how many requests you have from individuals, companies, corporations, or associations asking if they may peruse your lists during the course of a year?

He answered:

I cannot remember a single request in the last 3 or 4 years. As a matter of fact, at the moment I do not remember of a single instance in 24 years that I have been with the Department. But, of course, a good many of those years were spent out in the field examining banks, and not here in the office where I would know about it.

I think that ought to satisfy you and our colleague the gentleman from Texas [Mr. PATMAN].

Mr. MULTER. In this instance we ought to take the recommendation of the Independent Bankers Association and not of the gentleman who testified before us.

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

Mr. MULTER. I yield.

Mr. NICHOLSON. Is not every national bank examined yearly by the Government?

Mr. MULTER. It should be examined yearly. It sometimes is examined more frequently.

Mr. NICHOLSON. And when they examine them they must get a list of the shareholders and the amount of stock they hold and the value of it and I suppose it must be stated in the report to the Comptroller who they are and how much they own?

Mr. MULTER. Let us not confuse what takes place on examination of a single bank with what this section of the law attempts to accomplish. This section was enacted so that we would have in a single place, that is, the office of the Comptroller of the Currency, complete lists of all the shareholders of all the national banks of the country. That gives the Comptroller, the FBI, the Department of Justice, and the Bureau of Internal Revenue the information as to who owns the banks of the country. That information will not be available otherwise in any one place in the country.

Mr. HAYS of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would just like to point out in connection with the question that the gentleman from Massachusetts asked that only yesterday I picked up a magazine, I believe the name of it is the National Banker, which contained an article which said that defalcations in banks had risen over 10 percent in the past year. Out in western Pennsylvania within the past 2 years there have been over a dozen banks that have turned up with defalcations amounting to millions of dollars, and over half a million dollars in one bank. It seems to me that points to a laxity in the division of the bank examiners and since this Congress seems to be setting some sort of a record in investigations I think it would not be a bad place to have an investigation right there. I just want to read to you a little bit of the testimony. I want to say here it is no reflection on Mr. Jennings, the Acting Comptroller, because I have found him to be a man of high character and high caliber who is doing a good job. I believe he said he had been down there 24 years and I think he is trying to do the best kind of a job that he knows how. I think he is capable. I asked him this question:

Mr. Jennings, do you lose any substantial number of bank examiners who take employment in banks that they have been examining over the years?

And here is his answer:

We certainly do. It is one of our personnel problems.

Then I went on and I said:

I do not think I need to go any further.

I think you knew before I started what I was leading to and I was talking about reports of banks being influenced by examiners or by people in the banks that the examiners were close to.

He said:

No, we don't think so. We can take a cross section of the banks, and there are literally hundreds of our former examiners who have found positions in national banks and State banks, but examiners in our opinion are never influenced by the fact that they might take a job.

The last fellow who made a statement like that was when I was trying to get some testimony about setting up the King committee. Somebody in the Department of Internal Revenue said, "We do not have a dishonest collector." If somebody wants to investigate the Division of Bank Examiners, I can give him a couple of names out in Ohio to start with. I do not know how crooked they are, but if circumstantial evidence ever convicted anybody, there ought to be some looking into of some circumstantial evidence and some of the things that have been going on out there, because that would point to examples of bank examiners telling people how to go into a town and buy up a bank and liquidate it right out from under the people who had been banking there for years, because they could make a profit. I do not mean any reflection on Mr. Jennings. Mr. Jennings and the Examining Division have a large crew out over the country, and when they say there is not a single one you can cast any doubt upon, I am of the opinion that is a broad statement.

I am opposing this bill not because I think it is of terrific importance but it is one more little thing that you are doing that makes it easier for some of those things like back liquidations to happen. I know it is not smart in politics to prophesy, but I think the biggest problem this Congress is going to face a year from now is not rent control and price control, but how to keep people working and how to put people back to work, and how to stimulate business. If any of you think I am talking fool-

ishly, you just go out into your districts and talk to some businessmen, as I have been doing for the past few weeks. Talk to your farm-machinery dealers and find out how they are faring this year. Talk to your manufacturing machinery dealers, mining machinery, the tool and die people, and see if the handwriting is not on the wall. Then certain interests come around and want to raise the interest rates and they want to raise the rediscount rates. It is not going to do any good to point this out——

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

(By unanimous consent, Mr. HAYS of Ohio was granted 1 additional minute.)

Mr. HAYS of Ohio. I would just like to conclude by pointing out that every depression, recession, panic, or whatever you care to call it that we have had in this country has been preceded by a rise in the interest rates and a rise in the rediscount rates. When you begin to squeeze the little man and make it hard for him to get credit which he needs to operate from day to day, you do not see much apparent effect on big business for a few months, but sooner or later, like a pebble cast into a stream, the circle of waves reaches to the bank of the stream. I think we need to be more concerned about things that cause unemployment than we do price control and rent control and things like that. I am making that as a long-range prediction, and giving it as a reason for my opposition to this seemingly unimportant bill.

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

Mr. MARSHALL. Mr. Chairman, I move to strike out the last two words, and I ask unanimous consent to revise and extend my remarks.

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

There was no objection.

Mr. MARSHALL. Mr. Chairman, I support the amendment offered by the gentleman from Texas [Mr. PATMAN], who is recognized throughout the United States as the stalwart friend of small and independent business.

This amendment removes the objection of the Acting Comptroller of the Currency that present law works a hardship on banks by making them compile annual lists of shareholders. Thus, the Government's source of information on ownership of national banks is protected without additional work on the part of banks. They will merely supply duplicates of the lists prepared for their annual meetings.

I want to point out that this solution has the support of the Independent Bankers Association with over 500 member banks in 47 States and in Alaska and Hawaii.

Mr. Chairman, the following resolution was adopted at the Independent Bankers Association convention in Atlanta, Ga., on March 24:

> Whereas it has been proposed to the Congress that the provisions of the National Banking Act be eliminated which provide for the annual filing with the Comptroller of the Currency, of a list of shareholders of national banks: Now, therefore, be it
>
> *Resolved*, That the Independent Bankers Association believes this provision of the law should not be repealed but should be amended to provide for the acceptance by the Comptroller of the Currency of duplicates of shareholders' lists prepared for the annual meetings of shareholders of national banks.

Ever since the enactment of the National Banking Act on June 3, 1864, national banks have been required to file a verified list of shareholders on the first Monday of July each year. For 89 years this practice has continued and it has been found to be in the public interest. It gives the Comptroller the information needed to determine if the ownership of a national bank is closely or widely held. He can determine if the ownership is primarily local or if it is absentee.

From the lists of shareholders, the Comptroller of the Currency can determine if some holding company is expanding beyond reason, if it is destroying locally owned and independent banking.

Because we recognize the tremendous power of banks, the supervisory function of government in this field has become an important part of national policy. In his testimony, the Acting Comptroller of the Currency admits that it is desirable and necessary that we know who owns our national banks.

In the bill, H. R. 4004, he merely asks that instead of regular annual reports he be permitted to demand a report on 10 days' notice. Banks from which a list was not requested could then save the time and effort spent in compiling the annual report.

Yet the Comptroller admitted before the Committee on Banking and Currency that he has not had a single complaint in the last 2 years from banks on the burden of compiling annual reports. And even if he had received a single complaint this amendment removes the objection by permitting national banks to file duplicates of the lists they must prepare anyway for their annual meetings.

It was stated, too, that existing law works hardship on banks with 8,000 or more shareholders since compiling such a list is costly and time consuming. Since the number of shareholders in the average country bank runs from 25 to 300, this argument is not a valid one. But accepting it at face value, this amendment removes the objection by making duplicates of already prepared lists acceptable for purposes of fulfilling the law.

One ridiculous argument advanced was that storage space for the lists is not available in Washington. The Comptroller admitted that there is no need for keeping lists since they are replaced annually by new lists and in any event, they are actually kept for only 2 or 3 years. Time spent by banks and space for storage are then removed as arguments in support of the bill.

The remaining argument, then, is that current lists of the shareholders of national banks are not necessary as long as the Comptroller has authority to demand such a list on 10 days' notice. This involves the old principle of locking the barn after the horse is stolen.

Only if he suspected illegal or undesirable activity would the Comptroller request the list. Only after banking chain stores and bank holding companies have reached out and consumed the locally owned bank would the information become known and then only if the Comptroller of the Currency should ask for the list.

It has been said that bank examiners would have this information on their visits. But as the distinguished gentleman from Texas [Mr. PATMAN] pointed out, it would be presumptuous for the examiner to require this information when Federal law does not require it. It has been ably demonstrated, I think, that the reports of the examiners supplement the information on the lists but do not replace them as a vital source of information on the ownership of national banks.

Those of us who have seen the number of banks in this country cut in half in the past 20 years are concerned about the future of the locally owned, independent hometown bank. We know the dangers of absentee and chain store banking which has no interest in the community other than to profit from it. We like the people who own the banks in our hometowns to be customers of the bank, to share in the welfare of the community, and to have a daily concern with the policies of that bank.

If the recognized national policy of supervision is to be maintained and if Congress is to pass informed legislation on banking, we must know who the shareholders in national banks are. If the banks are inconvenienced by the requirements of present law, we can pass the amendment before us making duplicates of their own annual lists acceptable. This is the sensible way to correct the problem. Remove the nuisance without repealing the law.

I urge the adoption of the amendment as a common-sense solution which protects the national interest and makes compliance with the law less burdensome for the national banks.

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

Mr. MARSHALL. I am glad at this time to yield to the gentleman from Texas [Mr. PATMAN], who has been such a strong fighter in behalf of small independent business, of which independent banking is a very large part.

Mr. PATMAN. I thank the gentleman. Mr. Chairman, I wish to take just a minute of the gentleman's time, if he will permit, to answer the gentleman from Michigan [Mr. WOLCOTT], who did not see fit to yield to me a while ago. I wanted to ask him why this amendment would be more of a burden on the Comptroller's office when the burden is on each bank to file this list the day that it has its stockholders' meeting or within 10 days thereafter? In other words it is not an additional burden on the Comptroller of the Currency; it is no burden at all; the burden, if any, is on the local banks. But the local banks in 89 years have not objected to it; this makes it a little easier and they certainly would not object to this, just filing a copy of their own list; whether it is the second copy, or the tenth copy, or a mimeographed copy makes no difference, just a copy that the bank prepares for itself. And does not the gentleman agree that that would be much

easier than even under the present law or under the gentleman's proposed amendment?

Mr. MARSHALL. I certainly do. The Comptroller of the Currency may ask for a list of the shareholders, but after these national banks have extended their roots out in a chain-banking proposition it is just exactly like locking the barn door after the horse has been stolen. It does not have any effect upon the Comptroller, but it does have a drastic effect upon the little, small communities of our country in which the local independent bank plays such an important part and upon which you might say the foundation of the credit structure of the United States of America has been and is still being preserved, the independent banking system of this country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. PATMAN].

The question was taken; and on a division (demanded by Mr. PATMAN) there were—ayes 15, noes 62.

So the amendment was rejected.

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 1, after line 8 insert the following sentence: "Such lists shall be made available for inspection by any shareholder or by any congressional committee or subcommittee."

Mr. MULTER. Mr. Chairman, I have already indicated the need for this list being made available to stockholders and congressional committees. When Mr. Jennings was before our committee he testified that they considered this list as confidential, and that he will not permit shareholders to examine it; he will not permit Members of Congress to examine it. There is no rule of law which permits the Department to take that position, and this amendment will direct them to comply with the law and make that list as it was intended to be, available for inspection by Members of Congress and by shareholders. In that connection may I point out that the Independent Bankers Association has expressed itself on that subject as follows, and I quote:

The list of ownership of banks' shares should, we believe, be always open for inspection by Members of Congress and bona fide bank shareholders.

Mr. Chairman, I urge the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

The amendment was rejected.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, after line 8, insert the following: "SEC. 2. Section 22 of the Banking Act of 1933, as amended, is hereby amended by adding at the end thereof the following sentence: 'In the case of each association which has not caused notice of such prospective termination of liability to be published prior to the effective date of this amendment, the Comptroller of the Currency shall cause such notice to be published in the manner provided in this section, and on the date 6 months subsequent to such publication by the Comptroller of the Currency such additional liability shall cease.'"

Mr. PATMAN. Mr. Chairman, I rise in opposition to the committee amendment.

Mr. Chairman, I just want to point out that this goes very far in the direction of regimentation. Here are 25 banks that have not seen fit to take advantage of the law which gives them the right to relieve themselves of double liability. Those banks for reasons best known to themselves, reasons which we do not know because we heard no testimony on it whatsoever, have not chosen to relieve themselves of that liability.

Under this amendment you are saying by law that the Comptroller of the Currency shall go down to this little community where 1 of these 25 banks is located and give notice in the local paper that double liability is hereby waived so far as X bank is concerned. You know that is going to cause a lot of talk, it is going to cause a lot of excitement, it is going to cause a lot of people to be inquisitive and curious and a lot of bad reports to get out.

Why should the great Congress of the United States take upon itself the responsibility of doing that? What is the object of it? It is up to the people who own the banks. I do not know all of the reasons for this, but I know some of them. The only information I can get is that in some cases they have actually left it up to the stockholders and they have unanimously voted against it. Where they have a surplus equal to five times the capital stock, why should they be concerned about that? Why should they want to do anything that would upset their routine or the customary way of doing business or the customary practices as known in that community so far as banking is concerned? Why should they upset that? They have seen fit to leave it as it is. But here is the great Congress of the United States saying to the Comptroller of the Currency: It is your duty to do it. You can be impeached if you do not do it; go down to each 1 of these 25 communities, 5 in Texas, and place an advertisement in the local newspaper in which the Comptroller of the Currency says, in effect, that the shareholders have to take advantage of the law; the Congress has directed me to come down here and compel this notice to be inserted which will relieve the shareholders of double liability.

You can imagine what kind of confusion, disunity, and trouble that will cause. I hope that the committee amendment will be rejected.

RECONSTRUCTION FINANCE CORPORATION

Mr. Chairman, I desire to say a few words about the RFC.

If the RFC is allowed to close up shop, it will result in a devastating blow to small and independent business in this country. Such an action will also be injurious to small towns and cities that have always relied upon the RFC to finance their municipal bonds, the proceeds of which are used to construct waterworks, sewer projects, and so forth, which greatly add to the health and happiness of the people.

The following are pertinent facts concerning the RFC lending activities:

First. As of December 31, 1952, the RFC had 7,697 business loans outstanding. This figure includes loans under the Reconstruction Finance Corporation Act and the Defense Production Act, but does not include loans to railroads, financial institutions, political subdivisions, catastrophe victims, VA guaranteed or FHA insured mortgages, or loans to foreign governments.

Second. Including the 7,697 business loans, the RFC had outstanding, as of December 31, 1952, a total of loans and securities amounting to 27,368.

Third. Of the total outstanding business loans, 93 percent are for amounts less than $100,000 each.

Fourth. Due to the RFC loan policy emphasis upon public interest as a requirement for loans and due to the widespread prosperity throughout the economy, the volume of new loans made by the RFC has reduced sharply during the past 2 years.

Fifth. There have been private bank participations in almost 30 percent of the number of loans authorized during January and February 1953.

Sixth. Another breakdown of the number of business loans outstanding shows that 97 percent were authorized under section 4 (a) of the Reconstruction Finance Corporation Act and 3 percent under sections 714 and 302 of the Defense Production Act.

Seventh. During the fiscal year 1952, the RFC received approximately 48,000 inquiries for financial assistance and information. Fourteen percent of these inquiries resulted in loan applications.

Eighth. Of the 3,851 loans made during fiscal year 1952, approximately 80 percent of the number were to catastrophe victims, approximately 20 percent in number were business loans, and less than one-half of 1 percent were public agency and civil defense loans.

Ninth. Of the disaster loans during fiscal year 1952, 2,121 were for the restoration of homes and 934 for the restoration of businesses. Eighty percent of these loans were for less than $5,000.

ANOTHER ASSIST FROM THE RFC

Those who oppose the RFC are undoubtedly aware of the fact that they are acting against the best interests of the small-business man and the victims of floods, windstorms, and earthquakes. But, do they also know that their opposition to the RFC enables them to go on record against the many small communities throughout the country who would not have water or sewerage systems without the financial assistance of the RFC? Other areas would not have drainage and irrigation systems without RFC loans.

Many a community in the United States has needed funds to enable it to get rid of its antiquated and often disease-spreading water systems and to protect its population by adequate sewage disposal arrangement. Yet, private financing has not been available. Hence, we find another public service performed efficiently and without fanfare by the RFC.

In addition to providing loan authority to the RFC for assisting business en-

terprises, the Congress authorized the making of loans to public agencies, such as States, counties, municipalities, public authorities, and so forth, to help finance such projects as waterworks, sewer systems, transportation facilities, drainage and irrigation projects, and so forth. Of course, just as in the case of business loans, the RFC cannot and does not make any such loans unless financial assistance is not available from other sources on reasonable terms.

In carrying out its public agency responsibilities, the RFC has purchased 6,219 bond issues in an amount exceeding a billion and a half dollars. The majority of the issues have been for less than $100,000, although a few have been for major projects which also would have been delayed for many years if it had not been for the RFC. Many of you are undoubtedly aware of the fact that the Corporation financed the construction of the San Francisco-Oakland Bay Bridge, the Pennsylvania Turnpike, New York City's Queens-Midtown and Brooklyn-Battery Tunnels, Philadelphia's gas system, and Los Angeles' water system. But, how many realize how much the health, sanitation, and living conditions of a widely scattered cross section of our country's population have been improved immeasurably by loans from the same source. And, this service is continuing right now.

In addition to the aid to the people in these small communities, the RFC's public agency lending has been of great advantage to private investors by creating sound bond issues of proven merit. The facts are that private investors will rarely finance a project without a proven earnings record—actual evidence that the revenues will service the loan. Once, however, such a record is established—and it has been in practically every public agency loan made by the RFC—then the issues are sold to private investors or back to the issuers. The RFC gets the project underway, holds the bonds for seasoning and then sells them usually at par or better.

Note that out of the 6,219 such investments the RFC has sold in an orderly manner all except 274 issues in the amount of $25 million. An additional 24 issues in the amount of $43 million have been authorized but have not been fully disbursed as construction of the projects progresses.

The public agency loan activity of the RFC has been successful, both as to public purpose and as to profitability. It has aided the public when private funds were not available to meet public needs—and it has done so at a profit to the Government.

Maybe it does not seem important to some of us who are accustomed to take their water supply or their sewerage system for granted that some of the people—fine citizens, too—do not have such essentials. Those who do not think this is important will, of course, not be impressed with the fine public service performed by the RFC's trained staff who do this job.

I, however, rate this public agency lending job of the RFC side-by-side with the fine work the RFC does for disaster victims and small-business men.

WHAT DOES THE RFC DO TO AID DISASTER VICTIMS?

When Mother Nature gets overly exuberant or careless with her great strength, even the great wealth and power of this Nation cannot prevent innocent people from suffering damage to their homes, their churches, their business establishments, and sometimes to their lives. Earthquakes, floods, big winds—other than those which sometimes originate in this great forum—do strike and do destroy and the result is an immediate need for help.

A lot of attention should be given and has occasionally been received by the RFC for its loans to small-business men to enable them to operate and compete and survive under normal circumstances. However, special attention should likewise be given to what the RFC does under the abnormal—I might say the catastrophic—circumstances which find areas of our country bleeding and wounded from a sudden visitation of Mother Nature's might.

In such disasters, funds are needed promptly to repair or rebuild homes and to put businesses back into productive operation. The RFC moves in with field teams of sympathetic experts, with their scissors ready for cutting any red tape which might be in the way to making loans to those who need such help. Most Americans do not want charity. They want to pay back from their own productivity what has been made available in times of need. The RFC, cooperating fully with the private banks in these disaster areas, authorizes loans to these citizens who suddenly find themselves in financial trouble through no fault of their own.

One might well ask, "Why do not the local banks advance money to their suffering fellow townsmen? Why is it necessary for the RFC to step in?" It would be only fair to point out that the local banks do help in many cases, but frequently because of the type of risk or because of loan limitations or for other reasons they cannot make loans to the sufferers. Sometimes they might be able to help but do not. Anyway, the RFC is there to do what is needed, within the range of reasonable protection of the public's money and with a minimum of delay.

During fiscal year, 1952, 80 percent of the number of loans made by the RFC were to disaster victims. Most of this number were for the restoration of homes. These loans were generally not big loans in dollars and cents. In fact, over three-quarters of them were for $5,000 or less. But, how big and welcome they were to the Americans who received them.

It should be a source of great satisfaction to the people in this country to know that there exists—and will continue to exist—a sympathetic, alert, and businesslike agency of their Government ready, willing, and able to move in, without fanfare or other dramatics, to help out the victims of disasters.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CUNNINGHAM, 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. 4004, to amend section 5210 of the Revised Statutes, pursuant to House Resolution 205, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the committee amendment.

The committee 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.

Mr. PATMAN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. PATMAN. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. PATMAN moves to recommit the bill H. R. 4004 to the Committee on Banking and Currency.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. MULTER) there were—ayes 16, noes 88.

Mr. MULTER. 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. Obviously a quorum is not present.

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, 79, nays 240, not voting 112, as follows:

[Roll No. 24]

YEAS—79

Abernethy	Gathings	Moss
Addonizio	Green	Multer
Albert	Gross	O'Hara, Ill.
Aspinall	Hagen, Calif.	Patman
Barden	Hays, Ohio	Perkins
Bennett, Fla.	Holifield	Pfost
Blatnik	Holtzman	Poage
Boggs	Howell	Polk
Bolling	Ikard	Rayburn
Brooks, Tex.	Jarman	Rhodes, Pa.
Byrd	Karsten, Mo.	Rodino
Byrne, Pa.	Kelly, N. Y.	Rogers, Colo.
Camp	Kilday	Rogers, Tex.
Cannon	King, Calif.	Sieminski
Celler	Kirwan	Smith, Miss.
Chudoff	Lane	Steed
Condon	Lesinski	Sullivan
Crosser	McCarthy	Teague
Delaney	Machrowicz	Thompson, Tex.
Edmondson	Madden	Whitten
Engle	Magnuson	Wickersham
Evins	Mahon	Wier
Feighan	Marshall	Willis
Fisher	Metcalf	Winstead
Fogarty	Mills	Yorty
Friedel	Mollohan	
Garmatz	Morrison	

NAYS—240

Abbitt	Gavin	Murray
Adair	Gentry	Neal
Alexander	George	Nelson
Allen, Ill.	Golden	Nicholson
Andersen, H. Carl	Goodwin	Norrell
	Graham	Oakman
Andresen, August H.	Grant	O'Brien, Mich.
	Gregory	O'Brien, N. Y.
Andrews	Gubser	Osmers
Angell	Hagen, Minn.	Ostertag
Arends	Hale	Passman
Auchincloss	Haley	Patterson
Ayres	Hand	Phillips
Bailey	Harden	Pilcher
Baker	Hardy	Pillion
Battle	Harrison, Nebr.	Poff
Beamer	Harrison, Wyo.	Poulson
Bender	Harvey	Radwan
Bentley	Hays, Ark.	Rains
Berry	Herlong	Ray
Betts	Hess	Reams
Bishop	Hiestand	Reece, Tenn.
Bolton, Frances P.	Hill	Reed, Ill.
	Hillelson	Reed, N. Y.
Bonin	Hillings	Rees, Kans.
Bosch	Hinshaw	Regan
Bow	Hoeven	Rhodes, Ariz.
Bramblett	Hoffman, Ill.	Riehlman
Bray	Hoffman, Mich.	Roberts
Brooks, La.	Holmes	Robeson, Va.
Brown, Ga.	Holt	Robsion, Ky.
Brownson	Hope	Rogers, Mass.
Broyhill	Hosmer	Sadlak
Buchanan	Hunter	St. George
Budge	Hyde	Saylor
Burdick	Jackson	Schenck
Busbey	James	Scherer
Bush	Javits	Seely-Brown
Byrnes, Wis.	Jenkins	Selden
Campbell	Johnson	Shafer
Canfield	Jonas, Ill.	Sheehan
Carlyle	Jonas, N. C.	Shelley
Case	Jones, Ala.	Short
Cederberg	Jones, N. C.	Shuford
Chatham	Judd	Sikes
Chelf	Kean	Simpson, Ill.
Chenoweth	Kearney	Simpson, Pa.
Ciardy	Kearns	Small
Clevenger	Keating	Smith, Kans.
Cole, Mo.	Kee	Smith, Va.
Coon	Kelley, Pa.	Spence
Cooper	Kersten, Wis.	Staggers
Cotton	Kilburn	Stauffer
Cretella	King, Pa.	Stringfellow
Crumpacker	Krueger	Sutton
Cunningham	Laird	Taber
Curtis, Mass.	Landrum	Talle
Curtis, Mo.	Lantaff	Thomas
Dague	Latham	Thompson, La.
Davis, Ga.	LeCompte	Thompson, Mich.
Davis, Wis.	Long	
Deane	Lovre	Trimble
Devereux	Lucas	Van Pelt
D'Ewart	McCulloch	Van Zandt
Dies	McDonough	Velde
Dondero	McGregor	Vorys
Donovan	McIntire	Vursell
Dorn, N. Y.	McMillan	Wainwright
Dorn, S. C.	McVey	Walter
Dowdy	Mack, Wash.	Wampler
Doyle	Mailliard	Watts
Ellsworth	Martin, Iowa	Wharton
Fallon	Mason	Widnall
Fenton	Matthews	Wigglesworth
Fernandez	Meader	Williams, N. Y.
Ford	Merrill	Wilson, Tex.
Forrester	Miller, Md.	Withers
Fountain	Miller, Nebr.	Withrow
Frazier	Miller, N. Y.	Wolcott
Frelinghuysen	Morgan	Young
Gamble	Moulder	
Gary	Mumma	

NOT VOTING—112

Allen, Calif.	Cooley	Gordon
Barrett	Corbett	Granahan
Bates	Coudert	Gwinn
Becker	Curtis, Nebr.	Halleck
Belcher	Davis, Tenn.	Harris
Bennett, Mich.	Dawson, Ill.	Harrison, Va.
Bentsen	Dawson, Utah	Hart
Boland	Dempsey	Hébert
Bolton, Oliver P.	Derounian	Heller
	Dingell	Heselton
Bonner	Dodd	Horan
Boykin	Dollinger	Hruska
Brown, Ohio	Dolliver	Hull
Buckley	Donohue	Jensen
Burleson	Durham	Jones, Mo.
Carnahan	Eberharter	Keogh
Carrigg	Elliott	Klein
Chiperfield	Fine	Kluczynski
Church	Fino	Knox
Cole, N. Y.	Forand	Lanham
Colmer	Fulton	Lyle
McConnell	Price	Taylor
McCormack	Priest	Thornberry
Mack, Ill.	Prouty	Tollefson
Merrow	Rabaut	Utt
Miller, Calif.	Richards	Vinson
Miller, Kans.	Riley	Warburton
Morano	Rivers	Weichel
Norblad	Rogers, Fla.	Westland
O'Brien, Ill.	Rooney	Wheeler
O'Hara, Minn.	Roosevelt	Williams, Miss.
O'Konski	Scott	Wilson, Calif.
O'Neill	Scrivner	Wilson, Ind.
Patten	Scudder	Wolverton
Pelly	Secrest	Yates
Philbin	Sheppard	Younger
Powell	Smith, Wis.	Zablocki
Preston	Springer	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Brown of Ohio against.

Mr. Roosevelt for, with Mr. Oliver P. Bolton against.

Mr. Gordon for, with Mr. Fino against.

Mr. Williams of Mississippi for, with Mr. Halleck against.

Mr. Heller for, with Mr. Bonner against.

Mr. O'Neill for, with Mr. Lanham against.

Mr. Barrett for, with Mr. Vinson against.

Mr. Dingell for, with Mr. Pelly against.

Mr. Dodd for, with Mr. Hébert against.

Mr. O'Brien of Illinois for, with Mr. Wheeler against.

Mr. Price for, with Mr. Taylor against.

Mr. Fine for, with Mr. Rogers of Florida against.

Mr. Buckley for, with Mr. Wolverton against.

Mr. Dollinger for, with Mr. Cole of New York against.

Mr. Forand for, with Mr. Allen of California against.

Mr. Eberharter for, with Mr. Westland against.

Mr. Granahan for, with Mr. Bennett of Michigan against.

Mr. Hart for, with Mr. Derounian against.

Mr. Klein for, with Mr. Preston against.

Mr. Kluczynski for, with Mr. Richards against.

Mr. Yates for, with Mr. Rivers against.

Mr. Zablocki for, with Mr. Boykin against.

Mr. Rabaut for, with Mr. Harrison of Virginia against.

Mr. Rooney for, with Mr. Dempsey against.

Mr. Powell for, with Mr. Miller of California against.

Mr. Mack of Illinois for, with Mr. McConnell against.

Mr. Philbin for, with Mr. Bates against.

Mr. Donohue for, with Mr. Becker against.

Mr. Dawson of Illinois for, with Mr. Carrigg against.

Mr. Boland for, with Mr. Coudert against.

Mr. Sheppard for with Mr. Smith of Wisconsin against.

Until further notice:

Mr. Wilson of Indiana with Mr. Bentsen.

Mr. Scott with Mr. Burleson.

Mr. Belcher with Mr. Colmer.

Mr. Chiperfield with Mr. Cooley.

Mrs. Church with Mr. Davis of Tennessee.

Mr. Dawson of Utah with Mr. Durham.

Mr. Fulton with Mr. Elliott.

Mr. Horan with Mr. Harris.

Mr. Scrivner with Mr. Thornberry.

Mr. Weichel with Mr. Secrest.

Mr. Corbett with Mr. Priest.

Mr. Dolliver with Mr. Miller of Kansas.

Mr. Norblad with Mr. Jones of Missouri.

Mr. O'Hara of Minnesota with Mr. McCormack.

Mr. Scudder with Mr. Carnahan.

Messrs. ENGLE and PERKINS changed their vote from "nay" to "yea."

Mr. CAMPBELL changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

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

The bill was passed and a motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON AGRICULTURE TO MAKE INVESTIGATIONS

Mr. ELLSWORTH. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 161 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on Agriculture, acting as a whole or by subcommittee, is authorized to conduct studies, investigations, and to inquire into any matter within its jurisdiction, including but not limited to the study of long-range problems affecting agriculture and forestry. For the purposes of this resolution, the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within or outside the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to make such inspections or investigations, to use such governmental facilities without reimbursement therefor, and to require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee, or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths or affirmations to witnesses.

That the said committee shall issue such reports, including reports to the House of Representatives, with such recommendations for legislation or otherwise, as the committee deems desirable.

With the following committee amendment:

Page 1, line 8, strike out "or outside."

The committee amendment was agreed to.

Mr. ELLSWORTH. Mr. Speaker, this resolution is similar to resolutions that we have enacted for many other committees of the House and authorizes the Committee on Agriculture to proceed with such investigations as may come under the jurisdiction of that committee. It is a very simple resolution and there are no requests for time on this side.

I now yield 30 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I concur in the statement made by the gentleman from Oregon [Mr. ELLSWORTH]. This is a unanimous report of the Committee on Agriculture and of the Committee on Rules. I know of no reason for pursuing any further time on it, and I have no requests for time.

Mr. ELLSWORTH. 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.

ASSISTANT LEGISLATIVE CLERK AND CLERK

Mr. ARENDS. Mr. Speaker, I offer a resolution (H. Res. 206) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That effective April 1, 1953, the positions of Assistant Legislative Clerk and Clerk, in the office of the majority leader of the House, at the basic salary rates of $3,000 each per annum, shall be vacated, and in lieu thereof there shall be paid out of the contingent fund of the House, until otherwise provided by law, compensation at the basic salary of $6,000 per annum for the employment of a secretary to the majority leader of the House.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PENSIONS FOR ALL WORLD WAR I VETS AT 62

Mr. LANE. 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. LANE. Mr. Speaker, unlike the Lost Battalion which was cut off for days, all veterans of World War I have been isolated from some of the benefits they are morally entitled to ever since they came back from France.

Veterans of earlier wars and their widows were given pensions at the age of 50 without having to go through the red tape of proving disability or financial distress.

World War I veterans drew a blank during the boom and the bust.

The younger veterans who took their places during World War II and now in Korea are covered by the most liberal program ever devised to help those who served their country above and beyond the call of civilian service. They sacrificed high-paying jobs in war industries, and they suffered invisible physical strain which only the passing years reveal. The Nation acknowledged this debt and this toll and tried to compensate them for the loss.

Veterans still under 20 years of age were awarded compensation which they will continue to receive for the rest of their lives on proof of physical disability or financial embarrassment. In effect these VA regulations are being misinterpreted as a pension law.

But the veterans of World War I or their widows, by and large, do not have a uniform pension law to protect them in their declining years.

Furthermore, a pension that would enable them to live at home would save the Government the much greater expense involved in maintaining them at a Government facility.

And the money that they have been able to put aside for a rainy day has been shortchanged to little more than half of its original value, swindling them out of the security they worked for in such good faith.

Therefore, to alleviate this situation, and in a manner equal to all, I ask for earnest consideration of my bill to provide $100 per month pensions to all veterans of World War I, or their widows, upon attaining the age of 62 and without any physical or financial test to establish entitlement.

As General Eisenhower said in Boston on election eve, 1952, our country must always "care for him who shall have borne the battle and for his widow and his orphan." To which I add that any man or woman who served in the uniform of his country in time of war is a veteran and the Nation must try to pay its debt to all of them.

FOREIGN TRADE POLICY AND THE NATIONAL INTEREST

The SPEAKER. Under previous order of the House, the gentleman from Mississippi [Mr. SMITH] is recognized for 45 minutes.

Mr. SMITH of Mississippi. Mr. Speaker, the message read to the House Monday from President Eisenhower, urging extension of the Reciprocal Trade Agreements Act, was an eloquent statement of the urgent need for American leadership in the establishment of a sound world-trade policy. It is unfortunate that present political considerations have brought about the President's decision to delay a fight for improvement in our tariff structure until next year, while at the same time a man is being appointed to the Tariff Commission who tells the Senate Finance Committee that he has no ideas on this vital subject considered of such major importance by the President, and who expresses opposition to certain provisions of the present act which the President asks to be extended.

A year's standstill in trade is in reality a setback for the administration. No program will be made without a fight for improvement of the present law. A fight over tariff law is coming if President Eisenhower is true to his purpose of developing, through cooperative action among the free nations, a strong and self-supporting economic system capable of providing both the military strength to deter aggression and the rising productivity that can improve living standards.

My purpose today is to explore some of the fallacious arguments still prevalent in the tariff discussion.

There is only one criterion by which to judge a foreign-trade policy. It is the criterion of national interest. Elementary and undeniable as it is, this concept has in the past been mutilated by the protectionists and misunderstood by the rest of us. The question to be asked is "What is in the national interest?" Not "What is in the interest of this or that industry?" although this is necessarily a part of the larger question.

I take it that in peacetime the only conceivable national interest in foreign trade is improvement in the standard of living for the whole Nation. Under the cold-war conditions prevailing today the relationship of our trade policy to our military security must also be considered. Fortunately, we have discovered that a policy which serves the first end will, in general, serve the second also.

AID OR TRADE?

The free world is confronted with the absolutely basic need to find a solution to the dollar-payments problem. Although we have managed temporarily to keep the wolf of western disunity from our door through our extensive foreign-aid program, unless we accede to reality, other nations will no longer be able to buy our goods, the productive efficiency of the anti-Communist alliance will fall off, and living standards at home as well as abroad will deteriorate.

The mere renewal of the present Reciprocal Trade Agreements Act is not enough. As the Bell report points out, the principle of equivalent-tariff concessions assume an already existing balance of payments between participating countries. Since payments are not balanced, the present act contributes little to the basic solution. If other countries must match each concession of ours with an equal concession, payments would probably remain in perpetual disequilibrium. The first step must be unilateral action to reduce American trade barriers.

The restoration of balance will not follow automatically from United States tariff reduction alone. This country can further improve the situation with encouragement of private investment abroad. For their part, our allies should be expected to make important contributions in the form of determined anti-inflationary measures, increased productivity, more efficient response to world demand, and adequate domestic investment programs. But as leaders of the free world, we can create favorable conditions for cooperation by accepting the responsibilities of leadership.

OUR TARIFFS ARE NOT LOW

Before the American public can be expected to support a new policy of this kind, we need to clear the air of two very prevalent misconceptions regarding the purpose of tariffs. They are the fallacy of the low American tariff and the fallacy of cheap labor.

Those who would like to further restrict foreign trade have hit upon the claim that American tariffs are already low. They support their contention with figures showing that the average duty paid on all American imports is 6 percent, while the average rate of duty on all dutiable imports is not more than 12.5 percent. They further urge, with ample self-righteousness, that 55 percent of American imports are duty free.

There is nothing wrong with these figures except the interpretation put on them.

There is nothing wrong with these figduties collected to the value of all imports—or of all dutiable imports—greatly understates the restrictive effect of our tariff. The average rate of duty, remember, is based on actual imports and minimizes the importance of potential imports. Such a calculation is weighted downward in favor of imports with a low rate of duty and against imports heavily restricted or altogether prohibited by a high rate of duty. As an extreme illustration, a country with absolutely prohibitive tariffs on every article of import would, in fact, show an average rate of duty on actual dutiable

imports of 0 percent. The figure of 12.5 percent is clearly misleading.

An examination of the American tariff schedule, indeed, reveals that several large import items are subject only to nominal rates. Sugar, for instance, has an average duty of only 10.5 percent while accounting for one-eighth of the total dutiable imports in 1949. On the other hand, woolen textile imports, with duties as a whole averaging 35 percent, were valued at $33 million in 1950 and constituted less than 5 percent of domestic production. It is apparent that tariff rates of the latter kind severely restrict imports.

Those anxious to labor the point that 55 percent of our imports are nondutiable invariably exclude the fact that the United States places no duty at all on certain raw materials and foodstuffs simply because of the absence of a domestic source, while on the other hand many manufactured goods are subjected to nearly prohibitive rates. The Bell report, discussing the fallacy involved in this argument, states:

> Instances are given * * * of high duties on so extensive a scale as to lead to the opinion that tariff rates on manufactures are really very high.

In other words, an analysis of the composition of the nondutiable group of goods reveals our raw materials deficiency rather than our generosity.

Moreover, in many cases the height of specific tariff is no measure of its effectiveness. Even a relatively low duty of 10 percent may prevent foreign sellers from entering the American market when price-conscious American competitors render total foreign landed costs too high.

No analysis of the American tariff is complete if it excludes the psychological effect of two devices which further restrict imports—the peril point and the escape clause. The first all but guarantees in most cases that the President will not be able to negotiate really significant tariff concessions, and the second warns other countries that a large increase in imports, even those resulting from increased efficiency abroad, will not be tolerated. Even if the escape clause has not so far resulted in any significant withdrawal of tariff concessions, it has drawn the line beyond which foreign exporters know they cannot venture without fear of being penalized for success. It is impossible to measure the restrictiveness on potential imports resulting from these devices or to determine their effect on foreign incentive to develop the American market.

OUR LABOR IS CHEAPEST

The second fallacy in the protectionist argument supports the belief that American industry must be protected from the unfair competition of cheap labor in foreign countries. For a nation that has shown in practice a fair understanding of the working of the economic law, it is odd that we should honor this sophistry in law.

Quite to the contrary, it is the American industry that most often enjoys the advantages of cheap labor. For it is not wages per unit of time which is significant in measuring labor costs, but wages per unit of output.

The American automotive industry, for example, may pay hourly wages four times as great as its foreign competitors, but the American worker's productivity is so much greater, and the unit cost of his labor therefore so much less, that the industry is easily able to maintain its dominant position at home and abroad. Wherever the productivity ratio exceeds the wage rate ratio, labor costs are lower. According to 1951 figures, American wage rates averaged three and one-half times those in Britain in the manufacturing industries, and yet American productivity maintained its general superiority, and not by any means just in the large mass production industries. American labor is cheap in terms of output because the American laborer and American manufacturer are efficient.

The cry of "cheap foreign labor" often takes on a moral tone, as if to condemn evil foreign industrialists who exploit their domestic labor force in the sweatshops of Europe. Low hourly wages, in fact, reflect the lower standards of living in these countries, their low rate of productivity and capital investment. And the United States has a direct interest in the improvement of wage and living standards abroad. Upon this depends the success of our fight against communism and the maintenance of our high level of real income.

A recent letter which I received makes a statement which, I believe, is typical of the misunderstanding of the facts of international trade:

> Whenever foreign standards of living and wage costs are the same as they are in the United States, then perhaps we should tear down our protection for the American workman, and not until then.

TRADE HELPS US

Aside from the slightly hypocritical concern for the worker, if this premise were to become the basis for all international trade, then trade would fall off to a disastrously low level and the living standard of the whole world fall with it, including that of our own country. Protectionists have long conveniently ignored the economic truism that international trade is based upon comparative advantage. Under ideal conditions, when one country enjoys an advantage over other countries in the production of a given good, it will export that good. Thus each country tends to export those goods which it can produce at the lowest relative cost and tends to import those goods which require relatively higher units of labor and capital to produce. When a domestic industry fails to meet foreign competition, its labor and capital are released for work in the more productive sections of the economy. And the cost of labor, it should be remembered, is not the only factor determining comparative advantage. Access to raw materials, transportation costs, access to stable markets, style preference are all important factors contributing to the producer's competitive position.

MUTUAL BENEFITS

Although the theory of comparative advantage cannot be realized in practice, that is no reason to discard it as a guiding principle. It is simply another way of saying that international trade exists because it is mutually beneficial. The living standards of all countries are raised by trade; the higher the level of balanced trade, the higher the living standards in all countries. If we insist upon producing those goods which other countries can supply us at lower costs—except where considerations of defense production require protection of the domestic source—our overall productivity is decreased, the costs in terms of human effort increased, and our living standard lowered.

Those who would have us excluded foreign goods from the American market because the foreign wage rates are lower, would thereby impose an even lower standard of living on these countries. The ultimate result would be an adverse effect on the level of real income in the United States. Let no one be fooled. What appears to offer immediate advantage for the western mining interests, the tuna industry, the woolen industry, ad infinitum, may not be good for the country as a whole. The argument runs that when a domestic industry is injured by excessive imports, American workers are thrown out of work and overall consumption is down by that much. But it is equally true that when the farmer and the exporting manufacturer lose their overseas markets, as they would with international trade balanced at a low level, men are thrown out of work and consumption is down. The difference is that ill effects of lowered consumption in the latter case are compounded by a rise in the price level caused by tariff protection of our uncompetitive industries.

REMEMBER THE CONSUMER

It is scarcely in the American tradition that the interests of the small fraction of the total population adversely affected in the short run by foreign competition should be served before the interests of the Nation as a whole. Are we to give no consideration to the American consumer who, denied the benefits of competitive prices, must pay higher prices for protected consumer goods and for those manufactured products which utilize foreign materials in their production? Are we to give no consideration to the numerous American manufacturers and farmers a significant part of whose production is for export and for whom a low level of imports means a low level of exports—a fact concealed recently by huge postwar American aid? Few people realize the absolute importance of the role foreign trade plays in our economy: At a peak in 1947 we exported 12 percent of the total United States production of movable goods.

Finally, are we to give no consideration to the American taxpayer who for so long has had to bear the burden of foreign aid which has been in effect a subsidy for our exports?

In a 1945 report of the Committee for Economic Development, Paul Hoffman and Harry Scherman mark the overwhelming importance of imported materials and their prices for our own manufactures:

> The point usually overlooked * * * is that imports have far more of an influence on

both the kind and amount of employment we have than do our exports. Until this indispensability of imports in our entire pattern of production is widely and sharply recognized, in all its detail, our international trade policies will continue to be distorted—as they have been for decades—by the basic error that exports are beneficial to domestic employment and that imports somehow lessen our total employment.

The argument for protection which merits the closest attention is the undeniable need for defense production for an assurred domestic source of certain vital raw materials and finished products. Wherever this claim is made by a particular industry, however, experts in the Defense Establishment should give it careful scrutiny since the claim of essentiality or injury may be overstated. There are two further reservations to be made regarding this argument.

It is patently impossible to achieve complete self-sufficiency in the matter of defense needs and the attempt to achieve it is often costly. Secondly, there are other devices than import restrictions available to insure a continuing domestic supply of strategic goods.

COMPENSATION FOR INJURY

While we must abolish or reduce tariff protection where it is clearly in the national interest to do so, we cannot decently remain indifferent to the very real distress caused those engaged in marginal industries whose existence is actually threatened by tariff concessions. We should and can formulate a policy with the means to compensate industry for its loss of profits and labor for its loss of wages. Even better, we could provide the machinery for assisting industry over a period of conversion to a related type of production where possible and facilitating the movement of workers to new employment. This is nothing more than just compensation under the rule of eminent domain. Under the present state of full employment transitions of this kind would cause a minimum of dislocation and inconvenience to those affected. The cost would be small by comparison with the overall return to our economic system.

Whenever capital is invested and labor offered, there is risk involved. Profits are the payment, in part, for the willingness to accept risk. The overwhelmingly unique fact about the American economy has been its dynamic quality—the ability, and more than that, the will to shift resources, labor, and capital to meet changed conditions. Our economy has in the past had to adapt itself to far severer changes than any precipitated by tariff reduction—as for example, in the switch twice in one generation from a wartime to a peacetime economy. Throughout it all the amazing rate of economic growth has been maintained. The challenge produced by a more liberal trade policy would differ little in character from the challenge of past technological and internal political revolutions. Once we have lost the will to adapt, we have in fact lost the will to progress. British and European industrialists in the postwar era never tire of citing the superiority of the American economy proceeding from this adaptive character of American industry. It would be ironic, indeed, were we to fail now to live up to a reputation so recently recognized.

The last refuge of the protectionist will be to whine about the mote in his allies' eyes and ask why should the United States be the goat and make the first move toward a liberal trade policy. I would say to him first, so unmistakable is the economic hegemony of the United States in the free world that the action it takes automatically describes the limits of action for every other country. I would say to him, secondly, that the essence of leadership is to lead, not to follow.

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

Mr. SMITH of Mississippi. I am glad to yield to the gentleman.

Mr. BAILEY. It is true that the automobile industry is an industry which is benefiting most at the present time from our reciprocal trade processes. I would like to make a point at this time in the discussion, if I may be permitted to do so. The advocacy of young Henry Ford—I will refer to him as young Henry Ford—of the idea that we ditch all of our tariff restrictions and go on a free trade basis is just as silly as his grandfather's idea of ending World War I by sending a peace ship to Europe. If he has his way and the automobile industry continues to prosper and take advantage of our reciprocal agreements as they are now, when they have 40,000 more Ford trucks in Europe you will have 10,000 people out of employment in this country.

Mr. SMITH of Mississippi. If the gentleman will permit me to say something about Henry Ford's views, I think his views in regard to this world trade situation are just as important and just as significant to the future welfare of this country as the original action of his grandfather instituting a $5 wage scale for labor, which I think started the present program of higher wage scales in these United States, and which I do not believe the gentleman from West Virginia, or anybody else, would like to cut back.

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

Mr. SMITH of Mississippi. I yield to the gentleman from Iowa.

Mr. GROSS. In how many countries does Ford have subsidiary plants?

Mr. SMITH of Mississippi. I have no idea how many subsidiary plants he has. It is important to remember in relation to Mr. Ford's ideas that perhaps he is thinking in terms of his role as an American taxpayer. He is looking to the end of relief from paying for the entire burden of the economic structure of the free world that we have had to assume since the end of World War II. He realizes, as an American taxpayer, and as many other business people throughout this country realize, that it is a great deal better for the countries of Europe, Asia, and everywhere else outside of the Communist domain, to be able to pay their own way and not have to accept this burden which the American taxpayers have assumed.

Mr. GROSS. Will the gentleman yield again?

Mr. SMITH of Mississippi. I yield.

Mr. GROSS. You are advocating a lowering of tariffs, as I take it? Is that right? And an abolition of the peril point and escape clause and reciprocal trade tax?

Mr. SMITH of Mississippi. I am advocating precisely that, right in keeping with the statements made to the American people in the last election by our present great President of the United States.

Mr. GROSS. The gentleman is from Mississippi. You produce cotton down there, do you not?

Mr. SMITH of Mississippi. Yes, sir.

Mr. GROSS. Do you produce tobacco?

Mr. SMITH of Mississippi. No; we do not produce tobacco.

Mr. GROSS. How much cotton do you think you want to have imported into this country in competition with the farmers of Mississippi?

Mr. SMITH of Mississippi. The cotton farmers of the United States are not worried about imports. We feel sure we can produce a product of such quality at such a price that there will be plenty of market for it. If there are imports of cotton into this country, we will sell ours elsewhere.

Mr. GROSS. If all the bars on the importation of cotton were removed, I would expect the southerners to be in here trying to have them restored. That is what they would be doing, and the gentleman knows it. As far as Ford is concerned, he has subsidiary plants in some 78 foreign countries. He is in a particularly nice spot to advocate free trade.

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

Mr. SMITH of Mississippi. I yield to the gentleman from California.

Mr. JOHNSON. I believe in the reciprocal trade agreements principle, but I am wondering if the gentleman will discuss this problem: In my area we raise almonds. That is the only place in the United States where they do raise them. It is a $250 million industry. I have talked to the almond people and the cherry people and the wine people, and when you open the door to permit the importation of Italian almonds for instance, and almonds from other countries you are competing with labor that gets less than 10 percent of what our workers get. Under the most-favored-nations clause when you permit one country to import, that opens the door to all other countries to do likewise. How do you answer that?

Mr. SMITH of Mississippi. Does the gentleman from California contend that the laborer in Italy, or wherever they produce these almonds he is talking about, produce as much as the laborer in California? Cannot the laborers in California and the farmers who supervise their work through the ownership of these almond trees provide efficiency in their operation and management to such degree as to overcome that difference?

Mr. JOHNSON. Nowhere near enough to fill that gap, and I will tell you how it comes about. The people who want those imported almonds are firms who want almonds to mix in their products, and naturally they want cheap almonds. These almond producers have their land

committed to this tree crop. It is very expensive land, and they pay wages to their help so their workers can maintain the American standard of living of the place where they live.

Mr. SMITH of Mississippi. Does the gentleman believe that this $250-million industry in California has a good economic foundation, if it must depend for its existence upon blocking out from this country imports of a crop which apparently can be produced even without the high quality of land management? The farm owners and the farm laborers in California simply want to block out a crop which can be produced more cheaply. Is it worth the American taxpayer's while to subsidize—and that is what we are doing—to subsidize an industry that sits back and begs for protection instead of trying to find a way for those people to divert their productive energies and devote their land to the production of badly needed crops which would offer a substitute market?

Mr. JOHNSON. That just shows the gentleman does not know the problem as it confronts the California grower. Here we have thousands of acres of very costly land committed to trees. The trees have been planted and raised on that land and the industry is established.

Another thing, if you allow the importation of these almonds to rise in volume and open the doors just enough to overflood the market the bottom will drop out of the whole thing.

As I say, I believe in the principle of reciprocal trade, but I do not want them to trade off automobiles and manufactured goods to the detriment of our farmers, our walnut growers, our almond growers, our cherry growers, and many others; and that is what is likely to happen if we are not careful in holding down the importation of almonds from countries where they are grown for much less cost than in California.

Mr. SMITH of Mississippi. If we are going to expect the Government to protect every type of inefficient production, the taxpayer and consumer will pay for it. And production is inefficient when the only basis for an industry's existence is that it can pay its way only under special conditions—wartime or a high tariff. Would it not be far better to the economy as a whole to equalize the situation by action under the reciprocal trade program—that is, not to let the bars down all at once, but gradually enough to allow collective action to be taken by agricultural interests represented in California to help find an industry that is more efficient? It would involve some cost; of course it would involve some cost, but we should not have to disturb the broad allocations of the whole industry. We have got to do something to work this out where there will be less harm to the Nation as a whole. As I see it, the only real harm involved here is a little shifting of effort from one activity to another. The suffering that may come to a few when the program is worked out is small compared to the suffering that will come to the whole United States, to the whole world, if we allow this continual trade warfare to cause the economic distress which the Russians are hoping for.

Mr. JOHNSON. Mr. Speaker, will the gentleman yield further?

Mr. SMITH of Mississippi. Let me complete this thought. It is the whole purpose of Russian policy, if we are to grant any significance to the statements made by Malenkov at the party congress last October, is to divide through trade warfare—through economic rivalries—the countries which are now arrayed against Communist aggression. This may appear insignificant, this particular aspect of the fight, but it is all part of the sum total of the deadly cold war in which we are engaged. Unless we make some concentrated effort to rationalize our own economic activities, the hardship can be real, as I understand your almond situation, the pottery situation in Ohio, and the situation in several other small industries, which are, however, just a fractional part of the whole American economy. These hardships can be worked out. It will not be easy, but they can be worked out without loss to the people who have their capital invested, without loss to the people who look for their livelihood to these particular industries, without loss comparable to the burden which the American taxpayer assumes today in mutual defense aid, or to the great burden which would be ours in the future from the loss of western unity which we have so far achieved.

Mr. JOHNSON. Then the gentleman frankly admits we might have to sacrifice a $400-million industry?

Mr. SMITH of Mississippi. The gentleman said a $250-million industry.

Mr. JOHNSON. Make it $250 million, but there are four or five other agricultural crops that might suffer more financial loss. I think that with a proper application of the reciprocal-trade agreements our people can be protected. What worries me is this: I have gone before numerous reciprocal-trade-agreements committees and they make very much the same argument as the gentleman does: They can change their crops; they can do this or that. But we have walnuts, also. They are in the same fix. We have cherries; they are in the same fix; we have wines; they are in the same fix. Does the gentleman want to put on the block all of the specialized types of crops that we have in California to be ruined or severely damaged by liberal trade-agreements importation? As I get the tenor of the gentleman's argument, that is what he would be willing to do. Our country is adapted to those kinds of crops, to the raising of those crops. I want to find some way to safeguard those Americans who have invested their money and their lives in these various activities.

Mr. SMITH of Mississippi. The State of California is the richest State in the country; it has some of the finest people in the world. Does the gentleman contend that people like that, with the climate they have developed, starting a hundred years ago, have not the ingenuity to adapt themselves to changing conditions when in the national interest? A hundred years ago you adapted yourselves to gold. When the gold gave out, we did not subsidize your gold industry out there. You have lived on that ever since. But you made shifts. You will have to make more shifts in the future, as we are doing today in my section of the country. We have lived off of cotton for 150 years, but we are having to adapt. We have borne some heavy burdens because of it. We began to make the shift in resources in the days before we had one iota of assistance of any kind. But assistance can be worked out through cooperation between the Government and the various business communities. There will be no disaster. We are not going to wipe out anything. I am talking about changes that will occur in the long pattern of American economic life, changes that will require 40 years to bring about, changes which will have to be accepted instead of blindly fought against if we are not going to be destroyed, changes which will come if we refuse to let this present tendency prevent further progress toward reciprocal-trade development.

The reciprocal trade program, if it is properly administered, will make provision for certain industries whereby no imports will be allowed beyond the ability of the economy in a particular area to adjust—with Government assistance.

Mr. JOHNSON. If they do that, I am still doubtful if equity to these growers would result.

Mr. SMITH of Mississippi. That is what I am working toward. But when you try to solve that problem preventing any further action in reciprocal trade, you are burning down the whole house.

Mr. JOHNSON. They have been sort of a brake in going too far in a particular direction. Too high tariffs may be as bad for the consumer, as too low ones are for the producer. I believe we must have international trade, naturally, to market our great production. We are the greatest producer in the world, but there must be some happy medium in the administration of the law where industries like those I have referred to, which have existed for generations can exist and pay the scale of wages and keep up the standard of living that we have enjoyed up to this time. I thank the gentleman for his courtesy in yielding to me.

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

Mr. SMITH of Mississippi. I yield to the gentleman from West Virginia.

Mr. BAILEY. The gentleman has already indicated in his reply to the gentleman from Iowa that cotton is the leading, or one of the leading products of his State of Mississippi.

Mr. SMITH of Mississippi. That is right.

Mr. BAILEY. The gentleman will have to agree with me that there is in the present Reciprocal Trade Agreement Act and in the act that you are asking us to reenact and extend, a virtual embargo against the shipment of cotton into this country. I wonder if the gentleman would make the type of speech he is making now if the major industry of the State of Mississippi was not protected under the Reciprocal Trade Agreement Act?

Mr. SMITH of Mississippi. I first want to say this.

Mr. BAILEY. Answer me honestly, and I will not ask you any more questions.

Mr. SMITH of Mississippi. You will have to phrase your question again. What I want to say is that I believe in the reciprocal trade agreement program. I am making a speech regardless of the situation of the industry in Mississippi, but I would still take this program if cotton were protected. But, let me make it clear, cotton is not protected.

Mr. BAILEY. There is an embargo against the shipment of cotton into this country not only in the Reciprocal Trade Agreement Act, but in your Agricultural Act.

Mr. SMITH of Mississippi. There is a provision in the Agricultural Act, and there is a provision in the Reciprocal Trade Agreement Act, both of which provide that the Secretary of Agriculture can take action in relation to a crop which is under the price support program to prevent imports from coming in, or an embargo on shipping.

Mr. BAILEY. And cotton is under such a program.

Mr. SMITH of Mississippi. It is not spelled out for cotton, but for any type of agricultural product which is included there, and it was not put there for protection. It was put there to protect the cost of that product, to prevent such a situation arising whereby the products would be imported and put in a loan, and the loan used to buy products throughout the rest of the world. I used the word "loan"; I mean price support program, a term we often use when we say "loan." It should be pointed out here that cotton and virtually all the other crops and basic commodities which are supported are not import crops, never have been, and never will be. Down through the 150 years of this country's history cotton and tobacco and wheat, crops like that, are dependent upon exports for a major part of their market. They are not worried about imports. The supply of this product is far out of line in the rest of the world, and there is no situation involved where anybody sought protection or wants protection.

Mr. GROSS. You even have a restriction on tobacco seed so that it cannot be exported from this country.

Mr. SMITH of Mississippi. Tobacco is grown in a lot of countries throughout the world. The gentleman from Iowa knows that.

Mr. GROSS. But there are restrictions so that you cannot import it into this country, too.

Mr. SMITH of Mississippi. I was mentioning this situation when the discussion started awhile back in regard to the argument about cheap labor. This argument accepts the idea that American labor is not efficient and cannot be efficient; it accepts the idea that American industry cannot be efficient. I believe in the free-enterprise system in regard to what we can produce. I believe that this competitive system we have been talking about and trying to preserve functions best when we have an efficient economy, efficient management, and efficient labor.

Mr. BAILEY. Under the Smoot-Hawley Act of 1930 we had a provision for the imposition of duties. At that time they were thought to be fair. Whether they were or not is a question. But let me say to the gentleman that the duty is based not upon the American cost of production but upon the foreign cost of production.

Mr. SMITH of Mississippi. I yielded to the gentleman for a question. I decline to yield any further.

Mr. BAILEY. It has to do with the question.

Mr. SMITH of Mississippi. I decline to yield further.

Mr. BAILEY. All right.

Mr. SMITH of Mississippi. I would like to continue the particular discussion of this matter because if I let your particular question go I will not be able to give the answer I want to give you. This business about cheap foreign labor is what I want to talk about.

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

Mr. SMITH of Mississippi. I yield to the gentleman from California.

Mr. HOSMER. I wish to compliment the gentleman on his fine discourse. There is a question in my mind, however, specifically in connection with industries like the tuna industry, that supplies a good portion of the protein for the national diet. If we allow a limited importation, the boats that go out to catch these fish will be dispersed, they will not be there. Then along comes a national emergency when you can no longer import, and then a good segment of the national diet is taken away. What answer does the gentleman have for that type of situation?

Mr. SMITH of Mississippi. When things come to such a pass that we can no longer import foods, we will need to develop the productivity of agriculture in this country to such an extent that we can substitute our production for the present imports of foods. If the emergency became that great we could live without the tuna. But as to the protection of the tuna fish industry, I believe part of the protection is applied to imports from countries that, in the event of a national emergency, would be at our side. If they were not at our side, we would not be able to fish, because our tuna fishing takes place in waters near South America and other areas like that. They are scattered all over the oceans, in both the Gulf and the Pacific, I understand. In fact, some of the tuna fishing industry was leaving California some years ago and coming to Mississippi.

Mr. HOSMER. There are certain industries, however, that are essential in national emergency situations where imports might not be available. Does the gentleman feel there should be exceptions to that type of agriculture?

Mr. SMITH of Mississippi. We must have the potentiality and the capacity to produce any type of agricultural product or any type of industrial product which is absolutely essential to our defense effort in a complete emergency. That of course is a principle everybody must accept. But by the same token we have to accept the principle that there are many more thousands of items thousands of times greater in value scattered throughout the rest of the world that we have to import as part of our defense effort. Most of the important defense metals which we are using today have to be imported from various far corners of the world. We have to import those products. It is simply impossible to achieve the kind of security where we are absolutely self-sufficient at home. We have to rely on imports to provide for our security all the way down the line.

Mr. HOSMER. Is this a fair statement? That there are some instances in which this principle which you have enunciated should not apply and that it is a problem of determining what those instances are?

Mr. SMITH of Mississippi. There are certain fields in which the principle I have enunciated should be modified to the degree that provides us with minimum production in the case of a national emergency. But we should never, just because we need or may need a particular product in time of war, subsidize the whole industry to a degree that it can supply the civilian economy in time of peace. We will be defeating ourselves in that case. Of course we have to develop our industry so that we can meet all foreseeable needs in time of war. But we cannot meet our foreseeable needs in time of war by establishing a protective-tariff system. We tried to do that with the Smoot-Hawley Tariff Act referred to a minute ago. That tariff act is generally accepted as having been one of the greatest contributions toward starting World War II.

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

Mr. SMITH of Mississippi. I am glad to yield to the gentleman.

Mr. GROSS. Aside from a few strategic metals, will the gentleman tell me what else we can import into this country without disturbing the labor market and the manufactured-goods market and the farmers' market? Just what does the gentleman propose that we import into this country?

Mr. SMITH of Mississippi. We ought to import into this country any product that is competitive and which it would be good business to buy; that is, which you as a consumer would want to buy. We ought to import these products from any friendly country which in turn can buy products from us and thus develop a mutually beneficial exchange of trade. We have been expanding this economy of ours ever since the birth of this country 175 years ago. We have been regularly expanding it through the development of trade all along the line. There is a greater field for employment because of the development of trade. It has brought about shifts in various industrial resources in the country. Of course, that is natural and inevitable in the free play of the market place that Secretary Weeks talked about the other day. It is inevitable that there be shifts in business and shifts in industry. We have to accept that fact. We cannot afford to set up an archaic stone wall around some national industry and thus prevent such adaptations in our economy as must necessarily be made. If we do, we are going to pay for it, not only at the immediate expense of our taxpayers, but in the great cost of our security program throughout the world.

Mr. GROSS. What would the gentleman import—automobiles, milling machines, machine tools? What would he import into this country?

Mr. SMITH of Mississippi. I do not have any particular item in mind. I am willing to import anything whose price would be an advantage to the American consumers.

Mr. GROSS. All of those things we have in surplus supply in this country today. What are you going to do with the labor market if we import those products?

Mr. SMITH of Mississippi. Those items which we have in surplus supply in this country constitute part of the program. We need to sell them and we cannot sell them in this country. We have to find somebody who will buy them. Nobody can buy from us unless they earn the dollars with which to buy, and we can do that in 1 of 2 ways. We can either give them the dollars outright or we can exchange them for goods.

Mr. GROSS. We have given them about 140 billion in the last 10 years.

Mr. SMITH of Mississippi. I hope the gentleman will join with me in trying to work out a program whereby we can bring that to a halt, and provide a method by which these people can earn their own way. They cannot earn their own way trading outside the United States entirely.

For instance, since World War II we have been supporting the economy of Japan. I think every Member of this Congress, certainly every Member of the Congress who supports the policy of the Republican Party, agrees that Japan must be kept outside the Communist orbit at all cost. It is the one hope of eventually removing China from the Communist yoke. What are we going to do about Japan? Are we going to continue to support their economy as we have in the past? Suppose we arrive at peace in Korea, are we going to say to Japan that instead of spending $2 or $3 billion on armaments there we will just give them that much money? Or are we going to tell them we do not want them to trade with China and help the Communists; that we want them to develop trade with the United States and the rest of the free world? What are we going to do? We cannot stick our heads in the sand and refuse to do anything. If we do we will produce a far greater cost in the armament program and in all other rehabilitation costs, if our civilization survives after the war.

I say the best solution is to trade with Japan; give them some markets for the great industrial capacity which they have. It is far cheaper for the American taxpayer. I say to the people on the other side of the aisle, who are trying to meet the promise to balance the budget, that the only way they will ever do it and reduce taxes is to find some way to cut mutual security costs. The only way to cut security costs is not by closing your eyes and saying, "We haven't got any problem," but by developing a trade system with the rest of the free world. In this way they can bear their own part of the cost, and we can eliminate some of these conflicts that lead us into war.

Mr. GROSS. Let me say to the gentleman that he need not worry about how I will vote on foreign aid. I have not voted for a penny of it yet. More than that, I am not going to vote to make this a dumping ground for the cheap products abroad.

Mr. SMITH of Mississippi. If the gentleman has his way, we will have neither trade nor aid. I am sure in the end it will mean destruction for this country.

Mr. GROSS. Well, we will have the United States of America.

Mr. SMITH of Mississippi. You talk about bread lines and people being out of work. That exact situation existed when our foreign trade was at its lowest level in the history of the country and when our tariff rates were at the highest in the history of the country.

PERSONAL EXPLANATION

Mr. O'NEILL. Mr. Speaker, during the last rollcall, I was attending a labor-management group of the fishing industry of Massachusetts at the office of Edward J. Brossard, Chairman of the Tariff Commission. I would like the RECORD to so show.

PERSONAL EXPLANATION

Mr. HOSMER. Mr. Speaker, on rollcall on the bill H. R. 3840 I was in conference at the Pentagon with the Under Secretary of the Navy on matters of paramount importance to the 18th District of California.

PATRIOTS' DAY

The SPEAKER. Under the previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that I may extend as part of my remarks House Resolution 233, which authorizes the President of the United States to proclaim April 19 of each year Patriots' Day for the commemoration of the events which took place on April 19, 1775, and an editorial from the Lowell Sun and also an article from the Washington Post of Sunday, April 12, by John B. Knox.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the editorial of the Lowell Sun speaks of the fact that only Massachusetts gives full recognition to the great anniversary, the 19th of April, yet all 48 States of the Union owe their present greatness in some way, large or small, to the stand for freedom at Concord and Lexington. The first blow was struck for freedom there. From that blow stems the freedom we enjoy today in the United States. I hope every Member from every State will join in helping me secure the passage of the resolution. We have passed commemorative resolutions for almost everything else.

House Joint Resolution 233

Joint resolution authorizing the President of the United States to proclaim April 19 of each year Patriot's Day for the commemoration of the events that took place on April 19, 1775

Whereas the 19th day of April 1775 witnessed the first military engagement between the American colonists and British troops, and the fighting that then occurred at Concord and Lexington, in Massachusetts, formed the prologue to the mighty drama of the Revolution and determined the character of its first campaign; and

Whereas the significance of April 19 in the history of our country is not to be measured by the extent of the military forces that engaged in local battle in 1775, but by the direction and strength of the intangible forces then set in motion which in due course established the United States of America; and

Whereas a frequent recurrence to the events out of which this Nation arose, and a better understanding of the principles upon which our forefathers grounded their independence cannot fail to stimulate and renew that high sense of patriotism which has ever been the glory of our country: Therefore be it

Resolved, etc., That the President of the United States is authorized and requested to issue his proclamation, annually, emphasizing the significance of the events that occurred on April 19, 1775, calling upon officials of the Government to display the flag of the United States on all public buildings on April 19, and inviting the people of the United States to observe the day with appropriate ceremonies in commemoration of the patriots who laid down their lives for the cause of independence.

[From the Lowell (Mass.) Sun of April 14, 1953]

A REAL OBSERVANCE

Next Sunday is Patriot's Day, with the formal observance scheduled for Monday.

It is an anniversary that recalls one of the most heroic events in the War of the Revolution; it marks the first armed resistance by men who wanted to be freed from tyranny and oppression. It was the spark that kindled the victory and led to independence.

The country has grown magnificently since the patriots challenged the trained British troops at Concord and Lexington. It has become the citadel of freedom and the leading power in today's so-called Western World. It has met aggressors and defeated them and it will continue to campaign for freedom of man everywhere.

If the red-blooded patriots of Concord and Lexington had failed to display courage and determination against a superior foe, the inspiration for the Revolution might have been lacking and the bid for freedom might have been put down in a bloody conquest by the forces from overseas.

Massachusetts is about the only State that gives full recognition to this great anniversary. Yet all 48 States owe their present greatness in some way, large or small, to this stand at Concord and Lexington.

The prosaic, nonsentimental trends of recent years may somewhat dampen the enthusiasm which once marked the observance of Patriots' Day. There are suspicions, in fact, that considerable opposition may have been fomented in the cells and other dark places where subversives gather for their discussions which they hope will lead to the overthrow of this free land.

The semi-negligent attitude which so many Bay Staters display when mention is made of Patriots' Day is a matter of concern to many civic groups. A Citizens Service Unit has been organized to stimulate and re-

awaken a patriotic zeal for observing this great national anniversary.

This holiday, according to the Citizens Unit, "calls for serious as well as recreational spring observances statewide each year, but especially timely for the 1953 contribution to nationwide and even worldwide united welfare of all people of good will which includes the spiritual element very much a factor when those early patriots evolved their ideals into practical governmental forms.

"Holiday planning is not always with such purposes in mind, but as to our Patriots' Day, it becomes particularly a homefront opportunity and duty for local as well as the wider influences."

It is most disappointing to note a trend which minimizes some of the greater and momentous milestones in the history of this great land. Let us continue to remember that the patriots of Middlesex County fired the "shot heard round the world." Let us remember that the bark of those muskets meant that men were fighting for freedom and laying the foundation for the greatest democracy in the history of government.

Let us increase our devotion to these great anniversaries—and a fitting time to start a renewed interest in Patriots' Day and what it means would be next weekend.

[From the Washington Post of April 12, 1953]

PAUL REVERE'S CHURCH STEEPLE CRACKS ON ANNIVERSARY EVE

(By John B. Knox)

BOSTON, April 11.—Paul Revere's famous church steeple is starting to crack up.

It was 178 years ago this next week that signal lanterns hung in the Old North Church sent Revere and other messengers dashing out of town to warn farmers and villagers that British troops were on the march to destroy military stores at Concord.

The American Revolution was on.

Now cracks are appearing in the ancient masonry which supports the slender steeple of Old North (more formally, Christ Episcopal) Church. The cracks are not yet deemed dangerous, but they have spread sufficiently in the 230-year-old walls to be ignored no longer. The nonsectarian Lantern League, dedicated to maintenance of the shrine, currently is seeking $100,000 in gifts to restore and maintain Old North.

Concern about the church is spotlighted right now because April 19 is Patriots' Day in this cradle of liberty and much of the symbolism of Boston's fete is tied up with the twin lanterns which flashed the alarm for the minute men of Concord and Lexington.

The tides of time have changed Boston's North End and scattered the families which once comprised Old North's parish. With them have gone the church's normal means of support. Its rector (ex officio) is the Right Reverend Norman B. Nash, Episcopal Bishop of Massachusetts. Services are conducted regularly by the vicar, the Reverend Charles Russell Peck.

The church, oldest public edifice in Boston, is open every day in the year. Donations from worshipers and visitors and sale of maps, cards, books, and pictures have helped maintain the property. There were 107,000 visitors last year.

Streets near the church now resound with sidewalk trafficking—often in alien accents—in fruits and vegetables, dried fish, herbs, and spices. But when you step from the street inside the two and a half feet thick walls of Old North, you are back in colonial times.

Inside is whiteness and quiet and dignity—an arched ceiling, small-pane windows, fluted columns, high galleries, and ancient box pews. The pipeorgan in the back dates back to 1759. Some historians say it was the first of its kind built in America. A timepiece built in 1726—"the oldest clock in the country in a public building"—still tells the hours.

In the belfry is a peal of eight sweet-toned bells cast in 1744 in Gloucestershire, England—"the first ring of bells cast for the British Empire in North America." At the age of 15, Paul Revere joined in forming a guild of bellringers.

From this steeple, in 1757, tradition records that John Childs, first aviator in American history, made a series of three flights (presumably by a parachute device). Because his performances led many people from their business, Childs was "forbid flying any more in the town."

The dead lie in 37 tombs beneath the church. Tradition says that more than a thousand bodies were placed in the old tombs. Some were later removed.

The church has such treasures as the ancient "vinegar Bible," the gift of King George II in 1733. A collector once offered $100,000 for it. One of five ancient prayer books shows pieces of paper pasted over the prayers for king and royal family.

Described as the first memorial to George Washington erected in a public place in New England, a bust of the first President occupies a niche in the church.

Nearby, in the old burial ground on Copp's Hill, lies the sexton, Robert Newman, who was locked in the church on the night of April 18, 1775, to flash his signal to the Charlestown patriots. Newman escaped by a rear window while British troopers battered at the door. Newman was locked in so his family across the street could point to the keys if asked whether anyone was in the church.

Newman went on to fight in the Revolution, to serve on a privateer, and become a major of Marines. Annually one of his or Paul Revere's descendants participates in the ceremonial carrying of lanterns into the steeple, the night before Patriots' Day. This year, Miss Rachel Revere Kimball will be the participant.

Within these old walls, now in need of repairs, the feeling of history linking past with present is heavy upon the visitor.

If you are a tourist visiting the Old North, there comes a fresh meaning to the words of an old hymn.

Acting custodian, Robert M. Winn, sometimes arranges for an organist to play the old, old music of America for visitors who turn and face the organ, according to colonial custom, and sing the last stanza written by Samuel Francis Smith, born almost in the shadow of the old church:

"Our Fathers' God, to thee,
Author of Liberty,
To Thee I sing;
Long may our land be bright
With freedom's holy light;
Protect us by Thy might,
Great God our king."

HOSPITALIZATION AND MEDICAL CARE FOR VETERANS

Mrs. ROGERS of Massachusetts. Mr. Speaker, during the past several weeks there has been considerable discussion both on the floor of the House and in the press concerning hospitalization and medical care for the veterans who are ill. I am sure that those who are advocating restrictions on hospitalization and pointed out what appeared to them to be flagrant violations are acting in what they consider to be the best interests of the country and the veterans also. However, some of the publicity which has resulted has not been helpful either to the veterans or to a real understanding of this problem.

Over 98,000 veterans are now hospitalized in the Veterans' Administration hospitals throughout this country. We have heard much recently of approximately 336 cases which show that men of incomes from $4,000 to $500,000 had hospitalization in a Veterans' Administration facility. Now I am opposed to a man who is not service-connected with an income of half a million dollars or $100,000 or $50,000, receiving hospitalization at the expense of the taxpayers. But a man with an income of $4,000 or $5,000 or $6,000, who asks to be hospitalized, if it is serious illness, is very unlikely to be able to bear the full cost of his medical treatment.

It has been rumored that a bill will be introduced to bar hospitalization to any veteran who has an annual income of $4,000 or more. This, it seems to me, would be particularly unfair since it would work grave injustices in individual cases. What about the veteran with a chronic illness who may be hospitalized for months on end, or a man recovering from a tubercular condition, or those pitiful NP cases? Are they to be barred from hospitalization because they happen to have more than $4,000 a year income? Does their service count for nothing?

When the Government asserts the right as it has, and it certainly has the right to so assert, that it may draft a man into the Army, the Navy, or the Air Force, it thereby assumes the responsibility for the action which normally flow from taking this man from his peacetime civilian pursuits. We cannot have it both ways. Either this veteran is entitled to hospitalization as the result of his service or he is not. Personally, I have always been one who favored the best hospitalization for all veterans who are in need of it, and I shall continue to maintain that position.

References have been made to the fact that a man may be drawing $195 a month compensation or he may be drawing considerably more than that, and earn as much as $10,000 a year. He may still be totally disabled and have such an income, and I say to a man who has lost both legs and who is incapacitated in other ways if he can earn $10,000, more power to him. We all salute him and cheer him rather than question whether the Veterans' Administration should continue to pay his compensation. If he has lost both legs he has a disability for which the Government can never repay him, no matter if they pay him $10,000 in a flat sum or pay him $195 a month for life. The disability occurred as a result of service. The Government asserted the right. The Government must bear the responsibility, and I for one think that the policy maintained and advocated by this Congress over the years has been a wise one in compensating for these disabilities which occur and which are the result of the wars in which this Nation has partitcipated.

I assume that most of us would admit certainly that the Veterans' Administration will have to hospitalize the chronic TB and NP cases regardless of whether or not they are service-connected or nonservice-connected, in those cases where

there are no other facilities for them, either in State, county, or city. And as to the question of hospitalization for non-service-connected disability, general medical cases, it might be well to consider the possibilities in non-service-connected cases of requiring a veteran who has private hospital insurance to exhaust his coverage in a private hospital before he is admitted to a VA installation. Particularly is this true in view of the difficulty which the Veterans' Administration is experiencing in collecting from insurance companies payment for hospitalization in those cases where veterans have a private insurance policy covering medical or hospital care. Of course, the insurance companies should pay for the veteran in the VA. I would favor, too, more discretion on the part of the local hospital manager so that where he knows there is a flagrant violation of the basic intent of the Congress that he may take action to prevent a man, say with $500,000 income, from obtaining the benefits of hospitalization. He could at least pay the VA part of his hospital costs if not service-connected.

The Subcommittee on Hospitals, headed by the Honorable B. W. KEARNEY, of New York, is conducting an investigation of hospitals and hospitalization. A questionnaire providing much basic information on this entire question has just been returned from the 161 VA installations throughout the country. As soon as this can be processed and the information made available, it will be helpful to the subcommittee, the full committee and to the Congress, in determining and working out a solution for this problem. We are studying it, and we need the assistance of all of you to solve this problem.

I am as much in favor of balancing the budget and reducing taxes as any Member of the House or Senate, and considerably more so than some, but I am not willing to balance the budget or to reduce taxes when to do so means the curtailment of basic services to veterans or reduction in the basic benefit structure which has been built up carefully over the years. I hope that this House and the entire Congress will be very careful in the appropriations for the Veterans' Administration and give those appropriations the sort of considered study which they warrant. This is an important agency. It is a big agency, and it needs more consideration and more thoughtful consideration than it has so often received.

I pledge to you as chairman of the Committee on Veterans' Affairs that that committee will do its best to work out a solution to this problem, but it will have to be done carefully and with the assistance of all of the Members of the House and the veterans' organizations and the public generally if we are to arrive at a solution which will be fair and equitable to all concerned.

Mr. Speaker, I pledge that I will do everything I can to work out a program advantageous to all. I think there is scarcely a Member here in the House who wants the veterans' hospital services curtailed. We know full well that without our veterans we would have no free country today. I am inserting as part of my remarks the history of the hospitalization for the veterans. A very fine medical program has been achieved by hard work year after year. It would be tragic to see it impaired and the veterans given cheap and inadequate care. I would like to state also, Mr. Speaker, that I have in my possession a letter from a man in Japan who describes graphically the shortage of supplies there and the loss of lives as the result. I will not put it in the RECORD, although I think I could use it. I have it here if any Member desires to see it.

HISTORICAL STATEMENT CONCERNING ENACTMENT OF SECTION 202 (10), WORLD WAR VETERANS ACT, 1924

The history of this enactment dates from the act of April 20, 1922, Public Law No. 194, 67th Congress, which authorized additional hospital and outpatient facilities for the Veterans' Bureau, and in section 4 thereof made all Veterans' Bureau facilities available for Spanish War veterans, including Philippine Insurrection and Boxer Rebellion, having neuropsychiatric and tuberculosis diseases. The authority for hospitalization for World War I veterans at the same time included only those who had service-connected disabilities of 10 percent or more (Sec. 302 (6) War Risk Insurance Act).

In 1923 there was initiated under a Senate Select Committee on Investigation of the United States Veterans' Bureau, of which Senator David A Reed was chairman, an investigation generally known as the O'Ryan investigation, Gen. John F. O'Ryan being counsel to the aforesaid committee. At the same time there was in the Veterans' Bureau, or in connection therewith, a Committee on Revision and Codification of Laws as Administered by the United States Veterans' Bureau, comprised of representatives of the American Legion, the Disabled American Veterans, Military Order of the World War, United Spanish War Veterans, Veterans of Foreign Wars, and three staff officials of the Veterans' Bureau. The said committee agreed upon and recommended a number of amendments to the basic act, one of them being "To authorize hospitalization of all honorably discharged veterans in the discretion of the Director" of the Veterans' Bureau.

On December 19, 1923, the Director, Gen. Frank T. Hines, addressed a letter to the President of the United States, Hon. Calvin Coolidge, transmitting these proposals, and requesting Presidential consent to their presentation to the Congress. No. 1 was as follows:

"To authorize the hospitalization, in the discretion of the Director, of all honorably discharged veterans of any war, in need of hospitalization, wherever facilities are available and sufficient therefor."

General Hines added:

"The President of the United States in his recent address to Congress said: 'At present there are 9,500 vacant beds in Government hospitals. I recommend that all hospitals be authorized at once to receive and care for, without hospital pay, the veterans of all wars needing such care, whenever there are vacant beds, and that immediate steps be taken to enlarge and build new hospitals to serve all such cases.'

"The authority here sought does not contemplate the paying of compensation or other allowances to those not now entitled to them. It does not create a right to hospitalization beyond that already provided in existing laws. Soldiers' homes have long existed for the hospitalization of needy veterans, but those facilities are now lamentably inadequate for the numbers to be cared for. This proposal would authorize the reception into hospitals of the Veterans' Bureau of all veterans of all wars without regard to their compensability. It would permit treatment in our hospitals of the disabled soldier for any malady or injury whether caused by his service or not, but without hospital pay. And it would permit his aid to be given at the very time of the need without having to wait, as at present, for a determination of the patient's compensability. The discretion confided to the director would permit a selection in favor of the worthier and needier cases, existing facilities being limited, and would provide a safeguard against abuse. This proposal, originating I believe with me, has been generally indorsed by the service organizations, who likewise urge a sufficient appropriation for completion of the permanent hospital-building program. Let me emphasize the President's recommendation that 'steps be taken to enlarge and build new hospitals to serve all such cases'."

Having received Presidential approval, the Director transmitted these proposals to the chairman of the Finance Committee, Senate, and of the Committee on Interstate and Foreign Commerce, House of Representatives, on January 4, 1924. But the latter transferred them to the newly created House Committee on World War Veterans' Legislation.

Bills were promptly introduced in both Houses of Congress embodying the proposals for codification of the laws, and also the authorizations for hospital care. In addition to such care for compensable disabilities [1] there was added another section [2] authorizing such care for direct service-connected disabilities not compensable, that is to say, less than 10 percent. The House bill with respect to other authorizations simply contained the provisions of the act of April 20, 1922, but the Senate bill added World War veterans suffering from NP or TB diseases, and encephalitis lethargica, loss of sight of both eyes, and the following:

"The Director is further authorized, so far as he shall find that existing Government facilities permit, to furnish hospitalization and necessary traveling expenses to honorably discharged veterans of any war, military occupation, or military expedition since 1897, without regard to the nature or origin of their disabilities, if such veterans have no adequate means of support, and by reason of their disability are incapable of earning their living."

The Senate bill, having passed the Senate (S. 2257), was referred to the Committee on World War Veterans Legislation, House of Representatives, May 6, 1924. The House of Representatives passed S. 2257, striking out everything after the enacting clause and inserting an entirely new bill, section 202 (6) of which merely contained the language of the Act of April 20, 1922. In conference the two Houses compromised and reported a bill which was enacted as the World War Veterans Act of 1924, section 202 of which provided for hospital and medical care as follows:

Subsection (6) for persons in receipt of compensation;

Subsection (9) for persons having service-connected disabilities, not in receipt of compensation;

Subsection (10) reading as follows:

"That all hospital facilities under the control and jurisdiction of the bureau shall be available for every honorably discharged veteran of the Spanish-American War, the Philippine Insurrection, the Boxer Rebellion, or the World War suffering from neuropsychiatric or tubercular ailments and diseases, paralysis agitans, encephalitis lethargica, or amebic dysentery, or the loss of sight of both eyes regardless whether such ailments or diseases are due to military service or otherwise, including traveling expenses as granted to those receiving compensation and hospitalization under this act. The Director is further authorized, so far as he shall find that existing Government facilities permit, to furnish hospitalization and necessary

[1] Sec. 202 (6).
[2] Sec. 202 (9).

traveling expenses to veterans of any war, military occupation, or military expedition since 1897, not dishonorably discharged, without regard to the nature or origin of their disabilities: *Provided*, That preference to admission to any Government hospital for hospitalization under the provisions of this subdivision shall be given to those veterans who are financially unable to pay for hospitalization and their necessary traveling expenses."

Subsection (10) was later amended as follows:

Act of March 4, 1925:

"In the insular possessions of the United States the Director is further authorized to furnish hospitalization in other than Government hospitals."

Act of July 2, 1926:

"(1) To include Army and Navy nurses.

"(2) To supply clothing when necessary to veterans hospitalized under said section 2[illegible] (10).

"(3) To authorize prosthetic appliances to such veterans unable to pay for them.

"(4) To provide that pension of a veteran hospitalized under said subsection shall not be subject to deduction for board, maintenance, or other purposes incident to such hospitalization."

Act of July 3, 1930:

"To include contract surgeons of the Army who served overseas at any time during the Spanish-American War.

"To define the Spanish-American War as meaning service between April 21, 1898, and July 4, 1902, and the term 'veteran' to include persons retired or otherwise not dishonorably separated from active list of the Army or Navy."

Section 202 (10) as it thus existed was repealed by Public Law 2, 73d Congress, approved March 20, 1933, an act to maintain the credit of the United States, usually referred to as the Economy Act. Thereunder authorization for hospitalization for veterans of all wars and for those who served in peacetime [2] was confined generally to those having service-incurred disabilities or in receipt of pension for service-incurred disabilities, and for those having permanent disabilities, tubercular and neuropsychiatric ailments. Section 4 of said Public Law 2 was amended by section 29 of Public Law 141, 73d Congress, passed over the veto of the President March 28, 1934, by adding a proviso as follows:

"*Provided*, That any veteran of any war who was not dishonorably discharged, suffering from disability, disease, or defect, who is in need of hospitalization or domiciliary care, and is unable to defray the necessary expenses therefor (including transportation to and from the Veterans' Administration facility), shall be furnished necessary hospitalization or domiciliary care (including transportation) in any Veterans' Administration facility, within the limitations existing in such facilities, irrespective of whether the disability, disease, or defect was due to service. The statement under oath of the applicant on such form as may be prescribed by the Administrator of Veterans' Affairs shall be accepted as sufficient evidence of inability to defray necessary expenses."

The foregoing was reenacted by Public Law 312, 74th Congress, approved August 23, 1935, and is basically the present law (38 U. S. C. 706).

THE COAL INDUSTRY

The SPEAKER. Under previous order of the House, the gentleman from Kentucky [Mr. PERKINS] is recognized for 10 minutes.

Mr. PERKINS. Mr. Speaker, with mines closing down daily throughout America, it certainly is bad news to learn that the Interior Department has proposed to shut down its two coal-to-oil demonstration plants at Louisiana, Mo., as revealed by its revised budget for fiscal 1954.

The coal industry throughout the Nation is suffering a severe depression caused by the unrestricted importation of residual fuel oil. Hearings will commence next week before the Ways and Means Committee on proposals to place a 5-percent limitation on imports of foreign residual fuel oils.

As I understand, the Interior Department's appropriation bill, which was to be considered on the floor this week, is now being marked up and will not be considered perhaps for a couple of weeks. Personally, I am unaware of any department in this Government that has carried on a more efficient and economical operation than the Bureau of Mines. Recently money was made available in the supplemental appropriation for 50 additional inspectors to carry out the safety requirements in the coal mines. Necessary funds must be made available if we are to follow through in the future with an effective mine-safety program.

Mr. Speaker, I am hopeful that the Department will reconsider its proposal to shut down its two coal-to-oil demonstration plants. Naturally, such a proposal at this time would have a bad psychological effect on the coal industry throughout the Nation. The oil lobby has contended for some time that synthetic fuel oil shale is more feasible than coal. I believe that we can all agree, from the standpoint of the national interest, that our Government should continue to explore, through its demonstration plants, the development of oil from coal with a view of reducing the price.

Between 1948 and 1951, after careful preliminary analysis, the Interior Department spent $20 million to build and equip these plants for the purpose of testing under actual operating conditions the technology of large-scale production of liquid fuels from our abundant supplies of coal. These plants have been operating with encouraging results as to efficiency, cost, and the quality of diversified products from selected samples of coal.

But now, just when it appears that the processes are on the very threshold of success, and in view of increasing apprehension as to the adequacy of our future supplies of liquid fuels, a proposal is made to shut down these plants in order to pare from the appropriation $2 million needed to operate them through the fiscal year 1954.

The ultimate cost of such abortive action, in terms of the Nation's future security, would exceed by many times the nominal budget saving which is sought. It would be the height of folly to make this far-reaching decision within the narrow context of a single year's appropriation. The two plants in question are vital parts of a comprehensive long-range program for the development of synthetic liquid fuels in every feasible direction.

By 1975, it is predicted, our daily needs for liquid fuels may be several times greater than our domestic production from petroleum. If we were to be confronted with another all-out war, available supplies of liquid fuels would immediately present an acute problem. A growing dependence upon foreign sources of oil would increase our vulnerability and impair our security.

It is, therefore, imperatively necessary for us to push ahead, steadfastly and without interruption, with programs for the development of alternative sources of liquid fuels based upon domestic energy resources, including our abundant supplies of coal. Considered in this broad perspective, it is false economy indeed to pursue a relatively paltry saving of $2 million over the coming fiscal year, at the cost of jeopardizing a vital part of our national fuel development program. When it is necessary for us to spend $50 billion a year for national defense and the development of atomic energy, it seems inconceivable that $2 million would be denied for the furtherance of a program so promising as the conversion of coal to liquid fuels.

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

Mr. PERKINS. I yield to the gentleman from West Virginia.

Mr. BAILEY. This program was initiated prior to the distinguished gentleman's coming to Congress. Back during the early part of World War II, when the German submarine menace threatened to destroy most of our ocean tonnage and disrupt our transportation, my former colleague from West Virginia, Jennings Randolph, was the leader of the plan to develop our liquid fuels, making synthetic fuels from coal. There was an initial appropriation of $15,000,000 made for this program. It resulted in the establishment of these demonstration plants the gentleman is speaking about, in Missouri, one near Birmingham, Ala., and a third at Bristol, Tenn. The research plant for this development was at the University of West Virginia at Morgantown, operated jointly by the Bureau of Mines and the West Virginia School of Mines, to develop the old Hitler process of making synthetic gasoline.

Two years ago, when we had up on the floor for consideration the appropriation for the Interior Department, on a point of order, I prevented the turning back into the Treasury of $2,800,000 of that appropriation made in 1946, so as to enable the Bureau of Mines to establish a research plant at Morgantown, to build new equipment for that. The University of West Virginia donated 45 acres of land as a site for it. That research plant is two-thirds complete.

I want to join the gentleman from Kentucky in protesting our going out of our experimental endeavors in this field of converting coal to liquid fuels including high-octane gasoline and residual fuel oil, if you want to call it that, lubricating oils.

Let me say that if we had that process working right at the present time, 67 percent of the coal of West Virginia has too much sulfur in it for coking purposes, and there is no market for it today, so that a lot of our mines are closing, but if this process were in operation the future of the coal fields of the eastern United States, including the State of West Virginia, would be assured for the

[2] Public Law 78, 73d Cong., approved June 16, 1933.

next 300 or 400 years. It would be processing this coal that has too much sulfur content for fuel manufacture into synthetic products such as high-octane gasoline and lubricating oil.

I commend the gentleman from Kentucky for raising the point because if that is not in the appropriation bill when it comes along, the gentleman from West Virginia will join the gentleman from Kentucky in trying to put some money in there, if not all of it, certainly a portion of it, to continue this research work, because I think it is absolutely necessary for the future security of this country.

Mr. PERKINS. I wish to thank the gentleman from West Virginia for his contribution.

In truth, rather than to shut down the two established coal demonstration plants, we should be concerned with the immediate development of additional plants on a larger scale. In the two preceding sessions of Congress, I have introduced bills to provide for the construction and operation of full-scale plants for producing liquid fuels from coal, and I am today introducing a similar bill for this purpose. The security and welfare of our Nation require that this effort be advanced, not retarded, hastened rather than delayed by fitful budgetary changes.

Mr. Speaker, in view of the sudden decision of the Secretary of Interior to close down the coal-to-oil plants, and in view of the wide rumors now prevailing around the Capitol, I am wondering whether or not there is a double payoff involved. It is well known through unimpeachable sources that the chemical lobby is deeply interested in stopping governmental operation and taking over the control of these particular plants. I am sure that the country as a whole will reach the only inescapable conclusion—if this does happen—that the oil lobby and chemical people are receiving their payoff from campaign promises.

There have been reports that within 2 or 3 years these processes that have been developed at the Louisiana plant would be so far advanced as to be patentable. Such patent rights would be of inestimable value to private industry.

DEVELOPMENT OF OUR NATURAL RESOURCES

The SPEAKER. Under previous order of the House, the gentleman from Alabama [Mr. JONES] is recognized for 5 minutes.

Mr. JONES of Alabama. Mr. Speaker, sometime ago there came to my desk a letter from the assistant legislative director of the American Farm Bureau Federation, Mr. Matt Triggs, enclosing a copy of the federation's 1953 resolutions on natural resources. These resolutions are seven pages in length and deal generally with the subject at some points and more specifically at others. One of their more specific findings reads as follows:

> It should be the policy of the Federal Government to sell existing federally owned generating plants and transmission lines to private enterprise or local public institutions on a basis mutually advantageous to the Federal Government and the people serviced by such facilities.

In the letter of transmittal, Mr. Triggs describes the resolutions as a "reconciliation or synthesis of recommendations of the respective State Farm Bureaus on this subject" and "therefore the consensus of opinion of the 1,500,000 farm family members of Farm Bureau."

It is true that almost every one of these latter proposals contains a qualification, a reservation, or an escape clause of some sort, useful if its proponents find it wise to beat a strategic retreat. But one thing is clear to me. Taken as a whole, these resolutions mean that the American Farm Federation, or at least its resolutions committee, purporting to speak for over 1,500,000 farm families, would turn the clock back on the conservation policies developed by this country over the last 50 years.

I want the farmers of the district I represent to know that I am profoundly disturbed when Mr. Triggs undertakes to tell me in their name that Federal activity in the field of resource development should be frustrated or terminated. The farmers of my district have a right to know what is going on when the national organization purporting to speak for them says it wants no more Federal river basin authorities, and when it joins the past president of the General Electric Corp., Mr. Charles E. Wilson, in proposing to sell existing federally owned power facilities. What Mr. Triggs and his associates are recommending is simply a return to the days before TVA was established because, according to their reconciled and synthesized consensus, such an agency—and I quote—"involves a broad control by the Federal Government over the destinies of people residing in such area."

Now I am not going to enter into a philosophical argument with the Farm Bureau as to control of human destiny. But the impact which the TVA experiment in unified resource development has had on the destiny of the farm families of north Alabama is a matter of record. Before the Farm Bureau's committee on Resolutions starts its reconciling and synthesizing in another year, I am going to insist that the organization's million and a half farm-family members and its county and State farm bureaus have the facts on which they can base a judgment. The record of the past two decades is there, and so is the record of the period before TVA was created. I want the two put side by side for study by the Farm Bureau's membership and its constituent organizations. And in the meantime I want my farm constituents to know that their Congressman emphatically disagrees with the alleged consensus which the present Farm Bureau resolutions are said to represent. For I believe, and I know the people of my district believe, that the TVA river-basin experiment has expanded the horizons of their destinies, has contributed to their prosperity, and has furnished them with new tools and new opportunities in their private business undertakings.

TVA had its beginning in the district I represent, Mr. Speaker. Wilson Dam and the Muscle Shoals chemical plants were located there during World War I. All through the 1920's and until TVA was given charge of the properties in 1933, the chemical plants at Muscle Shoals were idle. The farmers who passed the plants on their way to town got no benefit from the Government's investment in them. In the powerhouse at Wilson Dam, 4 of the 8 generators were turning, but the power was sold at the busbar to a private utility, and because the private company did not want to use all the power which Wilson Dam could produce farmers could hear water spilled over the dam and wasted. What power the private utility wanted, it bought from the Government at 2 mills per kilowatt-hour and resold it to its residential customers at an average of about 6 or 7 cents per kilowatt-hour.

But almost none of these customers were farmers. The private power companies in the area did not believe it would be profitable to them to serve farmers. In the entire State of Alabama, only 2.6 percent of the farms had electricity in 1933. In the 15-county area in north Alabama, now served by TVA, the percentage was even less—2.2 percent. Actually, there was no real rural electrification in north Alabama at all. A few farms on the outskirts of towns got service from the towns; and a few others got service, not from rural lines built to serve farmers, but because they happened to be located on lines built to serve a few large cotton gins located outside some of the towns. Farmer leaders in north Alabama, respected members of the Farm Bureau, made trip after trip to the power company offices in Birmingham prior to 1933. They met first one condition and then another, but they never succeeded in getting a pole set or a line strung. These are the facts, Mr. Speaker. The American Farm Bureau can examine them, and, if it chooses, get any number of farmer affidavits to support them. I challenge the Farm Bureau to study the history of rural electrification—or the lack of it—in north Alabama before TVA was created, and to make the fully documented record available to its membership in every State before its next convention. I challenge it to make available at the same time the record of what happened in the field of rural electrification after TVA was established.

For the story of rural electrification in north Alabama since TVA's creation in 1933 is one that every farmer can understand. If Mr. Triggs examines it, he will find that TVA began with a wholly different concept of service to farmers. This agency which Mr. Triggs and his associates would never duplicate, this agency which they would strip of its power facilities and power marketing responsibilities, actually wanted to develop rural electrification. And it wanted not only to serve farmers, but to serve them at low rates. It was sensational when TVA announced that the same low rates available to users of electricity in cities and towns were to be available to farmers too. Its good faith was shown when it began to simplify and standardize rural line construction to keep costs down, and to make the results of those economies widely known, to help farmers everywhere. TVA regarded low-cost rural electrification as an important part of its job from the beginning.

As rural use of electricity in north Alabama has increased, its cost has gone down. In 1938 the customers served by TVA cooperatives in north Alabama used an average of 800 kilowatt-hours for which they paid 3.3 cents per kilowatt-hour. In 1951, their average use had increased to 2,770 kilowatt-hours and the average rate declined to 2.1 cents per kilowatt-hour. In the north Alabama area served by TVA, the individual farmer is using almost twice as much power, on the average, as individual farmers in the rest of the State, even though, as I have indicated, the demonstration in the TVA areas of what can be done has had a beneficial effect throughout the State.

And yet despite that history, the American Farm Bureau Federation wants no more agencies like TVA, and would even sell the TVA power system. While I can find no reference to it in their resolutions, I suppose they would sell the Muscle Shoals chemical facilities, too—facilities which produce munitions for our Armed Forces in time of war and fertilizers for the benefit of our farmers in time of peace, and therefore, like the TVA power system, have an influence not only on the destiny of farmers, but the fertility of our soil, and the security of our Nation.

TVA was directed in the statute which created it to use the Muscle Shoals facilities as a great experimental center to develop and produce new and cheaper types of fertilizers. TVA has done just this. Its products are sold today in 36 States, but only for soil strengthening and experimental uses recommended by State agricultural agencies. In the beginning, and in order that new TVA high analysis fertilizers might be tested out in actual farming operations, a test demonstration program was developed by TVA and the land-grant colleges. Although I believe a total of some 40 States have participated in the program at one time or another, test demonstrations were intensified in the Tennessee Valley itself, where Congress had given TVA responsibility for aiding in the development of all of the area's natural resources, and where strengthening soil fertility was its special concern.

The test demonstration program was received by the farmers of north Alabama at first with some skepticism; later, as they saw its results, with enthusiasm. In the early days the farmer got the fertilizer free, paying only freight and handling charges. He assumed a risk; he agreed with TVA, in return for the fertilizers, to change his farming practices, to grow soil conserving instead of soil depleting crops, to test the fertilizers on the new crops, to make periodic reports as to the results, and to let his farm be used as a kind of schoolroom for his neighbors. In later years, the farmers, after seeing the results which could be produced with the new fertilizers, have been glad to pay for them.

Any visitor to north Alabama can see the results. The face of the land has been changed by new farming practices which were made possible by the fertilizers produced by TVA and the electricity made available by the TVA. Wornout, eroded acres have been transformed into pastures or efficient producers of small grains. The color of the landscape has changed from brown to green. The once alarming trend toward soil exhaustion has been halted and reversed. And with these changes, the farmer's income has improved. His farming methods can now maintain a fertile soil for coming generations.

I have seen these changes myself. I have lived all my life in north Alabama, and until I received the remarkable new resolutions of the Farm Bureau, I assumed that this great farm organization could feel only pride that its individual members had a share in such a program. When I received its reconciliation and synthesis, I wondered if I could be wrong, if the evidence of my own eyes was somehow faulty. So I sent to Alabama for additional data which might throw further light on how the destinies of the farmers of north Alabama had been affected by 20 years of TVA.

Now, here are the facts which I found and which I am going to ask the Farm Bureau to bring to the attention of its State and county branches before it assembles a new consensus of opinion. While net farm income for the whole State of Alabama increased 147 percent between 1939 and 1949, net farm income for the valley counties increased 172 percent. Between 1930 and 1950, gross farm income increased 20 percent more in the Tennessee Valley counties of Alabama than in the rest of the State. In spite of the fact that some areas of Alabama have a relative advantage over the valley portion of the State for livestock production, between 1930 and 1950 there was an increase of 78 percent in the number of all cattle and calves in the valley counties as against 61 percent in the rest of the State. Milk production has increased by a bigger percentage in the valley counties, too. The livestock enterprises on north Alabama farms are being built on a foundation of forage production from hay pasture. The Alabama Polytechnic Institute reports only 2,000 acres of improved pastureland in the valley counties of north Alabama in 1935. By 1951 the total had grown to 348,000. During the same period perennial hay crops grew from 1,200 acres to 166,000 acres, and small grains from 30,000 to 188,000 acres.

I think that is a magnificent record. It has been accomplished by a partnership between people and their Government. Individual farmers, cooperative associations, counties, States, cities, towns—all have participated with TVA in the development of the valley's resources. And all have benefited. I have talked today only about the direct benefits which the development has meant for farmers. I do not now have the time to tell you how the increased prosperity of north Alabama farmers has benefited the section's whole economy. I cannot now describe other benefits which the TVA development has brought us—new businesses based on new low-cost water transportation; new recreational facilities, and an entire recreation industry; improved public health; forest-fire protection and help in developing our forest resources; and, perhaps most significant of all, an entirely different spirit and enlarged scope of activity on the part of State and local agencies in these and other fields. These I want to discuss on another occasion.

But from the standpoint only of direct benefits to farmers, the very people the American Farm Bureau purports to represent, these new resolutions on natural resources are bewildering to me. The federation is supposed to speak for the farming population. But in these resolutions the familiar contentions, the favorite and well-worn phrases of the private utilities show through each page like a watermark. I have examined resolutions adopted by the Farm Bureau in other years. There has been a change.

A colleague with whom I discussed my dismay counseled patience. He referred me to the record of a Congress which considered a similar situation more than 20 years ago. Everyone knows that private power companies and private chemical companies combined or took turns throughout the twenties undertaking to prevent Government operation of the properties at Muscle Shoals, to prevent the farmers from getting the benefits such operations promised then and has in fact delivered.

The Farm Bureau developed syntheses and passed resolutions then. Material was abundantly distributed. And certain Senators were shocked as I am shocked. There was an investigation. And testimony finally revealed that State and county bureaus, the Congress, and the public had been flooded with propaganda, all under the name of the Farm Bureau, but actually paid for by a private industry. I want to know what material was made available to the members and the convention this year to result in this reconciliation, synthesis, and consensus.

Is time running backward here? Is the Farm Bureau again in the business of distributing syntheses which are wholly synthetic? Are the farmers again to be betrayed, and their destinies placed forever in the hands of the very companies which were deaf to their pleas and indifferent to their requirements before the Government set a pace for them to follow?

Let me suggest that Mr. Triggs make a recapitulation of the consensus of the opinion of his members regarding the selling of TVA and other publicly-owned generating facilities. I am sure he will find that his present statements do not reflect the opinions of the members of the Farm Bureau residing in the Eighth Congressional District of Alabama, nor those of a vast host of other members throughout the country.

THE LATE HONORABLE HARRY N. ROUTZOHN

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. SCHENCK].

Mr. SCHENCK. Mr. Speaker, it is with deep sorrow and a great sense of loss that I announce to the Members

of the House the passing of Judge Harry N. Routzohn, who died last night at George Washington University Hospital.

Judge Routzohn, who had been ill only a few days, came to Washington a few weeks ago at the request of the administration to accept the appointment as Solicitor of the United States Department of Labor. As Solicitor, Judge Routzohn was one of the highest-ranking officials in the Department, and was assigned to the job of reorganizing the entire legal setup of the Department. Under his jurisdiction, much had been accomplished toward this reorganization. Judge Routzohn's death is a tragic blow to the Department of Labor and the administration. As a tribute to his integrity and ability, I would like to point out that on March 4 when the Senate Labor and Public Welfare Committee considered his nomination, they unanimously approved it in one of the shortest hearings in history.

Judge Routzohn was born on November 4, 1881. Throughout his long and active life he served not only his country but his hometown of Dayton, Ohio, to the fullest measure. From 1916 to 1929 Judge Routzohn served as probate judge of Montgomery County, Ohio. He was well known and highly regarded for his acute legal mind and sympathetic knowledge of people. He also served as assistant county prosecutor from 1906 to 1909 and as assistant United States district attorney from 1930 to 1932.

In November of 1938 Judge Routzohn was elected to the 76th Congress as a Member of this House, representing the Third District of Ohio, the same District I now have the honor of representing. Many of you, I know, remember him as a very able legislator and a very loyal friend. As a lifelong member of the Republican Party, Judge Routzohn served his Montgomery County, Ohio, organization ably as chairman of the executive committee from 1947 to 1948 at a time when that organization was in need of his administrative ability.

When Judge Routzohn was drafted for the post with the Department of Labor, he willingly accepted, placing service to his country above the personal sacrifice it entailed. At that time he said, "I deem it a great honor to be considered worthy of service to our President and his administration." He served well, and I am confident that the next few months would have been even greater proof of his abilities.

Harry Nelson Routzohn, a wise judge, an able lawyer and legislator, a willing worker, and a very valued friend of mine, will be missed by all of America. I want to express my deepest and most heartfelt sympathy to Mrs. Routzohn and his family, and assure them that their loss is my loss also.

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

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

Mr. JENKINS. I should like to say that I am proud of the fact that I had a chance to recommend our distinguished Ohioan Judge Routzohn to the high place which he was filling at the time of his demise. I was proud to say in my recommendation of him what I knew about him, and that he was a real gentleman; a very capable individual.

I was a Member of the House when he came to Congress. I was much impressed with him. I am sure the experience of nearly every Member who has been here a while and has seen Members come and go is that he appraises individuals when he first meets them. I remember the appraisal I made of Judge Routzohn at that time. I appraised him as a very capable lawyer. Being a lawyer myself I would naturally claim that I had some opportunities to know what it takes to be a real lawyer. Judge Routzohn was a scholar and had all the qualities of statesmanship. If he had remained here in Congress for a few terms he would have demonstrated this fact, and would have been recognized as a capable lawmaker.

I join with my distinguished friend who has just addressed the House, in extending my sympathy to Mrs. Routzohn. At the same time I want to say that because of the lateness of the hour there were several Members from Ohio who intended to be here and to join with us in paying a tribute of respect to this distinguished gentleman, but they were called away. In behalf of those Members I ask unanimous consent that they may extend their remarks in the RECORD at this point or in the Appendix, as they may see fit. I also ask that all Members of the House have this privilege.

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

There was no objection.

Mr. JENKINS. I also ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCULLOCH. Mr. Speaker, the people of the great Miami Valley were sad indeed to learn that Judge Routzohn has passed away. He was a brilliant lawyer, a resourceful advocate, a wise and just judge and an able and courageous legislator.

His ability and experience in the field of labor-management relations were known throughout the Nation. The President recognized all these qualities of Judge Routzohn by selecting him as Solicitor of the United States Department of Labor, where he has done so much in so brief a time.

Judge Routzohn will be missed in his home community, in his State, and in the Nation.

MUSCLING ON THE BOARDWALK?

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

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

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, today's ticker news reveals that the Navy has awarded a contract of over a half million dollars to a shipbuilding firm to make 21 wooden rescue boats at over $23,000 a boat, to be turned over to the Air Force for rescue service in lakes or coastal waters.

The question arises, is this a case of muscling in on Coast Guard functions? Is this a wink at empire building within the Armed Forces?

Assuming the price for each of the 40-foot wooden rescue boats is within range, and assuming that a wooden crash-land boat is more serviceable than one of synthetic materials, and admitting that each of the services has a right to look after and rescue its own. I think it proper, at this point, Mr. Speaker, to flag the Navy to idle its engines long enough to remind itself that our Coast Guard has rather a good record in rescue service on lakes and coastal areas.

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. REED of New York in five instances, in each to include extraneous matter, one of which is an illuminating article on the cut in taxes by the British Government.

Mr. JAVITS and to include extraneous material.

Mr. HYDE and to include extraneous matter with reference to the National Bureau of Standards.

Mr. Moss and to include a newspaper article.

Mr. WILLIS and to include an editorial.

Mr. WICKERSHAM and to include a resolution adopted by the State Legislature of Oklahoma.

Mr. ABBITT.

Mr. BRAY and to include an editorial appearing in the Washington Daily News.

Mr. COUDERT (at the request of Mr. HALLECK) and to include a statement by Governor Herter, of Massachusetts.

Mr. HILL and to include an address by the Secretary of Agriculture at Denver, Colo., on April 7, 1953.

Mrs. ROGERS of Massachusetts and to include extraneous matter.

Mr. DONDERO and to include a letter from the Detroit Times on good roads.

Mr. ARENDS and to include an editorial appearing in last night's Star.

Mr. JONES of Alabama and to include an editorial.

Mrs. BUCHANAN in two instances and to include extraneous matter.

Mr. SHEEHAN and to include extraneous matter.

Mr. SHORT and to include an address by the Korean Ambassador to the United States and a statement by the President of the South Korean Republic.

Mr. McDONOUGH.

Mr. HAGEN of Minnesota in four separate instances, in each to include extraneous matter.

Mr. AYRES in two separate instances, in each to include extraneous matter.

Mr. GUBSER.

Mr. VAN ZANDT (at the request of Mr. GROSS) and to include a newspaper editorial.

Mr. HILLELSON and to include an editorial.

Mr. KERSTEN of Wisconsin in three separate instance, in each to include extraneous matter.

Mr. JACKSON and to include two editorials and an article.

Mr. FALLON and to include extraneous matter.

Mr. DOYLE in three instances, in each to include extraneous matter.

Mr. RHODES of Pennsylvania and to include two articles.

Mr. BYRNE of Pennsylvania and to include an editorial.

Mr. MACK of Washington and to include extraneous matter.

Mr. PATMAN the remarks made in the Committee of the Whole and to include extraneous matter.

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

Mr. FRELINGHUYSEN and to include an editorial.

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

Mr. EDMONDSON and to include an article from the Tulsa World.

Mr. DORN of South Carolina and to include a speech.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PRIEST (at the request of Mr. PATTEN), for April 15, 1953, on account of official business.

Mr. KNOX (at the request of Mr. ARENDS), for the balance of the week, on account of official business.

Mr. HULL (at the request of Mr. VAN PELT), for 2 weeks, on account of official business.

Mr. ROONEY, indefinitely.

Mr. HELLER (at the request of Mr. PATTEN), for Wednesday, April 15, 1953, on account of official business.

Mr. GRANAHAN (at the request of Mr. PATTEN), for Wednesday, April 15, 1953, on account of official business.

Mr. KLEIN (at the request of Mr. PATTEN) for Wednesday, April 15, 1953, on account of official business.

Mr. THORNBERRY (at the request of Mr. PATTEN), for Wednesday, April 15, 1953, on account of official business.

Mr. WILLIAMS of Mississippi (at the request of Mr. PATTEN), for Wednesday, April 15, 1953, on account of official business.

Mr. ROGERS of Florida (at the request of Mr. PATTEN), for Wednesday, April 15, 1953, on account of official business.

Mr. HARRIS (at the request of Mr. PATTEN), for Wednesday, April 15, 1953, on account of official business.

Messrs. WOLVERTON, HINSHAW, O'HARA of Minnesota, DOLLIVER, HESELTON, HOFFMAN of Illinois, SPRINGER, CARRIGG, WABURTON, YOUNGER, DEROUNIAN (at the request of Mr. ARENDS), for April 15, 1953, on account of official business.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 147. An act for the relief of Sizuko Kato and her minor child, Meechiko;

S. 516. An act for the relief of Ronald Lee Oenning;

S. 682. An act for the relief of George Rodney Giltner (formerly Joji Wakamiya); and

S. 954. An act for the relief of Robert Harold Wall.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned until tomorrow, Thursday, April 16, 1953, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

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

631. A letter from the Secretary of Agriculture, transmitting a report of obligations incurred in excess of amounts permitted by the administrative regulations promulgated by the Department of Agriculture and procedures of the Production and Marketing Administration, pursuant to section 3679, Revised Statutes, as amended by section 1211 of the General Appropriation Act, 1951; to the Committee on Appropriations.

632. A letter from the Comptroller General of the United States, transmitting the report on the work of the General Accounting Office for the fiscal year 1952, pursuant to section 312 (a) of the Budget and Accounting Act of June 10, 1921; to the Committee on Government Operations.

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

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. DONDERO: Committee on Public Works. H. R. 4025. A bill authorizing the appropriation of funds to provide for the prosecution of projects in the Columbia River Basin for flood control and other purposes; without amendment (Rept. No. 270). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of Illinois: Committee on the Judiciary. H. R. 2237. A bill to increase criminal penalties under the Sherman Antitrust Act; without amendment (Rept. No. 271). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CHATHAM:

H. R. 4583. A bill to amend section 33 of the Bankhead-Jones Farm Tenant Act by striking out the sentence which restricts the use which a county may make of funds paid to it under that section; to the Committee on Agriculture.

By Mr. CURTIS of Missouri:

H. R. 4584. A bill to grant an exemption from the admissions tax to certain national folk festivals; to the Committee on Ways and Means.

By Mr. DELANEY:

H. R. 4585. A bill to protect striped bass; to the Committee on Merchant Marine and Fisheries.

By Mr. EDMONDSON:

H. R. 4586. A bill to extend the time within which claims may be presented to the Indian Claims Commission; to the Committee on Interior and Insular Affairs.

By Mr. ENGLE:

H. R. 4587. A bill to facilitate the development, maintenance, and operating facilities for public use in the national forests, and for other purposes; to the Committee on Agriculture.

H. R. 4588. A bill to provide for issuance of campfire permits and to facilitate the development, maintenance, and operating facilities for public use in the national forests, and for other purposes; to the Committee on Agriculture.

By Mr. FORD:

H. R. 4589. A bill to withdraw the privilege of free transmission of official mail matter from certain Government corporations and agencies; to the Committee on Post Office and Civil Service.

By Mr. FRELINGHUYSEN:

H. R. 4590. A bill to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

By Mr. GOODWIN:

H. R. 4591. A bill to establish an equitable basis for the application of the Federal income tax to mutual fire insurance companies which operate on the deposit plan; to the Committee on Ways and Means.

By Mr. HAGEN of Minnesota:

H. R. 4592. A bill to amend title 18, United States Code, entitled "Crimes and Criminal Procedure," with respect to State jurisdiction over offenses committed by or against Indians in the Indian country, and to confer on the State of Minnesota civil jurisdiction over Indians in the State; to the Committee on the Judiciary.

By Mr. HAGEN of Minnesota (by request):

H. R. 4593. A bill to assist voluntary nonprofit associations offering prepaid health-service programs to secure necessary facilities and equipment through long-term, interest-bearing loans; to the Committee on Interstate and Foreign Commerce.

By Mr. KEATING:

H. R. 4594. A bill to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

By Mr. KING of California (by request):

H. R. 4595. A bill relating to the definition of head of household for purposes of the income-tax provisions of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. LANE:

H. R. 4596. A bill to grant a pension of $100 per month to all honorably discharged veterans of World War I who are over 62 years of age; to the Committee on Veterans' Affairs.

By Mr. REED of Illinois:

H. R. 4597. A bill to amend section 4 of the Clayton Act to provide for discretionary treble damages in private actions under antitrust laws; to the Committee on the Judiciary.

H. R. 4598. A bill to prohibit false advertising or misuse of names indicating the various exchange services of the Armed Forces; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts (by request):

H. R. 4599. A bill to further amend section 622 of the National Service Life Insurance Act of 1940; to the Committee on Veterans' Affairs.

By Mr. SIMPSON of Pennsylvania:

H. R. 4600. A bill to amend section 2400 of the Internal Revenue Code with respect to ornaments; to the Committee on Ways and Means.

By Mr. TEAGUE:

H. R. 4601. A bill to clarify the law pertaining to hospital, domiciliary, and medical care of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of Louisiana:

H. R. 4602. A bill to amend title 28, section 134, of the United States Code; to the Committee on the Judiciary.

By Mr. WHITTEN:

H. R. 4603. A bill to provide that the tax on admissions shall not apply to admissions to a moving-picture theater; to the Committee on Ways and Means.

H. R. 4604. A bill to amend the Social Security Act to permit individuals entitled to old-age or survivors insurance benefits to earn $100 a month without deductions being made from their benefits; to the Committee on Ways and Means.

By Mr. WOLCOTT:

H. R. 4605. A bill to amend section 10 of the Federal Reserve Act and for other purposes; to the Committee on Banking and Currency.

By Mr. GREEN:

H. R. 4606. A bill to amend certain excess-profits-tax provisions in order to encourage the development and marketing of new and improved dentistry products, and for other purposes; to the Committee on Ways and Means.

By Mr. GREGORY:

H. R. 4607. A bill to amend section 2400 of the Internal Revenue Code with respect to ornaments; to the Committee on Ways and Means.

By Mr. HOSMER (by request):

H. R. 4608. A bill to provide for the payment of monetary benefits withheld from certain Veterans' Administration beneficiaries; to the Committee on Veterans' Affairs.

By Mr. O'NEILL:

H. R. 4609. A bill authorizing an appropriation to enable the Secretary of the Army to reimburse the city of Boston for a part of the cost of the alteration and reconstruction of the Meridian Street bridge in Boston; to the Committee on Public Works.

By Mr. PERKINS:

H. R. 4610. A bill to aid in preventing shortages of petroleum and petroleum products in the United States by promoting the production of synthetic liquid fuels; to the Committee on Interstate and Foreign Commerce.

By Mr. SHORT:

H. R. 4611. A bill to amend the Dependents Assistance Act of 1950, as amended, so as to provide punishment for fraudulent acceptance of benefits thereunder; to the Committee on Armed Services.

MEMORIALS

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

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to amend the Social Security Act so as to enable States receiving Federal grants for old-age-assistance programs to disregard the first $50 of income received by a person eligible for old-age assistance in computing the amount of aid payable; 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. AYRES:

H. R. 4612. A bill for the relief of Domenico Sallustro; to the Committee on the Judiciary.

By Mr. BATES:

H. R. 4613. A bill for the relief of Antonio Galia; to the Committee on the Judiciary.

H. R. 4614. A bill for the relief of George Meletis; to the Committee on the Judiciary.

By Mr. CASE:

H. R. 4615. A bill for the relief of Joseph S. Aldridge; to the Committee on the Judiciary.

By Mr. DELANEY:

H. R. 4616. A bill for the relief of Lelas Constantinos Tsamopoulos; to the Committee on the Judiciary.

By Mr. DINGELL:

H. R. 4617. A bill for the relief of Shukri Elias Ajlouni (Ajluni); to the Committee on the Judiciary.

By Mr. DONOVAN:

H. R. 4618. A bill for the relief of Kim Suingtuk Jacob and Mrs. Tai Kang Kim; to the Committee on the Judiciary.

By Mr. DORN of New York:

H. R. 4619. A bill for the relief of Mrs. Alberte Christensen; to the Committee on the Judiciary.

By Mr. FULTON:

H. R. 4620. A bill for the relief of Natale Joseph John Ratti; to the Committee on the Judiciary.

By Mr. HAGEN of Minnesota:

H. R. 4621. A bill for the relief of Esther Cornelius; to the Committee on the Judiciary.

By Mr. HELLER:

H. R. 4622. A bill for the relief of Lilly Drumer; to the Committee on the Judiciary.

By Mr. HILLINGS:

H. R. 4623. A bill for the relief of Peter H. J. Fiek; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H. R. 4624. A bill for the relief of Jung Jock Kee; to the Committee on the Judiciary.

H. R. 4625. A bill for the relief of James King Gee; to the Committee on the Judiciary.

H. R. 4626. A bill for the relief of Mrs. Esther Rodriguez de Uribe; to the Committee on the Judiciary.

By Mr. HOLTZMAN:

H. R. 4627. A bill for the relief of Sandor and Maria Kaplar Brunauer; to the Committee on the Judiciary.

H. R. 4628. A bill for the relief of Markos G. Kaminis; to the Committee on the Judiciary.

By Mr. JAVITS:

H. R. 4629. A bill for the relief of Morris Weisz; to the Committee on the Judiciary.

H. R. 4630. A bill for the relief of Ignacy Reginald Wistreich; to the Committee on the Judiciary.

By Mr. LANTAFF:

H. R. 4631. A bill for the relief of John K. Murphy; to the Committee on the Judiciary.

By Mr. O'NEILL:

H. R. 4632. A bill for the relief of Eugene Michael Doran; to the Committee on the Judiciary.

By Mr. O'NEILL (by request):

H. R. 4633. A bill for the relief of Joseph James Troila; to the Committee on the Judiciary.

By Mr. PELLY:

H. R. 4634. A bill for the relief of Agafia Eremevna Porchhidze (nee Sokolova); to the Committee on the Judiciary.

By Mr. RODINO:

H. R. 4635. A bill for the relief of Julia E. Thompson; to the Committee on the Judiciary.

By Mr. SHEEHAN:

H. R. 4636. A bill for the relief of Guy Francone; to the Committee on the Judiciary.

By Mr. SIEMINSKI:

H. R. 4637. A bill for the relief of Mr. Emile Druyts and Mrs. Czeslawa (Plichta) Druyts; to the Committee on the Judiciary.

By Mr. STAUFFER:

H. R. 4638. A bill for the relief of David W. Wallace; to the Committee on the Judiciary.

By Mr. WINSTEAD:

H. R. 4639. A bill for the relief of Mr. and Mrs. Earnest Merl Kersh; 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:

166. By the SPEAKER: Petition of the secretary, Pittsburgh Central Labor Union, Pittsburgh, Pa., expressing opposition to passage of any legislation which would circumvent the decision of the Supreme Court, raise Federal taxes, injure our peacetime oil reserves, and jeopardize the defenses of the United States of America; to the Committee on the Judiciary.

167. Also, petition of J. J. Matson and others, Orlando, Fla., requesting passage of H. R. 2446 and H. R. 2447, social-security legislation known as the Townsend plan; to the Committee on Ways and Means.

168. Also, petition of Imogene R. Roy and others, Orlovista, Fla., requesting passage of H. R. 2446 and H. R. 2447, social-security legislation known as the Townsend plan; to the Committee on Ways and Means.

169. Also, petition of Alma Smith and others, Lockhart, Fla., requesting passage of H. R. 2446 and H. R. 2447, social-security legislation known as the Townsend plan; to the Committee on Ways and Means.

170. Also, petition of Sueki Higashi and 4,000 others, Kumamoto Junior College, Kumamoto, Japan, requesting release of the Japanese people who are serving prison terms as war criminals; to the Committee on Foreign Affairs.

SENATE

THURSDAY, APRIL 16, 1953

(Legislative day of Monday, April 6, 1953)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Rev. Reginald Wall, Southwide Baptist evangelist, Decatur, Ga., offered the following prayer:

Eternal God, our Heavenly Father, though we lift to Thee grateful hearts for Thy gracious protection of our lives, for the preservation of our country, for Thy generous provision for our every need in life, and for the great promises of Thy word, yet ours are troubled hearts when we think of all that the Christian church has done in her earnest desire to evangelize the world, and then face the painful fact that in 2,000 years she has been able to win but little more than one-tenth of the world's people to a saving knowledge of our Lord, Jesus Christ. When we scan the columns of our newspapers and see every page crimson with a history of the broken laws of God and man; when we see the nations of the world unable to adjust their differences, and glaring at one another in distrustful jealousy, increasing their armaments to a point never before known in history—with this shocking, sordid scene before our eyes on the world's horizon, our sober minds and fearful hearts are impressed with the inherent weakness and acquired wickedness of mankind.

But Thy word teaches us that when Thy people approach Thy throne of grace with penitent hearts and pleading souls, Thy answer is soon forthcoming. We therefore beseech Thee, our Father, that Thou wilt kindle anew the fires of our family altars; that Thou wilt place in every public school and college class-