SENATE

THURSDAY, FEBRUARY 25, 1954

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

Lord of all being, who holdest the world in the hollow of Thine hand: Give us now, we pray as we bow at the altar of Thy grace, the emancipating consciousness that the rampant confusions of today are seen by Thee in their true perspective. In this quiet moment give us to see that so often the things that disturb us most, agitate our spirits, and seem to loom so large, are like the grass which groweth up: In the morning it flourisheth and groweth up; in the evening it is cut down, and withereth. Save us from mistaken magnitudes. Grant us a constant awareness of eternal principles whose majesty outweighs the temporal and the passing.

Bringing our cares to Thy fatherly understanding, even our concerns for the Nation in these storm-tossed days, may our hearts be kept in perfect peace as we stay our minds on Thee. We ask it in the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., February 25, 1954.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. THOMAS H. KUCHEL, a Senator from the State of California, to perform the duties of the Chair during my absence.

STYLES BRIDGES,
President pro tempore.

Mr. KUCHEL thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, February 24, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

CALL OF THE ROLL

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

The ACTING PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

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

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON REAPPORTIONMENT OF AN APPROPRIATION

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Labor for "Unemployment Compensation for Veterans, Bureau of Employment Security," for the fiscal year 1954, had been apportioned on a basis which indicates a necessity for a supplemental estimate of appropriation (with an accompanying paper); to the Committee on Appropriations.

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 ACTING PRESIDENT pro tempore appointed Mr. CARLSON and Mr. JOHNSTON of South Carolina members of the committee on the part of the Senate.

FLEXIBLE FARM PRICE-SUPPORT PROGRAM — STATEMENT OF MONTGOMERY COUNTY FARM BUREAU DAIRY COMMODITY COMMITTEE, FONDA, N. Y.

Mr. AIKEN. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a statement of the position taken by the Montgomery County Farm Bureau Dairy Commodity Committee, at Fonda, N. Y., on the flexible farm price support program as proposed by Secretary of Agriculture Benson.

There being no objection, the statement was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

The Montgomery County Farm Bureau Dairy Commodity Committee meeting at the Old Court House in Fonda Monday evening went on record unanimously as favoring the flexible farm price support program as proposed by Secretary of Agriculture Benson. John B. Holloway, of Amsterdam, was authorized and instructed to carry the sentiments of the committee to the Agriculture Committees of the House and Senate.

The session was attended by 29 members of the committee for the purpose of studying the problems of Montgomery County dairymen and offering suggested activities for the dairy program for 1954–55. Every township in the county was represented.

Problems of Montgomery County dairymen as outlined by the committee include:

1. Milk marketing, including advertising and efficient distribution.
2. Reducing cost of producing milk.
3. Herd management, including the need for dairy records and disposal of poor producers.
4. Need to produce more home-grown grain, particularly corn for grain.
5. Herd health, with particular emphasis on sterility or nonfertility and mastitis.

The program suggested by the committee to meet the needs of county dairymen includes:

1. Support the milk advertising program.
2. Sponsor a "green-acres" contest to stimulate interest in improved pastures and high quality feed production.
3. Broaden the area of contact by getting new men on committees and into activities.
4. Have larger meetings with well-known speakers and follow up with news reports or service letters.
5. Continue herd health program.
6. Conduct machinery demonstrations or field days.
7. Encourage testing and culling of dairy cattle.
8. Keep informed on public policy for agriculture.

Roland Fox, of Fonda, was reelected chairman of the committee.

James Mead and Max Silka, of Amsterdam, Warren Casler, of Fort Plain, and Robert Shuster, of St. Johnsville, were appointed to the "green acres" subcommittee.

Those attending included: Robert Krum, Canajoharie; Richard Brookman, Fort Plain; Warren Casler, Fort Plain; Donald Klemme, Fort Plain; William Dusold, Canajoharie; Theodore Browngardt, Sprakers; Judd Chase, Sprakers; Stanley Elwood, Sprakers; Henry Lyker, Sprakers; Ludwig Piening, Randall, Kenneth Hughes, Fultonville, Edward Ingersoll, Fultonville; Kenneth Beyer, Fultonville; Harold Bellinger, Fultonville; James Mead, Amsterdam; John Holloway, Amsterdam; Lawrence Phillips, Amsterdam; Charles Persons, Jr., Amsterdam; Max Silka, Amsterdam; Roland Fox, Fonda; Roy Manelius, Fonda; David Fox, Fonda; Alton Dillenbeck, Fonda; Rutherford Downes, Fort Plain; William Lamphere, Fort Plain; Wilbur Saltsman, Fort Plain; Robert Shuster, St. Johnsville; and Eddie Bowers, St. Johnsville.

THE WESTERN MINING INDUSTRY

Mr. WELKER. Mr. President, the plight of the western mining industry continues to be a matter of most serious concern. It has called forth protests from representatives of both management and labor because of the many mine shutdowns, which occur almost daily. Work schedules have been and are now being drastically cut.

Recently the State central committee of the Republican Party in Idaho met to consider the problem, and the result was a resolution calling upon the administration to take corrective action to save our hard-hit mining industry.

I desire to add my voice to that of the Republican committee in my home State, in urging that the administration soon take steps to end the disastrous trend which is unquestionably ruining the mining industry of the United States.

I ask unanimous consent to have printed at this point in my remarks, and appropriately referred, the resolution adopted by the Idaho State Republican central committee.

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

Whereas over a period of several years last past, excessive imports of lead and zinc have flooded the American market with supplies of these metals which could not be absorbed and as a consequence the price of these metals has been forced down below the cost of production in the mines of the West, and

there has been at least a 70-percent shutdown of these mines; and

Whereas every dollar spent for domestic mine operation and the production of these vital metals is effective to its full value in the national economy of the United States, supporting the workingman, the retailer, wholesaler, farmer, railroads, trucklines, professions, and men and women in the service industries, as well as providing tax revenues and dividends to thousands of large and small stockholders in mining and related industries; and

Whereas to the contrary the dollars spent in foreign nations for the production of these metals have a very limited helpful influence upon the economy of this country and its citizens since only a few cents of every dollar are circulated here; and

Whereas it is our considered opinion that no more effective steps could be taken to weaken the defenses of this Nation and leave us relatively disarmed than to permit the continued shutdown of our western mines and the prolonged interference with our national economy which results from this situation: Now, therefore, be it

Resolved, That we call upon the President of the United States, the Congress, the Tariff Commission, and all other agencies of Government to immediately take whatever steps are necessary in their good judgment to terminate this vicious and destructive throttling of the mining industry upon which the strength and prosperity of the Nation so largely depends.

REPUBLICAN STATE CENTRAL COMMITTEE,
WM. S. CAMPBELL,
State Chairman.

AID TO FARMERS IN MISSOURI—RESOLUTION OF MISSOURI BANKERS ASSOCIATION, COLUMBIA, MO.

Mr. HENNINGS. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Missouri Bankers Association, which was sent in a telegram to Secretary of Agriculture Ezra Taft Benson on February 11, 1954. The resolution calls attention to the disaster conditions resulting from the unprecedented drought in many areas, and urges the Secretary of Agriculture to immediately extend aid for the restoration of pastures, or advise the appropriate agency in Missouri that such aid to Missouri farmers is not to be expected from the Secretary of Agriculture.

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

COLUMBIA, MO., *February 11, 1954.*

EZRA T. BENSON,
Secretary of Agriculture,
Washington, D. C.:

The following resolution is sent you by the president, treasurer, executive manager of the Missouri Bankers Association and the chairman of the association's agricultural committee:

"RESOLUTION FOR AID BY THE UNITED STATES DEPARTMENT OF AGRICULTURE TO MISSOURI FARMERS IN THE SEEDING AND FERTILIZING OF PASTURES DAMAGED BY DROUGHT IN 1953

"Whereas the drought of 1953, unprecedented in duration and severity, has brought disaster to Missouri farmers in many wide areas, especially in the form of damage to pastures and livestock; and

"Whereas the immediate reseeding or reestablishment of these damaged or dead pastures is necessary for the continuing profitable operation of Missouri farms, especially livestock farms; and

"Whereas this quick restoration of pastures by reseeding and fertilizing will require expenditures difficult for farmers who have lately suffered drastic losses; and

"Whereas all State and Federal agricultural agencies and farm organizations in Missouri have lately and jointly and most earnestly requested from the Secretary of Agriculture a program of aid in the restoration of Missouri pastures; and

"Whereas this request has been received by the Secretary of Agriculture but action upon it has been unseasonably postponed until further delay will be fatal: Therefore be it

"*Resolved*, That the Secretary of Agriculture is respectfully and earnestly requested to extend immediately the aid already sought for the restoration of Missouri pastures, or that he advise the appropriate Federal agricultural agency in Missouri that such aid to Missouri farmers is not to be expected from the Secretary of Agriculture."

JOHN ROGERS,
President.
R. A. EVANS,
Treasurer.
ROBERT E. LEE HILL,
Executive Manager.
O. J. STRATMAN,
Chairman, Agricultural Committee.

ELECTORAL REFORM

Mr. MUNDT. Mr. President, a great many Americans are interested in the problems involved in electoral reform, changing somewhat the functioning of our electoral college. I ask unanimous consent to have printed in the RECORD a resolution unanimously adopted by the 28th Women's Patriotic Conference on National Defense, on February 5, 1954, at the Statler Hotel in Washington, urging support of the so-called Mundt-Coudert amendment, relating to the election of presidential electors.

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

RESOLUTION URGING SUPPORT OF THE MUNDT-COUDERT AMENDMENT

Whereas the present method of electing presidential electors has narrowed the effective political foundation of the President to a few large doubtful and pivotal States whose electoral votes are vital to victory, and puts a high premium on the power of organized pressure groups; and

Whereas Representative FREDERIC R. COUDERT, JR., and United States Senator KARL E. MUNDT have proposed in Congress an amendment to the Constitution of the United States requiring that electors for the President and Vice President be elected in exactly the same manner as Senators and Representatives are elected, that is, 1 in each congressional district and 2 at large, or statewide in each State: Therefore be it

Resolved, That the 28th Women's Patriotic Conference on National Defense urges wholehearted support of the proposed Mundt-Coudert amendment, Senate Joint Resolution 95 and House Joint Resolution 1, which provides for the election of 435 Representative electors in congressional districts and the election of each State's 2 senatorial electors by statewide popular vote as United States Senators are elected.

(Adopted unanimously February 5, 1954, by the 28th Women's Patriotic Conference on National Defense in session at the Hotel Statler, Washington, D. C.)

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FERGUSON (for Mr. BRIDGES), from the Committee on Appropriations:

H. R. 7996. A bill making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes; with amendments (Rept. No. 1029).

By Mr. DUFF, from the Committee on Armed Services, without amendment:

H. R. 5509. A bill to amend the Army-Navy Medical Services Corps Act of 1947 relating to the percent of colonels in the Medical Service Corps, Regular Army (Rept. No. 1030).

By Mr. DUFF, from the Committee on Armed Services, with an amendment:

S. 2040. A bill to define service as a member of the Women's Army Auxiliary Corps as active military service under certain conditions (Rept. No. 1031).

By Mr. DUFF, from the Committee on Armed Services, with amendments:

S. 897. A bill to extend the time for making application for terminal-leave pay under the Armed Forces Leave Act of 1946, as amended (Rept. No. 1032); and

S. 2247. A bill to authorize certain members of the Armed Forces to accept and wear decorations of certain foreign nations (Rept. No. 1033).

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON INTERLOCKING SUBVERSION IN GOVERNMENT DEPARTMENTS

Mr. JENNER. Mr. President, from the Committee on Rules and Administration, I report an original concurrent resolution to provide for printing additional copies of hearings entitled "Interlocking Subversion in Government Departments."

The ACTING PRESIDENT pro tempore. The concurrent resolution will be received and placed on the calendar.

The concurrent resolution (S. Con. Res. 66) was placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary not to exceed 25,000 copies of parts 15, 16, 17, and subsequent parts of the hearings entitled "Interlocking Subversion in Government Departments," held before a subcommittee of the above committee during the 83d Congress.

BILLS INTRODUCED

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

By Mr. MARTIN (by request):

S. 3006. A bill to permit court review of Veterans' Administration decisions on issuance, reinstatement, or conversion of insurance;

S. 3007. A bill to limit eligibility of a stepchild and of a stepparent for servicemen's indemnity awards;

S. 3008. A bill to amend certain provisions of the Servicemen's Indemnity Act of 1951;

S. 3009. A bill to amend section 622 of the National Service Life Insurance Act of 1940;

S. 3010. A bill to amend subsection 602 (j) of the National Service Life Insurance Act of 1940, as amended;

S. 3011. A bill to amend Veterans Regulation No. 9 (a), as amended, so as to provide for transportation of the body of a veteran dying in a State veterans' home;

S. 3012. A bill to amend veterans regulations to establish for persons who served in the Armed Forces during World War II a further presumption of service connection for multiple sclerosis and the chronic functional psychoses; and

S. 3013. A bill to provide increases in the monthly rates of wartime service-connected death compensation payable to widows alone and to dependent parents; to the Committee on Finance.

S. 3014. A bill for the relief of Helen Panagiotis Stamoulis, also known as Heleni P. Stamoolis or Stamouli; to the Committee on the Judiciary.

(See the remarks of Mr. MARTIN when he introduced the above bills, which appear under separate headings.)

By Mr. EASTLAND:

S. 3015. A bill to provide that the price of whole milk, butterfat and the products thereof shall be supported at 90 percent of parity until April 1, 1955; to the Committee on Agriculture and Forestry.

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

By Mr. SMITH of New Jersey:

S. 3016. A bill for the relief of Michele Nini and Emilia Nini; to the Committee on the Judiciary.

By Mr. GREEN:

S. 3017. A bill for the relief of Thomas Barron; to the Committee on the Judiciary.

By Mr. KERR:

S. 3018. A bill for the relief of Frederick August Westphal; to the Committee on Finance.

By Mr. ELLENDER (for himself, Mr. LONG, Mr. HOLLAND, and Mr. SMATHERS):

S. 3019. A bill to amend the Sugar Act of 1948, as amended; to the Committee on Finance.

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

By Mr. HUMPHREY:

S. 3020. A bill to authorize the President to use agricultural commodities to improve the foreign relations of the United States, to relieve famine, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. BUTLER of Maryland:

S. 3021. A bill to amend the Interstate Commerce Act in order to authorize the terminal placement of railroad cars without separate charge therefor in certain cases; to the Committee on Interstate and Foreign Commerce.

S. 3022. A bill for the relief of Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You; to the Committee on the Judiciary.

By Mr. SALTONSTALL:

S. 3023. A bill for the relief of Palmira Smarrelli (nee Lattanzio);

S. 3024. A bill for the relief of Malvina David (nee Gabriel); and

S. 3025 (by request). A bill for the relief of Nikolaj Perehud-Pogorelski; to the Committee on the Judiciary.

S. 3026 (by request). A bill to provide for the award of a suitable medal to George E. Clark; to the Committee on Interstate and Foreign Commerce.

By Mr. CARLSON:

S. 3027. A bill to incorporate the American Federation of the Physically Handicapped; to the Committee on the Judiciary.

By Mr. CARLSON (for himself and Mr. JOHNSTON of South Carolina) (by request):

S. 3028. A bill to require the Postmaster General to reimburse postmasters of discontinued post offices for equipment owned by the postmaster; to the Committee on Post Office and Civil Service.

PROPOSED VETERANS' LEGISLATION

Mr. MARTIN. Mr. President, by request, I introduce for appropriate reference eight bills relating to proposed veterans' legislation. The bills are recommended by the director, national legislative commission, the American Legion, and are accompanied by letters from the director explaining the bills.

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

The ACTING PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the letters will be printed in the RECORD.

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

S. 3006. A bill to permit court review of Veterans' Administration decisions on issuance, reinstatement, or conversion of insurance.

The letter accompanying Senate bill 3006 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6578, introduced in the House on July 28, 1953, same being a bill to permit court review of Veterans' Administration decisions on issuance, reinstatement, or conversion of insurance.

The national organization of the American Legion would be very grateful to you if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Present law provides authority for the United States to be sued in the United States District Court for the District of Columbia or in any other district court of the United States only in the event of disagreement as to an insurance claim.

The bill would permit the United States to be sued in any of the courts mentioned not only when a claim is involved but where exception is taken to a Veterans' Administration decision regarding issuance, reinstatement, or conversion of United States Government or national service life insurance.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,

MILES D. KENNEDY,
Director.

S. 3007. A bill to limit eligibility of a stepchild and of a stepparent for servicemen's indemnity awards.

The letter accompanying Senate bill 3007 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6936 introduced in the House on January 6, 1954, same being a bill to limit eligibility of a stepchild and of a stepparent for servicemen's indemnity awards.

The national organization of the American Legion would be very grateful to you if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Section 1: Present provisions of section 3, Servicemen's Indemnity Act of 1951 (pt. I, Public Law 23, 82d Cong., approved April 25, 1951), place a stepchild on a parity with a natural child and a stepparent on a parity with a natural parent for servicemen's indemnity awards as beneficiaries. Actually, the insured might never have met or been acquainted with either. It is possible, even probable, that the insured would have no idea that such a person might take precedence as beneficiary over some other person in the limited beneficiary class whom he would want to protect.

This bill would authorize an award to a stepchild or stepparent, designated as beneficiary by the insured, making certain that payment would be made if the person in service wanted this. Also, as is proper, if a stepparent, not designated as beneficiary, had nonetheless stood in the relationship of parent to the insured for 1 year or more at any time prior to the insured's entry into active service, such parent would be in the permitted class of beneficiaries.

For national service life insurance matured before August 1, 1946, when limitation on the class of beneficiaries was removed, there was the same restriction placed by Congress on the payment of that insurance as concerns a stepchild or stepparent that is proposed here for servicemen's indemnity purposes.

Section 2: This would require a claim by a person made eligible to an award and would authorize continuance of payment, to the end of the second month following receipt of such claim, to a person whose award would be terminated. It would also prevent duplicate benefit payments.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,

MILES D. KENNEDY,
Director.

S. 3008. A bill to amend certain provisions of the Servicemen's Indemnity Act of 1951.

The letter accompanying Senate bill 3008 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate, Senate Office Building, Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6927 introduced in the House

on January 6, 1954, same being a bill to amend certain provisions of the Servicemen's Indemnity Act of 1951.

The national organization of the American Legion would be very grateful to you if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Enclosed is copy of resolution No. 9 adopted at the May 1, 1953, meeting of our national executive committee:

Item 4 of that resolution seeks amendatory legislation to permit a person to revive a United States Government or national service life insurance policy if the term expires within 120 days after the separation from active service, upon application, payment of premium, and proof of good health, as is authorized presently when the term expires during active service.

Section 1 of this bill would accomplish this result. By virtue of approval July 23, 1953, of Public Law 148, 83d Congress, these term policies would be automatically renewed for a further term, if they were in force under premium-paying conditions or through premium waiver under section 622 of the NSLI Act of 1940, as added by the Insurance Act of 1951. However, if an insured permitted the term contract to lapse in order to obtain free servicemen's indemnity coverage during active service and for 120 days after separation, he could revive the lapsed term contract through present provisions of section 5 of the Servicemen's Indemnity Act of 1951 only when the term expired in service. This bill would permit revival if expiry date fell in the 120-day period after separation.

Item 5 of resolution 9 seeks amendatory legislation to provide that the Government bear excess losses resulting from regranting or reinstating insurance without medical examination under authority contained in the Servicemen's Indemnity Act of 1951, so as to protect the participating United States Government and national service life insurance trust funds.

Section 2 of this bill will accomplish this purpose. The beneficial interest in the reserves in the USGLI and NSLI trust funds, created in the Treasury for these participating insurance programs, belong to the policyholders. Violence could be done the funds by imposition of substandard risks who are permitted by section 5 of the Servicemen's Indemnity Act of 1951 to secure, without proof of good health, permanent-plan policies within 120 days after separation from active service to replace those surrendered for cash during service by authority contained in the stated section.

Enactment of this section is necessary to preserve the sanctity of the trust funds for which the Government acts as trustee.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,

MILES D. KENNEDY,
Director.

S. 3009. A bill to amend section 622 of the National Service Life Insurance Act of 1940.

The letter accompanying Senate bill 3009 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6928, introduced in the House on January 6, 1954, same being a bill to amend section 622 of the National Service Life Insurance Act of 1940.

Also enclosed is copy of resolution No. 9 adopted at the May 1, 1953, meeting of our national executive committee. The proposed bill is to take care of item 3 of said resolution.

The national organization of the American Legion would be very grateful to you if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

The purpose of the bill is to waive all premiums on United States Government or national service life insurance term policies and so much of the premiums on permanent plan policies as represents the pure insurance risk for those insureds who were unable to apply for the waiver authorized by section 622 of the National Service Life Insurance Act of 1940 because of being missing in action or captured by the enemy after April 25, 1951, date of enactment of the Insurance Act of 1951, which added section 622 to the National Service Life Insurance Act of 1940 and before April 26, 1952.

In this period of 1 year from April 25, 1951, those in active service would have had full opportunity to take advantage of the waiver provisions of section 622, unless in a missing or prisoner-of-war status, so a premium waiver, if they had sought one, would have been effective should they be missing or captured later.

Section 1 would make insurance nonparticipating, if waived under provisions of section 622 under any circumstance. As section 1 in effect provides for an automatic waiver under certain conditions or waiver retroactively upon others, the amendment proposed is necessary because presently it is provided that the insurance shall be nonparticipating only if the insured elects to have the premium waiver granted.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,

MILES D. KENNEDY,
Director.

S. 3010. A bill to amend subsection 602 (j) of the National Service Life Insurance Act of 1940, as amended.

The letter accompanying Senate bill 3010 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6926 introduced in the House on January 6, 1954, same being a bill to amend subsection 602 (j) of the National Service Life Insurance Act of 1940, as amended.

The national organization of the American Legion would be very grateful to you if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Section 602 (j) of the NSLI Act of 1940, as amended, applies to national service life insurance matured before August 1, 1946.

The section presently prohibits payments of insurance installments to the heirs or legal representatives as such of the insured or of any beneficiary. Also, in the event no person in the permitted class of beneficiaries, to which payment was restricted before August 1, 1946, survives to receive the insurance or any part of it, no payment of the unpaid installments was permitted. However, if the reserve of a converted contract, together with accumulated dividends, less any indebtedness, exceeds the aggregate amount paid to beneficiaries, it does provide for payment of the excess to the estate of the insured, unless any sums paid would escheat.

This bill would require that insurance proceeds, which could not be paid under provisions of existing law, be paid to the estate of the insured, unless such sums would escheat. In this way, payment would be made to heirs of the insured to whom no payment is possible now because of the limited class of beneficiaries allowed before August 1, 1946.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,

MILES D. KENNEDY,
Director.

S. 3011. A bill to amend Veterans Regulation No. 9 (a), as amended, so as to provide for transportation of the body of a veteran dying in a State veterans' home.

The letter accompanying Senate bill 3011 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6935 introduced in the House on January 6, 1954, same being a bill to amend Veterans Regulation No. 9 (a), as amended, so as to provide for transportation of the body of a veteran dying in a State veterans' home.

Also enclosed is copy of Resolution No. 2 adopted at the October 16, 1953, meeting of our national executive committee.

This bill would authorize the Veterans Administration to pay for transporting the body of a veteran, eligible for a VA burial allowance, who dies in a State veterans' home, to the place of burial within the continental limits of the United States on the same basis as now provided for one dying in a VA facility.

Under the first sentence of paragraph III of Veterans Regulation No. 9 (a), as amended, the Veterans' Administration will assume the actual cost of burial and funeral, not to exceed $150, and transport the body to the place of burial in the continental United States, where a veteran dies in a VA facility within the continental limits.

Up to $150 may now be paid by the Veterans' Administration, where a veteran meeting the allowance requirements dies in a State veterans' home for burial and funeral expenses and transportation of the body (including preparation of the body) to the place of burial.

Assumption by the Federal Government of the cost of transporting the body to its final resting place will make certain that the burial and funeral allowance is sufficient to assure a fitting burial for the veteran in recognition of his service to his country.

It is believed that equal treatment in this regard should be accorded the veteran, whether he has been domiciled in a State veterans' home or Veterans' Administration home.

The national organization of the American Legion would be grateful if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,

MILES D. KENNEDY,
Director

S. 3012. A bill to amend veterans regulations to establish for persons who served in the Armed Forces during World War II a further presumption of service connection for multiple sclerosis and the chronic functional psychoses.

The letter accompanying Senate bill S. 3012 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.
Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6931 introduced in the House on January 6, 1954, same being a bill to amend veterans regulations to establish for persons who served in the Armed Forces during World War II a further presumption of service connection for multiple sclerosis and the chronic functional psychoses.

Also enclosed is copy of resolution No. 522 adopted at our 1953 national convention.

This bill would grant a statutory 3-year presumption of service connection, instead of the present statutory 2-year presumption, for multiple sclerosis. It would also grant a 3-year statutory presumption of service connection for the chronic functional psychoses instead of the present 1-year presumption now afforded by inclusion in a list of chronic diseases in a Veterans' Administration regulation.

Multiple sclerosis and the chronic functional psychoses would then be placed on a parity with all types of active tuberculosis.

The presumption is accorded only where the veteran's disability is thus held related to wartime service. The Government would have the right of rebuttal upon affirmative showing of inception before or after service.

By virtue of provisions of Public Law No. 28, 82d Congress, approved May 11, 1951, veterans of service in the Armed Forces during the Korean conflict would be granted the presumption through enactment of this bill on the same basis as the World War II veteran.

The national organization of the American Legion would be very grateful if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,
MILES D. KENNEDY,
Director.

S. 3013. A bill to provide increases in the monthly rates of wartime service-connected death compensation payable to widows alone and to dependent parents.

The letter accompanying Senate bill 3013 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.
Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6934 introduced in the House on January 6, 1954, same being a bill to provide increases in the monthly rates of wartime service-connected death compensation payable to widows alone and to dependent parents.

Also enclosed is copy of resolution No. 100 adopted at our national convention of 1953.

Section 1: This section proposes a monthly compensation rate in wartime service-connected deaths of $85 for a widow with no child, instead of the present $75, and of $75 for a dependent mother or father, instead of the present $60, or where both are granted the benefit, $40 each, instead of the present $35 each.

This proposed amendment of paragraph IV of part I of Veterans Regulation No. 1 (a) pertains only to the survivors; the rates for the widows with children and for children, where there are no widows entitled to the benefit, remain undisturbed as shown by the bill.

There is ample justification for the recommended modest adjustment of rates. All other disability and death compensation and pension rates were increased in 1952 by approval of Public Laws 356 and 427 of the 82d Congress. The cost of living increased for these survivors as for everyone else. There are widows and dependent parents of deceased World War I veterans who are eking out a bare existence because the compensation award is their only income to meet their living expenses.

Section 2: This section would make the increased awards effective from the first day of the first calendar month after date of enactment and should facilitate the adjustments.

The national organization of the American Legion would be very grateful to you if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,
MILES D. KENNEDY,
Director.

HELEN PANAGIOTIS STAMOULIS, ALSO KNOWN AS HELENI P. STAMOOLIS OR STAMOULI

Mr. MARTIN. Mr. President, by request of Representative HERMAN P. EBERHARTER, from the 32d District of Pennsylvania, I introduce for appropriate reference a bill for the relief of Helen Panagiotis Stamoulis, also known as Heleni P. Stamoolis or Stamouli. I ask unanimous consent that Representative EBERHARTER's letter be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3014) for the relief of Helen Panagiotis Stamoulis, also known as Heleni P. Stamoolis or Stamouli, introduced by Mr. MARTIN, by request, was read twice by its title, and referred to the Committee on the Judiciary.

The letter accompanying Senate bill 3014 is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., February 25, 1954.
Senator EDWARD MARTIN,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR MARTIN: In connection with the private bill introduced by you in 1951 (copy attached) it is my understanding that administratively an adverse decision has been rendered.

However, representations have come to me from highly responsible sources in Pittsburgh that further investigation may disclose evidence that there is, indeed, a great deal of merit in the proposal to permit Miss Stamoolis to remain in the United States for permanent residence.

In view of these representations may I respectfully request that you introduce in the Senate a new bill which would have the effect as proposed in the one originally introduced by you in 1951.

With sincere personal regards, I am,
Yours very truly,
HERMAN P. EBERHARTER.

AMENDMENT OF SUGAR ACT OF 1948

Mr. ELLENDER. Mr. President, in behalf of myself, my colleague, the junior Senator from Louisiana [Mr. LONG], and the Senators from Florida [Mr. HOLLAND and Mr. SMATHERS], I introduce for appropriate reference a bill, the purpose of which is to increase the mainland cane-sugar quota 100,000 tons.

I ask unanimous consent that a statement entitled "The Mainland Cane-Quota Situation," submitted by the local representative of the American Sugar Cane League, be printed in the RECORD as part of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred, and without objection the statement will be printed in the RECORD.

The bill (S. 3019) to amend the Sugar Act of 1948, as amended, introduced by Mr. ELLENDER (for himself, Mr. LONG, Mr. HOLLAND, and Mr. SMATHERS) was received, read twice by its title, and referred to the Committee on Finance.

The statement presented by Mr. ELLENDER is as follows:

THE MAINLAND CANE QUOTA SITUATION

STATEMENT MADE ON BEHALF OF THE 53 PROCESSORS AND MORE THAN 8,000 GROWERS OF SUGARCANE IN LOUISIANA AND FLORIDA—THE MAINLAND CANE AREA

The mainland cane sugar area needs its quota increased from 500,000 tons to 600,000 tons.

Sugar production in the area in 4 of the last 5 years has been in excess of the 500,000-ton quota. The current crop will produce more than 640,000 tons.

This over-quota production is due not to increased plantings but to greater efficiency of operation in field and factory; the results of research done by private industry and scientists of the United States Department of Agriculture, which developed disease and cold-resistant varieties that give greater yields of cane and sugar per acre; more scientific farming practices and wider use of improved mechanical equipment.

Although more than 640,000 tons of sugar will be produced from the current crop only 500,000 tons can be sold. The effective inventory on January 1, 1954 was approximately 300,000 tons; actual stocks on that date were estimated to be 190,000 tons. Facilities are not available in the area for warehousing all of the over-quota sugar nor are all producers able to pay the high cost of carrying over that quantity of sugar until January 1, 1955, the beginning of the next quota year, and at the same time finance their next year's crop.

Proportionate share acres (acreage quotas) for 1954 established by the USDA require an acreage cut of 5 percent or 27,000 acres. This makes the total acreage of the area for 1954 20,000 acres less than the total acreage harvested in 1948, when the quota of 500,000 tons was established. Although the area will harvest 20,000 less acres, the estimated production of sugar is still greatly in excess of the statutory quota. A hearing on proportionate shares for 1955 will be held the middle

of this year and all statistics available at this time indicate that the area is faced with a further acreage cut of 30 percent effective for the 1954–55 crop year.

No farmer in the area can survive such a drastic reduction of his crop. Overhead costs on his greatly reduced acreage will still be as high as the overhead costs on the current crop and, incidentally, the current costs are the highest in the history of the area.

The cost of planting an acre of sugarcane is high. It is amortized over a period of some 3 to 5 years because that many annual crops of sugarcane normally are harvested from one planting. So, when a farmer complies with orders from the USDA to reduce his acreage, he must destroy a sizable capital investment.

The following table I shows the acreage of sugarcane and production and stocks of sugar for Florida and Louisiana and for the mainland cane area as a whole for the years 1949 to date:

Acreage of sugarcane and production and stocks of sugar

Crop year	Acreage			Sugar production			Jan. 1 stocks	Jan. 1 effective inventory
	Louisiana	Florida	Total	Louisiana	Florida	Total	Mainland area	Mainland area
	Thous. acres	*Thous. acres*	*Thous. acres*	*Thous. tons*	*Thous. tons*	*Thous. tons*	*Thous. tons*	*Thous. tons*
1949	301	39	340	414	105	519	70	184
1950	296	40	336	451	109	560	61	145
1951	301	40	341	294	[1] 123	417	110	187
1952	295	44	339	451	154	605	55	144
1953 [2]	302	45	347	481	159	640	64	177
1954 [2]						600	190	300
1955 [2]							300	400

[1] Unprecedented early freeze.
[2] Preliminary and estimated.

All of the sugar produced in the mainland cane area is sold in the Continental United States. The value of the current crop of sugarcane in Florida and Louisiana is more than $100 million. That $100 million constitutes new wealth derived from the sale of sugarcane and its byproducts in a trade area largely outside the States where the sugarcane is grown. However, practically all of that money is spent in Florida and Louisiana for labor, machinery, fertilizer and other items needed to produce and process sugarcane, and for family living. Thus, the mainland cane industry makes a major contribution to the economy of both Florida and Louisiana and to all of the United States of America.

Table II below shows the amount of sugar marketed and imported in the United States for the years 1948 to date:

Sugar marketed and imported

(Charges against quotas)

1948	7,084,135
1949	7,588,049
1950	8,273,853
1951	7,761,646
1952	7,966,130
1953	[1] 8,100,000
1954	[2] 8,400,000

[1] 1953 quotas as currently established.
[2] Secretary Benson's estimate of 1954 needs.

The figures in table II represent the approximate annual consumption of sugar in the continental United States. You will note that the consumption in 1954, according to the Secretary of Agriculture's estimate, will be more than 1,300,000 tons greater than the consumption in the year 1948. As you know, the population in the United States is increasing at a rate in excess of 2½ million per year. The per capita consumption of sugar in the United States is approximately 100 pounds, which means that as a result of annual population growth there is an annual average increase in sugar consumption of approximately 125,000 tons. The data in table I clearly indicates that the mainland cane area requires a quota increase of at least 100,000 tons, which mounts to less than 1 year's average increase in consumption in this country due to population increases.

The mainland cane sugar quota, like other domestic area quotas, is not automatically increased in proportion to increases in consumption as is the case with the quota for Cuba and other foreign countries which supply sugar to the United States. As a matter of fact, the Sugar Act provides for 100 percent of any increase in our consumption to go to Cuba and other foreign countries. A 100,000-ton quota increase for the mainland cane area could be made without lowering the basic quota of Cuba or any foreign country. It could be accomplished merely by requiring the foreign countries supplying our market to forego only 80 percent of 1 year's consumption increase due to population growth in our own country.

The mainland cane area's quota of 500,000 tons has not been revised since it was established by Congress in 1947.

The continental beet quota established at the same time is 1,800,000 tons. Only once in its history has the beet area been able to fill its quota. The beet area failed to fill its quota in 1953 by 180,000 tons; in 1952 by 240,000 tons; in 1951 by 100,000 tons; and in 1950 by 1,000 tons.

The principal reason for the consistent failure of the beet area to fill its quota is the fact that normally other crops are more profitable than sugar beets. Consequently, when farmers in that area feel they can get better returns per acre from beans, cotton, or wheat, they do not plant sugar beets and the area has a large deficit.

Puerto Rico's quota was increased by Congress January 1, 1953, by 170,000 tons to its present total of 1,080,000 tons. Although Puerto Rico for some time has talked need for more quota, representatives authorized to speak for the entire sugar industry of that island agreed February 23, 1954, in a meeting with representatives of continental beets, Hawaii, United States Cane Sugar Refiners Association, and mainland cane, that because of the urgency of the Louisiana-Florida quota problem which outweighs Puerto Rico's problem, Puerto Rico would not ask for a quota increase at this time and would give all assistance possible in getting the mainland cane quota increased by 100,000 tons.

The Puerto Ricans further agreed that if and when they did ask for more quota, the request would be limited to raw quota only.

Hawaii has a quota of 1,052,000 tons. Spokesmen for that area stated that Hawaii does not seek a quota increase, but does reserve the right to ask for one in the future if such increase should be justified.

The Virgin Islands quota was increased January 1, 1953, from 6,000 to 12,000 tons, which is adequate for that limited area.

Two States—Florida and Louisiana—produce cane sugar. Twenty-two States produce beet sugar. The total of cane and beet sugar produced in the continental United States is less than one-third of the sugar consumed in the United States. When the production from the Territories of Hawaii, Puerto Rico, and the Virgin Islands is added, the total production of sugar from all domestic areas is only a little more than half of the total sugar requirements of the United States.

Consumers have a definite interest in maintaining a sound domestic sugar industry, particularly that segment of the industry located in the continental United States. The value of the continental domestic sugar industry was impressively demonstrated during World War I—and again during World War II—when it was almost impossible, because of enemy submarine activity, to get sugar from foreign countries and from some of our offshore domestic sugar-producing areas. Now, in the face of a threat of a world war III, it is especially important to consumers that a dependable source of sugar be maintained on the mainland of the United States.

Beyond any doubt the mainland cane area has demonstrated its ability to produce consistently and economically 600,000 tons of sugar annually. Please help Louisiana and Florida to get it.

USE OF AGRICULTURAL COMMODITIES TO IMPROVE FOREIGN RELATIONS

Mr. HUMPHREY. Mr. President, I introduce for appropriate reference a bill to authorize the President to use agricultural commodities to improve the foreign relations of the United States, to relieve famine, and for other purposes. I ask unanimous consent that I be granted not more than 5 minutes to make a statement in connection with the introduction of the bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3020) to authorize the President to use agricultural commodities to improve the foreign relations of the United States, to relieve famine, and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Minnesota to speak for not more than 5 minutes?

Mr. MANSFIELD. Mr. President, reserving the right to object, I hope this will be the last request for an extension of time. I think this morning hour today has been used a little indiscriminately.

The ACTING PRESIDENT pro tempore. Does the Senator from Montana raise a point of order?

Mr. MANSFIELD. No; I do not at this time.

The ACTING PRESIDENT pro tempore. The request was for how much time?

Mr. HUMPHREY. For not more than 5 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair

hears none, and the Senator from Minnesota may proceed.

Mr. HUMPHREY. Mr. President, regardless of any differences on other phases of our agricultural policy I believe every member of this body recognizes the imperative need for expanding our overseas outlets, both through increased private export trade and through our Government making greater use of farm products to replace financial assistance as an arm of our foreign policy.

My interest in this matter has been repeatedly expressed on this floor and elsewhere. I am proud to have cosponsored with the distinguished Senator from Montana [Mr. MURRAY] the resolution calling for creation of international food reserves as a sound, long-range step in solving this problem in a multilateral way through agencies of the United Nations.

I have repeatedly in the past called for greater efforts on the part of our own Government in this direction, and I have supported every move toward that end. My interest in obtaining wheat for both India and Pakistan is well known. My support for granting authority to the President for use of our farm abundance to combat famine anywhere in the world is a matter of record.

On many occasions, I have backed efforts to make greater use of private facilities such as the great organizations of CARE and CROP in overseas distribution of food as a gift from the American people.

Mr. President, this Congress has shown a full awareness of the need to expand our overseas outlets. Many constructive proposals have been advanced.

I have studied all of these proposals, finding merit in most of them, but none covering the entire problem.

Mr. President, I believe this bill combines the best out of several proposals before this body and rounds them together in one omnibus measure that—

First. Extends the authority of the President, which now expires March 31, to use our abundant food supplies for famine relief.

Second. Authorizes the Foreign Operations Administration or such other agency as the President may direct to serve as a trading post for stimulating export sales through converting into dollars the foreign currencies received by exporters in payment for the sale of abundant agricultural commodities.

Third. Requires use of private trade channels to the maximum extent practicable in developing the sales for foreign currencies, and requires the use of private nonprofit agencies and organizations to the greatest extent practicable in carrying out famine relief operations.

Fourth. Provides safeguards against dumping that would substitute or displace usual marketings, and to assure to the maximum extent practicable sales prices consistent with world market prices.

Fifth. Provides for use of foreign currencies obtained through such sales for providing military assistance to friendly countries, for purchase of goods or services in friendly countries, for loans to increase production of goods and services, including strategic materials, for developing new markets on a mutually beneficial basis, and for acquiring materials for United States stockpiles.

Mr. President, all these proposals have been discussed in the Senate last year, this year, and in preceding Congresses. In fact, just a few moments ago we were discussing the same matters, during the speech of the distinguished senior Senator from Mississippi [Mr. EASTLAND].

Because it is the intent of this bill to make use of America's agricultural resources as a positive arm of our foreign policy, rather than just in any sense a farm relief program, the measure provides for the cost to be chargeable to foreign assistance appropriations, rather than to the Department of Agriculture.

The authorization asked for appropriations is no higher than in other bills before the Senate to provide separately for famine relief authority and increased export trade through the mutual security program. I believe there is merit in combining the program into one package, although earmarking the specific amounts authorized for each, in order to provide some limitations.

Mr. President, I believe the bill conforms to the objectives of the Minnesota Farm Bureau Federation and the American Farm Bureau Federation toward an aggressive program of securing mutually acceptable trade agreements with other countries, and providing a clearinghouse for foreign currency as a means of moving surplus agricultural commodities and encouraging two-way trade in lieu of direct aid.

I further believe, Mr. President, that the bill meets the objectives set forth by President Eisenhower in his messages to the Congress.

Mr. President, in an address to the 16th Annual National Farm Institute, at Des Moines, Iowa, on February 19, the Assistant Secretary of Agriculture offered some of the most constructive observations I have yet heard from a spokesman for agriculture in the executive branch of this administration. In the course of his remarks, Assistant Secretary Davis said:

> We must expand foreign outlets. This we can do (A) by promoting export sales through normal trade channels at fair prices, and (B) by promoting exports over and above normal amounts by accepting local currencies under conditions advantageous to both the United States and the cooperating countries.

Mr. President, those are the objectives of the bill I have introduced. I ask that it be held open, and I invite any interested Senators on either side of the aisle to join me in sponsoring this effort to make a constructive approach to carrying out one of the foremost objectives of American agriculture, and one to which President Eisenhower has given his public blessing on several occasions.

While I still believe the international food reserve approach is the eventual one which must be taken, it is imperative that our country act on its own, pending establishment of some multilateral program. For that reason, I have offered this new bill, which I believe includes several refinements of other proposals. I invite its careful study, particularly by my colleagues on both sides of the aisle who have shown such a constructive interest in this problem in the past.

INVESTIGATION BY GENERAL ASSEMBLY OF UNITED NATIONS OF THE KOREA AND KATYN MASSACRES

Mr. DOUGLAS. Mr. President, I submit for appropriate reference a concurrent resolution to force a showdown in the United Nations on the Korean massacres of American soldiers, and the Katyn massacre of officers of the Polish army.

I hope my concurrent resolution will receive speedy approval, and that we shall proceed at once to force organized communism to render an accounting at the bar of world opinion for these horrors.

For several years the Communists succeeded by their propaganda in creating doubts about their guilt in Poland. They successfully gave the impression that these massacres were perpetrated by the German Nazi armies. But they refused to permit an impartial investigation by the International Red Cross—just as, years later, they refused to permit an impartial investigation by the same agency into the Korean atrocities.

In both instances the Communist claim that others perpetrated the crimes, but those claims have been thoroughly exploded. Evidence gathered by the American forces clearly convicts the Communist Koreans, working hand and glove with their Russian-Chinese advisers and commanders, of the Korean slaughter.

A special committee of Congress, under the direction of Representative RAY MADDEN, of Indiana, a Democrat, has amassed evidence beyond any reasonable doubt that it was the Russian armies which cruelly slaughtered thousands of Polish officers in the Katyn Forest. Representative MADDEN's evidence would stand in a court of law. It is painstaking, carefully documented, and convincing proof. His committee report suggests that the United States bring the Katyn atrocities before the United Nations General Assembly for action. For some reason or other, this recommendation has not been followed, and the Katyn case has not been brought before the United Nations.

I have read the report of Mr. MADDEN's committee—a unanimous report, by the way.

These atrocities must not be forgotten, nor remain in the limbo of "unfinished business." They should be brought before the United Nations, with all the evidence and persuasion at our command, time and again, until Russia stands condemned before the world. They are a part and parcel of the pattern of Communist conquest and aggression—to invade, seize or subvert a nation, then slaughter all who could conceivably provide an effective resistance in the future.

The United Nations General Assembly, as a world forum, can take up where the Congress cannot proceed. It can proceed to bring these cases before the World Court, for a final judgment of Communist guilt. Russia ought to be made to stand up and defend these atrocities in a court of law; or she should be shown before the world as an outlaw nation unwilling and afraid to accept

the highest processes of justice. That is exactly what I hope this concurrent resolution will accomplish.

The United States should proceed at once to force this issue of wholesale slaughter and torture before the world, for its condemnation.

Mr. President, the concurrent resolution I am now submitting asks the State Department to bring the Katyn massacre before the Assembly of the United Nations, to have the matter referred to the World Court, to have Russia put on trial in the World Court for its actions in the Katyn massacre, and also to have Russia and China placed on trial in the World Court for the massacre of American soldiers in Korea.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 65), submitted by Mr. DOUGLAS, was referred to the Committee on Foreign Relations, as follows:

Whereas a committee of Congress, after more than a year of investigation, has unanimously found that the Katyn massacre of Polish soldiers was perpetrated by the Soviet NKVD;

Whereas this committee has recommended that the United Nations proceed to bring Russia before the International Court of Justice for trial on charges of violating general principles of law recognized by civilized nations;

Whereas Russia not only has refused to permit an investigation of this crime by the International Red Cross, but likewise has refused to permit the investigation by the International Red Cross of similar atrocities committed against American soldiers in Korea; and

Whereas the massacre of Americans in Korea makes more pressing the necessity of action by the United Nations and the International Court of Justice to establish guilt of crimes of war in conformance with the policy established in the Nuremberg and other war trials: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the President is requested to instruct the United States Representative to the United Nations to bring the Korea and Katyn cases before the General Assembly of the United Nations for the purpose of seeking an immediate and thorough investigation of such cases by the General Assembly, and, if such investigation indicates the desirability of further action, the reference of such cases to the International Court of Justice.

PROPOSED CONSTITUTIONAL AMENDMENT RELATIVE TO TREATIES AND EXECUTIVE AGREEMENTS—AMENDMENT

Mr. MUNDT submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements, which was ordered to lie on the table and be printed.

TAX LEGISLATION—AMENDMENT

Mr. WILLIAMS. Mr. President, on behalf of the Senator from Vermont [Mr. AIKEN] and myself, I submit an amendment which we propose to offer to the tax bill when it comes over from the House.

The amendment has a dual purpose. The first section would reduce the present depletion allowance on oil and gas from 27½ percent to 15 percent. The second section proposes to make it mandatory for the departments to lease all public lands by competitive bidding, rather than under the present procedure of noncompetitive awards.

I ask that the amendment, together with a statement of explanation, be printed in the body of the RECORD.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment and statement will be printed in the RECORD.

The amendment submitted by Mr. WILLIAMS (for himself and Mr. AIKEN) is as follows:

At the end of the bill, add two new sections as follows:

"SEC. . (a) Section 114 (b) (3) of the Internal Revenue Code (relating to percentage depletion for oil and gas wells) is amended by striking out '27½ percent' and inserting in lieu thereof '15 percent.'

"Section 9 of the Mineral Leasing Act for acquiring lands (30 U. S. C., sec. 358; Public Law 382, 80th Cong.) is amended by inserting '(a)' after 'Sec. 9),' and by adding at the end thereof the following new subsection:

"'(b) On and after the date of the enactment of this subsection all deposits of oil and gas, whether or not within any known geological structure of a producing oil or gas field, leased under this act shall be leased to the highest responsible qualified bidder by competitive bidding under the same conditions as contained in the leasing provisions of the mineral-leasing laws applicable to the leasing of lands within any known geological structure of a producing oil or gas field. Nothing in this subsection shall be construed to affect any rights acquired by any lessee prior to the date of the enactment of this subsection, and such rights shall be governed by the law in effect at the time of their acquisition.'"

The explanation presented by Mr. WILLIAMS is as follows:

STATEMENT BY SENATOR WILLIAMS

AMENDMENT TO THE TAX BILL

Depletion allowance

The proposed amendment (subsection (a)) would amend section 114 (b) (3) of the Internal Revenue Code in order to reduce the deduction allowed for depletion of oil and gas wells from 27½ percent of the gross income from the property during the taxable year to 15 percent of such gross income. Section 23 (m) of the Internal Revenue Code allows a deduction, in the case of mines, oil and gas wells, other natural deposits, and timber, of a reasonable allowance for depletion and for depreciation of improvements. However, the depletion allowable under section 23 (m) may be determined, in the case of oil and gas wells and in the case of coal and metal mines and certain other mines and mineral deposits enumerated in section 114 (b) (4) (A) of the Internal Revenue Code, on the basis of a percentage of the gross income from the property during the taxable year. In the case of oil and gas wells, the allowance for depletion under section 23 (m) is, under the present law, 27½ percent of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or rental incurred or paid by the taxpayer in respect of the property. The proposed amendment would reduce the percentage to 15 percent. The proposed amendment would be applicable only with respect to taxable years beginning after the date of its enactment.

Require competitive bidding on leases of mineral rights

This portion concerns the manner in which the Government has been leasing and disposing of its valuable mineral rights for a fraction of their real worth. In an unbusinesslike method the mineral rights under our public lands are being leased by the Department of the Interior at millions of dollars below their marketable value.

This Department, under the provisions of a law passed in 1947, has been leasing public lands for the development of minerals by private negotiation at a nominal fee of 25 cents to 50 cents an acre, sometimes even lower, instead of negotiating these leases on a competitive-bid basis. This rejection of competitive bidding has resulted in the loss of millions of dollars annually. The policy of rejecting competitive bids, sometimes as high as $20 or $30 per acre and accepting only a nominal fee has been explained by the Department as being required under an interpretation of the existing law.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

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

Maj. Gen. John Alexander Klein, Army of the United States (brigadier general, U. S. Army), for appointment as The Adjutant General, United States Army, and as major general in the Regular Army of the United States;

Brig. Gen. Laurence Coffin Ames, and sundry other officers, for appointment as Reserve commissioned officers in the United States Air Force for service as members of the Air National Guard; and

Charles P. Anderson, and sundry other persons, for appointment in the Navy.

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

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

By Mr. UPTON:

Statement prepared by him on the tragic fate of the Lithuanian people under Communist rule.

BIRTHDAY ANNIVERSARY OF SENATOR FERGUSON AND SENATOR McCLELLAN

Mr. POTTER. Mr. President, I wish to express warmest congratulations to my senior colleague from Michigan, Senator HOMER FERGUSON, who today is

celebrating his 65th birthday. He is a young man at 65.

Senator FERGUSON has had a distinguished career in the State of Michigan, and the State of Michigan is proud of its senior Senator. He served as a circuit judge in our great State from 1929 to 1943. He served in that office with great distinction. Senator FERGUSON served as a one-man jury in our State for a period of time in which he cleaned up graft, corruption, and vice in Detroit and Wayne County. When he became a candidate for the United States Senate, he left the bench. He was elected to the Senate in 1942.

The distinguished senior Senator from Michigan is known for his industry. He is one of the hardest working Members of the Senate. He is a man of conspicuous ability. He is kind and thoughtful, and always has in mind the welfare of the people he represents in connection with his consideration of the many major problems which come before the Senate.

So, Mr. President, it is with a great deal of pride and pleasure that I extend my felicitations to my colleague, the distinguished senior Senator from Michigan, HOMER FERGUSON, and wish for him many, many more years of fruitful public service.

Mr. SMITH of New Jersey. Mr. President, I desire to open the day, so far as I am concerned, with a very cheering and wonderful thought. Our best affections and hearty congratulations go today to the senior Senator from Michigan, HOMER FERGUSON, who today is celebrating his birthday. I know I speak for all my colleagues in expressing the wish that he will have many, many more happy birthdays and many, many more years of effective service in the Senate of the Nation.

Mr. JOHNSON of Texas. Mr. President, I desire to join the junior Senator from Michigan [Mr. POTTER] and the senior Senator from New Jersey [Mr. SMITH] in wishing the chairman of the majority policy committee, the distinguished senior Senator from Michigan [Mr. FERGUSON] a very happy birthday, and I hope he may have many more of them.

Let me also call attention to the fact that today is the birthday of the distinguished senior Senator from Arkansas [Mr. MCCLELLAN]; and I know all of us wish him many happy returns.

JOHN MCCLELLAN is one of those great statesmen who make us all proud to be Americans.

He is not a flamboyant character—not a man who speaks without thought. He is rather the kind of legislator who combines experience, ability and courage. The combination is one of the most effective that can be found in the Senate.

JOHN MCCLELLAN is a real leader of his people. He is a real leader because he speaks for them—because he places their interests at the forefront of his thoughts.

He has been an effective Senator for Arkansas—an able legislator for the whole country. The people of his State deserve congratulations for their good judgment and I join them in wishing him many happy returns of the day.

Mr. KNOWLAND. Mr. President, I also desire to join my colleagues in wishing the distinguished senior Senator from Michigan [Mr. FERGUSON] many, many happy returns of the day.

Mr. President, it happens to be my privilege, and has been for some years, to serve with the senior Senator from Michigan on the Appropriations Committee, on which he is now the ranking Republican member. I have watched him perform his work with ability and distinction. He is always a very diligent member of the committee, and is regular in his attendance at its meetings. He handles with equal dispatch the work of the subcommittee to which he is assigned.

At present I am also serving with him as a member of the Senate Foreign Relations Committee, and there he also takes a very keen and active interest in the work of the committee.

Senator FERGUSON bears the very heavy responsibility of being chairman of the Senate Republican policy committee, and he also takes a very active part in the work of that committee.

So, Mr. President, I am happy to join with his other friends and colleagues in wishing him many, many happy returns of the day.

Mr. MARTIN. Mr. President, I am very much pleased and honored to have this opportunity of joining my colleagues in wishing Senator FERGUSON a very happy birthday.

Pennsylvania is very proud of the accomplishments of HOMER FERGUSON. Both Senator FERGUSON and Mrs. Ferguson were born in Westmoreland County, Pa. We have watched with the greatest of interest their outstanding progress and achievements.

Mr. President, when I first came to the Senate, one of the first men I met was Senator FERGUSON. I have observed with much satisfaction and pride his work in the Senate. He has a very high conception of American ideals, and has earned a notable reputation as an outstanding legislator.

The people of Michigan are most fortunate in having him as one of their representatives in the United States Senate.

Mr. THYE. Mr. President, I, too, desire to join my colleagues in wishing Senator FERGUSON many, many, many more pleasant birthdays here on the floor of the Senate. The Nation needs men of the ability, character, sincerity, and purpose that have marked the distinguished career of Senator FERGUSON. As a member of the Appropriations Committee, I have been privileged to serve with him, not only as a member of the full committee, but also as a member of the Subcommittee on Military Appropriations. I know of his ability and his determination to obtain the facts and to deal properly and justly with all matters pertaining to the affairs of our Government, whether military or civil.

So, Mr. President, I desire to join my colleagues in wishing for Senator HOMER FERGUSON many, many more years of service in the United States Senate.

Mr. BRICKER. Mr. President, I, too, desire to join my colleagues in extending our warmest felicitations and greetings to our good friend and distinguished colleague, the senior Senator from the State of Michigan, HOMER FERGUSON. I have known him for many years, and knew him for many years before serving in the Senate. I have had many pleasant and happy associations and relationships with him. At all times I have known him to be most able and most friendly.

Mr. President, I was gratified when his colleague, the junior Senator from Michigan [Mr. POTTER], referred to Senator HOMER FERGUSON as a young man. Certainly the senior Senator from Michigan gives every evidence of being young and active, as he diligently performs the heavy tasks which are his in the Senate.

So, Mr. President, I desire to join my colleagues in wishing for Senator FERGUSON many, many more years of service to his people and to his country.

Mr. GORE. Mr. President, I desire to join in extending congratulations to the senior Senator from Michigan [Mr. FERGUSON] and in wishing him many happy returns.

I desire also, Mr. President, to congratulate the distinguished senior Senator from Arkansas [Mr. MCCLELLAN] upon his attainment of another milestone. The birthday of the senior Senator from Arkansas is a matter of note because of the outstanding service which he has rendered to his country and to his State.

Mr. SMATHERS. Mr. President, it affords me pleasure to join with my colleague, the junior Senator from Tennessee [Mr. GORE] and my other colleagues who have expressed their felicitations to the senior Senator from Michigan [Mr. FERGUSON] and to the senior Senator from Arkansas [Mr. MCCLELLAN] on their birthdays.

The senior Senator from Arkansas has a distinguished record. At one point in his career he served as prosecuting attorney. He was elected to the 74th Congress to represent the 6th Congressional District of Arkansas. He served in the House of Representatives as a Representative for two terms, following which he was elected to the United States Senate, since which time he has been serving in the Senate with distinction.

I wish to add my voice to the sentiment expressed by the junior Senator from Tennessee in extending to the senior Senator from Arkansas best wishes and congratulations.

REPORT BY SECRETARY OF STATE DULLES ON FOUR-POWER MEETING AT BERLIN

Mr. SMITH of New Jersey. Mr. President, yesterday the Secretary of State, Hon. John Foster Dulles, delivered a very important address, which was carried over nationwide television facilities last night. It was a report on the recent Four Power meeting in Berlin. Because of the importance of this address I ask unanimous consent that the full text of the address be printed in the body of the RECORD at this point as a part of my remarks.

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

REPORT ON BERLIN

(Address by Hon. John Foster Dulles, Secretary of State, concerning the recent Four Power meeting at Berlin)

Last Friday evening I returned to Washington after 4 weeks of daily discussion at Berlin with the Foreign Ministers of France, Great Britain, and the Soviet Union—Mr. Bidault, Mr. Eden, Mr. Molotov. Also, on the way back, I met with Chancellor Adenauer, of Germany.

I find on my return that there is some confusion as to what really happened. That is not surprising. It is difficult to grasp quickly the results of 4 weeks of debate on many different matters. Indeed, the full results cannot be clearly seen for many months. I can, however, say that this meeting had two results which will profoundly influence the future.

First, as far as Europe was concerned, we brought Mr. Molotov to show Russia's hand. It was seen as a hand that held fast to everything it had, including East Germany and East Austria, and also it sought to grab some more.

Second, as far as Korea and Indochina were concerned, we brought Mr. Molotov to accept a resolution which spelled out the United States position that Red China might in these two instances be dealt with, but not as a government recognized by us.

You may ask whether it was worth while to go to Berlin and to make the great effort that the conference involved merely to obtain these results.

My answer is "Yes," and I have no doubt about that. Berlin cleared the way for other things to happen. The unification and the strengthening of West Europe may now go on. In Asia there could be a unification of Korea and an end to aggression in Indochina—if Red China wants it.

I do not predict that these things will happen. What I do say is that they could not have happened had it not been for Berlin.

II

Five years had elapsed since the Western Ministers had met with the Soviet Foreign Minister. During those 5 years much had occurred.

A war had started and been stopped in Korea.

A war had reached ominous proportions in Indochina.

Stalin had died and his successors talked more softly.

Six nations of Europe had created their coal and steel community and planned to move on to a European Defense Community.

Communist China had emerged as an aggressive military organization, allying its vast manpower with that of the Soviet Union.

In the Soviet Union itself, industrial and agricultural strains were developing.

In East Germany, the spontaneous outbreak of June 17, 1953, revealed, in one enlightening flash, how much the captives crave freedom.

What did all of this add up to, in terms of world politics? Many speculated and no one knew. The uncertainty was leading to hesitation, wishful thinking and some paralysis of action.

There was only one way to find out—that was to meet with the Russians and deal with them in terms of some practical tests.

III

We went to Berlin in the hope that Soviet policies would now permit the unification of Germany in freedom, or at least the liberation of Austria. Those two matters would, in relation to Europe, test the Soviet temper. We hoped to achieve those two results and we were determined to let no minor obstacles deter us.

The obstacles we incurred were, however, not minor, but fundamental.

The Soviet position was not at first openly revealed. It was masked behind ambiguous words and phrases. But as the conference unfolded and as Mr. Molotov was compelled to respond to our probing of his words, the Soviet purpose became apparent.

The seating and speaking order at the conference table were such that it always fell to me to speak first after Mr. Molotov. Then after me came Mr. Bidault, of France, and then Mr. Eden, of Britain. They carried with conspicuous ability their share of the task. Between the three of us, we exposed what lay behind Mr. Molotov's clever words. For the first time in 5 years the people of West Europe, America, and indeed all who could and would observe, sized up today's Soviet policy out of Mr. Molotov's own mouth, instead of by guess or by theory.

It amounted to this:

To hold on to East Germany.

To permit its unification with West Germany only under conditions such that the Communists would control the election machinery through all Germany.

To maintain Soviet troops indefinitely in Austria.

To offer Western Europe, as the price of Soviet good will, a Soviet-controlled Europe which would exclude the United States except in the nominal role of an observer along with Communist China.

This last Soviet project for what Mr. Molotov called European security was so preposterous that when he read it laughter rippled around the western sides of the table to the dismay of the Communist delegation.

Laughter is a denial of fear and the destroyer of mystery—two weapons upon which the Soviet Union has relied far too long. Both of these weapons were swept aside in one moment of western laughter.

But Mr. Molotov did more than just to furnish us with an occasion for ridicule. In that same breath, he told Germany that the price of unification was total Sovietization. He told Austria she was to be occupied until Germany paid the Soviet price. He told France that the western frontier of communism was to be the Rhine and not the Elbe. He told all Western Europe, including the United Kingdom, that the price of momentary respite was for the Americans to go home.

His final utterances were harsh. When he called for the abandonment of a European Defense Community, the dismantling of the North Atlantic Treaty Organization, the scrapping of United States bases he spoke with no soft words. Gone was the post-Stalin "new look." Thus he made clear what, to some, had been in doubt.

IV

The Soviet position admitted of no real negotiation. There is no middle ground between free German elections and the kind of elections which were carried on the eastern zone of Germany, where the people were forced to deposit Communist Party ballots bearing one set of names alone.

There is no middle ground between a free and independent Austria and an Austria infiltrated with Russian soldiers.

There is no middle ground between an Atlantic community defense system and "Americans, go home."

There is no middle ground between freedom and slavery.

For the clearest and sharpest and simplest exposition of these basic truths, all of us are indebted to Mr. Molotov.

In my closing statement before the conference last Thursday afternoon, I recalled that we had fought the Second World War for goals expressed in the Atlantic Charter, to which the Soviet Union had subscribed. One of these was freedom from fear. But, once victory was won, the dominant Soviet motive had been "fear of freedom."

There is no doubt in my mind that the Soviet leaders genuinely fear freedom. They do not feel safe unless freedom is extinguished, or is defenseless. That Soviet attitude made it impossible to achieve any agreement at Berlin in relation to European matters.

V

I have referred to the efforts of the western Ministers to require Mr. Molotov to expose Soviet policies in their reality. That effort gave drama to every meeting of the four. There was another aspect which carried, too, its drama. That was the effort of Mr. Molotov to divide the three Western powers.

Mr. Molotov occasionally complained that he was at a disadvantage because we were three to his one. But from his standpoint, that was an advantage. It is much easier to divide three than it is to divide one. If Mr. Molotov had achieved that division, he would have won the conference. In that respect, he failed totally. The conference ended with a greater degree of unity between the three Western powers than had existed when the conference began.

That unity did not come about merely because there had been prior planning. There had been able planning, and our United States staff was one of which all Americans can be proud. But no planning could anticipate all the moves which could be made by so shrewd a diplomat as Mr. Molotov and which called for instantaneous response. The unity that emerged was a natural and spontaneous unity which came from the fact that the three Foreign Ministers stood for governments and nations which were dedicated to the concepts of human liberty and national integrity which Mr. Molotov attacked.

VI

It is a tragedy for the peoples of Germany that Germany and Berlin must remain divided; and for the people of Austria that they remain occupied and economically exploited. It can be said, however, to the eternal honor of these peoples, that they would not have had us do other than we did.

The Austrian bipartisan delegation offered the Soviet Union every concession compatible with national honor. They firmly refused to go beyond that point.

We were constantly in contact with the government and political leaders of the Federal Republic of Germany and we knew that they did not want us to buy German unity at the price of making Germany a Soviet satellite. The Germans under Soviet rule had no government to represent them, but we saw them in East Berlin. They provided a startling and shocking contrast with the people of West Berlin. There we saw open countenances and everywhere welcoming smiles and gestures. In the Soviet sector of Berlin we saw only frozen and haggard countenances, as the people stood silently under the vigilant eyes of the ever-present and heavily armed police. A few waved at me from behind a policeman's back and many wrote me through underground channels. They made clear that they passionately wanted unification with West Germany, but they did not seek that unification on terms which would not really have ended their own enslavement, but would have merely extended that enslavement to their brothers of the West.

The alien peoples under Soviet rule can know that nothing that happened in Berlin has made less likely the unification of Germany, or the liberation of Austria and indeed the restoration of freedom to Poland, Czechoslovakia and the other satellite countries. At Berlin I did not conceal my views in this respect. In my closing remarks to the three other Foreign Ministers I said "we do not believe that the people of Germany or Aus-

tria or for that matter of other neighboring nations need to bury their hopes."

I am confident that in saying this I expressed the abiding sentiments of the American people.

The Governments of France and Britain rejected, without hesitation, the Soviet proffer of European peace at a price which would have meant Western European disunity in the face of the huge consolidation of Soviet power.

Thus it came about that, in relation to Europe, much has been revealed. The Soviet has offered its alternatives to Western planning and they are so repellent that there seems no choice but to proceed as planned. Certainly that is the United States conviction.

VII

I had two private talks with Mr. Molotov about advancing President Eisenhower's atomic energy plan. We have agreed on the next procedural step which will involve communication between Moscow and Washington through the Soviet Embassy in Washington. I should note in this connection that the Berlin Conference adopted a resolution to exchange views on limitation of armament as contemplated by a United Nations resolution of last November. It was, however, made clear that these talks would not replace, or cut across, the independent development of President Eisenhower's atomic energy plan.

VIII

We dealt also with the matter of peace in Korea and Indochina.

We wanted a political conference on Korea because we felt it a duty to ourselves, the Korean people and the United Nations to seek to replace a Korea divided by an armistice with a Korea united in peace. The Korean Armistice recommended such a conference with the Communists. But for over 6 months, the Communists had blocked agreement upon either the time or place or composition of that conference. As far back as last September, in agreement with President Rhee of Korea, the United States had proposed that the conference be held at Geneva. That proposal had been rejected. We proposed, also in agreement with President Rhee, that the conference should be composed of Communist China, Soviet Russia, North Korea, and, on the United Nations side, the Republic of Korea, and the 16 United Nations members which had fought in Korea. This proposal had been rejected.

The Communists insisted that a group of Asian "neutrals" should be present and that Soviet Russia would be among these neutrals and so not bound by conference decisions.

We were able at Berlin to settle all these matters. It was agreed that a conference will be held at Geneva, as we had long ago proposed, and that the composition will be precisely that which the United States, the Republic of Korea, and the United Nations General Assembly had sought. There will be no Asian "neutrals" there.

IX

Some profess to fear that the holding of this conference will imply United States recognition of Communist China. That fear is without basis. Those throughout the world who suggest that the prospective Geneva Conference implies recognition are giving the Communists a success which they could not win at Berlin. The resolution adopted at Berlin explicitly provides—I shall read the text—"It is understood that neither the invitation to, nor the holding of, the abovementioned conference shall be deemed to imply diplomatic recognition in any case where it has not already been accorded."

I had told Mr. Molotov, flatly, that I would not agree to meet with the Chinese Communists unless it was expressly agreed and put in writing that no United States recognition would be involved.

Mr. Molotov resisted that provision to the last. He sought by every artifice and device, directly and through our allies, to tempt us to meet with Communist China as one of the five great powers. We refused, and our British and French allies stood with us. When we went into the final session last Thursday afternoon, I did not know what Mr. Molotov's final position would be. So far, he had not accepted my position. We were to adjourn at 7 o'clock. At 6 o'clock—just 60 minutes before the final adjournment—Mr. Molotov announced that he would accept our nonrecognition proviso.

A Soviet concession of that order ought not to be ignored.

My basic position with reference to Communist China was made clear beyond the possibility of misunderstanding.

In my opening statement (January 26), I said "I should like to state here, plainly and unequivocally, what the Soviet Foreign Minister already knows—the United States will not agree to join in a five-power conference with the Chinese Communist aggressors for the purpose of dealing generally with the peace of the world. The United States refuses not because, as suggested, it denies that the regime exists or that it has power. We in the United States well know that it exists and has power because its aggressive armies joined with the North Korean aggressors to kill and wound 150,000 Americans. We do not refuse to deal with it where occasion requires. It is, however, one thing to recognize evil as a fact. It is another thing to take evil to one's breast and call it good."

That explains our nonrecognition of the Communist regime and also our opposition to its admission to the United Nations.

I adhered to that position without compromise. It is that position which is reflected in the final Berlin Conference Resolution. Under that resolution the Communist regime will not come to Geneva to be honored by us, but rather to account before the bar of world opinion.

X

The Berlin Resolution also touches on Indochina. It says that "the establishment, by peaceful means, of a united and independent Korea would be an important factor * * * in restoring peace in other parts of Asia," and it concludes that "the problem of restoring peace in Indochina will also be discussed at the conference."

This portion of the resolution was primarily and properly the responsibility of France. The United States has a very vital interest in developments in this area and we are helping the French union forces to defeat Communist aggression by helping them out with grants of money and equipment.

But the French and peoples of the Associated States of Indochina are doing the actual fighting in a war now in its eighth year. They have our confidence and our support. We can give counsel and that counsel is welcomed and taken into account. But just as the United States had a special position in relation to the Korean armistice so France has a special position in Indochina.

XI

I recognize, of course, that the Soviet Union would not have accepted, 100 percent, our terms for the Korean political conference, unless it expected to benefit thereby. But so do we.

I can think of some Soviet benefits that we would not like and should prevent. But I do not wholly exclude the idea that the Soviet Union might in fact want peace in Asia.

We can hope so, and we shall see. In the meantime, we shall keep on our guard.

There is, however, no reason why we should refuse to seek peacefully the results we want merely because of fear that we will be outmaneuvered at the conference table. No informed observers believe that we were outmaneuvered at Berlin.

We need not, out of fright, lay down the tools of diplomacy and the possibilities which they provide. Our cause is not so poor, and our capacity not so low, that our Nation must seek security by sulking in its tent.

XII

Berlin gave the free nations up-to-date, first-hand post-Stalin knowledge of Soviet intentions. That knowledge was not reassuring. It shows that the free nations must remain steadfast in their unity and steadfast in their determination to build military strength and human welfare to the point where aggression is deterred and the ideals of freedom are dynamic in the world.

We must continue to hold fast to the conviction that the peoples and nations who are today not the masters of their own destinies shall become their own masters.

If we do all of this, not belligerently, but wisely and soberly; if we remain ever-watchful for a sign from the Soviet rulers that they realize that freedom is not something to be frightened by, but something to be accepted, then we may indeed, as these eventful coming months unfold, advance the hopes for peace of the world, hopes so eloquently voiced by President Eisenhower last April, and again last December.

XIII

In all of this, we Americans have a special responsibility.

Over recent years, the fearful problem of dealing with Soviet expansion has brought many to a truly disturbing emotional and moral state. In a sense, brains have been washed to such an extent that many are tempted to trade principles of justice for some sense of momentary respite.

Our ultimate reliance is not dollars, is not guided missiles, is not weapons of mass destruction. The ultimate weapon is moral principle.

George Washington, in his farewell address, called upon our Nation to observe justice toward all others. "It will," he said, "be worthy of a free, enlightened, and, at no distant period, a great Nation to give to mankind the too novel example of a people always guided by an exalted justice * * *. The experiment, at least, is recommended."

That recommendation has, in fact, guided us throughout most of our national life and we have become the great Nation which Washington foresaw. This is not the moment to foresake that guiding principle. It is not a moment to flee from opportunities because we fear that we shall be inadequate. If what we stand for is right, why should we fear?

There are some in Europe who would have us forsake our friends in Asia in the hope of gain for Europe. There are some in Asia who would have us forsake our friends in Europe in hope of gain for Asia. We dare not be critical of them, for they are subject to strains which we are spared by our fortunate material and geographical position. Indeed, there are some Americans who would have us sacrifice our friends both in Asia and in Europe for some fancied benefit to ourselves.

I do not argue that American foreign policy should be conducted for the benefit of others. American foreign policy should be designed to promote American welfare. But we can know that our own welfare would not really be promoted by cynical conduct which defies moral principles. In a world in which no nation can live alone, to treat our friends unjustly is to destroy ourselves. We must stand as a solid rock of principle on which others can depend. That will be the case if we follow George Washington's advice and continue to be a people who are guided by "exalted justice."

THE FOREIGN SERVICE OF THE UNITED STATES

Mr. SMITH of New Jersey. Mr. President, recently I have had called to my attention an article which appeared in the Saturday Evening Post, January 9, 1954, entitled "I Rode Uncle Sam's Gravy Train Overseas." This article, which was reprinted in the CONGRESSIONAL RECORD, was critical of the Foreign Service and perhaps left the implication that a good many of our public servants abroad are engaged in high living and are not devoting their best efforts to the interests of the United States.

I do not share the point of view that such abuses as are implied in this article are universal. I have visited a good many of our missions abroad and it is my conviction that, generally speaking, the Foreign Service of the United States is staffed with competent people, many of whom are making important sacrifices to serve their country abroad.

Last week I made a report to the Senate on my recent visit to the Far East. In that report I made some comments on the over-all caliber of the Foreign Service, which I now quote:

I desire to pay special tribute to the career men and the members of the staffs of our Foreign Service. In many of these places they are working under extreme difficulties and great personal sacrifice. They deserve the confidence and support of the people of the United States.

Further on in the report I listed some of the encouraging aspects of the situation we encountered in our visit. Among those encouraging aspects I listed the following:

Finally, we should point out that we were very favorably impressed by the quality of our leadership in Asia. Our ambassadors, on the whole, are outstanding as are our military leaders. * * * It is gratifying to meet such extremely able people in the field who are devoted to the best interests of the United States.

I make this statement for the CONGRESSIONAL RECORD, because I think it is time that the fine service being rendered by our public servants abroad should be properly recognized.

THE ST. LOUIS CARDINAL BASEBALL CLUB

Mr. HENNINGS. Mr. President, I am very glad to have this opportunity to ask unanimous consent to have printed in the body of the CONGRESSIONAL RECORD three telegrams which I have received in reply to the statement made on the Senate floor on Monday by the distinguished senior Senator from Colorado [Mr. JOHNSON] about the St. Louis Cardinal Baseball Club.

The first telegram is from Honorable Raymond R. Tucker, mayor of the city of St. Louis, and is a copy which he sent to me of the wire which he has addressed to Senator JOHNSON. The second wire is from Honorable Aloys Kaufmann, president of the Chamber of Commerce of metropolitan St. Louis and was likewise sent to me as an information copy of a wire sent to Senator JOHNSON. The third telegram is a statement made by Mr. August A. Busch, Jr., president of the St. Louis Cardinals and Anheuser-Busch, Inc.

At a later date I shall have more to say about this controversy.

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

ST. LOUIS, MO., *February 24, 1954.*

Senator THOMAS C. HENNINGS,
Senate Office Building,
Washington, D. C.:

Copy of a telegram sent to Hon. EDWIN C. JOHNSON, Senate Office Building, Washington, D. C.:

"As mayor of St. Louis, I want to call your attention to my opinion regarding Mr. Busch and the motives of his company in purchasing and operating the St. Louis Cardinals. The fact is that St. Louis was in great danger of losing the Cardinals to another city when Anheuser-Busch, Inc., came forward with the capital required to keep them here and to build a championship team.

"The St. Louis Cardinals are more than a St. Louis institution, and more than a Midwest institution. They are the home team of more Americans than any other major league baseball club. Mr. Busch respects that tradition and will continue it. He is an outstanding leader in St. Louis affairs and chairman of Civic Progress, Inc., our organization devoted to building a better St. Louis.

"The peoples of St. Louis do not think the Cardinals are being run for business purposes. They see much evidence that their owners are interested only in giving St. Louis the kind of National League baseball to which it is accustomed—winning baseball.

"Speaking for the people of St. Louis, I want to assure you that we have complete confidence that Mr. Busch will do everything he can to give the fans of this vast section of America a Cardinal team that they will be proud to root to a world championship."

RAYMOND R. TUCKER,
Mayor.

ST. LOUIS, MO., *February 24, 1954.*

Senator THOMAS C. HENNINGS,
Senate Office Building,
Washington, D. C.:

Statement by August A. Busch, Jr., president of the St. Louis Cardinals and Anheuser-Busch, Inc.:

"We respect the right of a United States Senator to make any comment or introduce any legislation, though we hardly believe it proper legislation to be aimed at an individual or single company.

"We do not want to enter into any controversy with Senator JOHNSON, but we believe the 100-year record of Anheuser-Busch, Inc., and our record since we have been in organized baseball speak for themselves.

"1. Anheuser-Busch, Inc., was a leader in its field before any baseball broadcasts—and even before organized baseball itself made an appearance on the American scene. To accuse us of using baseball to achieve a position in the industry we long have enjoyed is self-answering.

"2. Our record for the year we have been in organized baseball has been recorded.

"In the first place we bought the Cardinals only when we were certain that no other group could keep them in St. Louis. Then we proceeded to improve our stadium with one objective—to make the park more comfortable and baseball more enjoyable.

"Baseball broadcasting under brewery sponsorships is certainly not new. More than half of the major league broadcasts are under such sponsorship. Were it not for this sponsorship millions of fans would have been unable to enjoy baseball.

"I can assure fans that Anheuser-Busch, as owner of the Cardinals, will continue to serve the best interests of baseball and the public."

ST. LOUIS CARDINALS.

ST. LOUIS, MO., *February 24, 1954.*

Senator THOMAS C. HENNINGS,
Senate Office Building,
Washington, D. C.:

Information copy of a telegram to EDWIN C. JOHNSON, Senate Office Building, Washington, D. C.:

"We are certain that Anheuser-Busch or Col. August A. Busch, Jr., president of Anheuser-Busch and the Cardinals, needs no defense by us. This telegram is simply to inform you that this 100-year-old company and its president have brought great credit to this community and this area through their business practices, civic spirit, and community participation.

"It was through the personal efforts of Colonel Busch and the expenditure of millions of dollars by the company he heads that kept the colorful Cardinals, one of our great civic assets, in St. Louis. Our citizens are grateful and Mr. Busch's subsequent conduct of the Cardinals has made them very happy.

"We are jealous of the reputation of our community and of its leading citizens and organizations and we are sure you would want to know how we feel.

"This telegram bespeaks the sentiments of the overwhelming majority of our citizens and the business community as well. We respectfully call it to your attention in the interests of fair play."

ALOYS KAUFMANN,
President, Chamber of Commerce of Metropolitan St. Louis.

CLOSING OF POLISH CONSULAR ESTABLISHMENTS IN THE UNITED STATES

Mr. FERGUSON. Mr. President, I know the Senate will be interested in the fact that I have received word, after considerable work on the matter, that the Polish consular establishments in the United States are to be closed. I read the following communication which I have just received:

The Secretary of State presents his compliments to His Excellency the Ambassador of the Polish People's Republic and has the honor to inform the Ambassador that the Department of State has reviewed the activities of the Polish consulates general in the United States. After careful consideration the Department has reached the conclusion that these consular establishments serve no useful purpose in the conduct of relations between the United States and Poland at the present time. The United States Government, consequently, requests that the Polish Government close its consulates general at New York, Chicago, and Detroit and withdraw the personnel of those offices within a reasonable period for liquidating their affairs.

I can vouch for the fact that the Polish consulate in the city of Detroit has served no useful purpose and we are delighted that, as a result of our having taken up the matter with the Secretary of State, the Polish Embassy has now finally closed its consular offices.

PARITY FOR DAIRY PRODUCTS

Mr. EASTLAND. Mr. President, I introduce for appropriate reference a bill to provide that the price of whole milk, butterfat, and the products thereof shall be supported at 90 percent of parity until April 1, 1955. I ask unanimous consent that I may address the Senate briefly on the bill.

The ACTING PRESIDENT pro tempore. The bill will be received and ap-

propriately referred; and, without objection, the Senator from Mississippi may proceed.

The bill (S. 3015) to provide that the price of whole milk, butterfat, and the products thereof shall be supported at 90 percent of parity until April 1, 1955, introduced by Mr. EASTLAND, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. EASTLAND. Mr. President, the action of the Department of Agriculture in reducing the support price of dairy products from 90 percent to 75 percent of parity comes at a singularly inopportune time. I have therefore this day introduced a bill to continue 90 percent support prices for dairy products for 1 year, until the new farm bill has been enacted, and the Congress has had an opportunity to consider permanent dairy legislation.

Mr. President, the economy of this country is now in a recession or mild depression. The unemployed number approximately 3½ million today. Unemployment, in my judgment, will rise considerably higher. I know that unemployment will rise much higher if we reduce farm support prices and thereby curtail farm income and weaken the structure of agricultural purchasing power which undergirds our economic well-being. If the American farmer cannot buy, the wheels of American industry will not turn. If agriculture, our basic industry, is not prosperous, then the manufacturing industries will not prosper, and there will be further unemployment and wage reductions in industry.

It is a crucial error, at a time when the Nation's economy is peculiarly sensitive to governmental policy because of deepening unemployment, to reduce support prices and cut farm income. It is as if a person coming down with a cold were forced to sit in a draft instead of being bundled up and kept warm and given a hot drink.

All that lowering support prices will accomplish, Mr. President, is to create more unemployment. If one deliberately wanted to intensify a recession into a real depression, I cannot think of a better way to do it than to impoverish American agriculture. I shall oppose any reduction in support prices for any farm commodity.

The price of dairy products, Mr. President, is tied to the price of grain. Grain is supported at 90 percent of parity. My judgment is that grain will continue to be supported at 90 percent of parity after the year 1954. It is wrong to support the price of dairy products at 75 percent of parity when the dairy farmer must pay 90 percent for his grain. It is unjust to impose such a cost-price squeeze upon the dairy farmers of this country. If grains are supported at 90 percent—and they should be—then the dairy industry is also entitled to a 90-percent-support price. This is but simple justice.

Dairying is a basic agricultural industry. It is one of the largest in this country; it is one of the most important in this country. There are 602,000 commercial dairy farms in the United States. A total of 2,007,000 farmers derive a part of their cash income from the sale of dairy products, not to mention the even larger number who produce dairy products for their own use.

Mr. President, the total number of farms in the United States is only 5,382,000. Over 2 million of them are dependent in a more or less substantial degree upon the sale of dairy products for their cash income. In other words, in lowering the supports on butter, milk, and cheese from 90 percent of parity to 75 percent, you are lowering the cash income of nearly 40 percent of America's farmers. History has shown that national prosperity is tied to farm prosperity. Why promote a depression by moving to impoverish 40 percent of the Nation's farmers?

No branch of agriculture contributes more to the health of the American people than does our great dairy industry. No farm group works longer hours the year around than do the Nation's dairy farmers and their families. It is elementary justice that they should receive 90 percent of parity for their products just as much as the remainder of America's farm population.

The dairyman's costs have not gone down, and will not go down. His income is modest enough as it is. The Department of Agriculture made a study of farm income on so-called typical farms in 1952. They found that on a typical dairy farm in western Wisconsin the average wage per hour received by the dairy farmer and members of his family was 71 cents. In eastern Wisconsin it was 74 cents. In the great northeastern dairy belt of New York and Pennsylvania it was only 55 cents per hour. No computation was made for the southern dairy industry.

By comparison, the per-hour wage earned on a typical cash grain farm in Illinois or Iowa was $2.29 per hour in 1952 and on a grain and stock farm in the same Illinois-Iowa area, $1.57 per hour. On a North Dakota wheat farm the income per hour of work was 49 cents. On a Washington State grain farm, the per-hour-of-labor income was $3.67.

Mr. President, the 55–74 cents per-hour-of-labor income of the dairy farmer and his family is one of the lowest per-hour incomes in American agriculture. The average factory wage rate for the entire United States in 1953 was $1.76½ per hour. Compare the $1.76½ per hour wage of American factory labor with the 55 cents per hour or the 74 cents per hour of America's dairy farmers and we find that factory workers received approximately 2½ times as much per hour as America's dairy farmers.

I am glad that America's factory workers do receive a good income. Their buying power is a powerful element in the maintenance of our prosperity. But, by the same token, the buying power of over 2 million dairy farmers and their families is equally basic for the maintenance of our prosperity. Seven or eight cents more per pound for butter or a cent more a quart for milk is a small price, indeed, to pay for the prosperity of our great dairy industry.

Never forget that our dairy farmers can buy far more automobiles, far more farm machinery, more refrigerators, more clothing, more furniture, and more of every type of manufactured product if their income is sustained at 90 percent of parity than they can buy if it drops to 75 percent. Economic equity is the key to continued prosperity and that is all I am insisting upon for the dairy farmer.

Why should the dairy farmers be singled out to be the victim of a deflationary policy in a time of economic recession when President Eisenhower is frankly promising and boldly proclaiming inflationary remedies for other phases of the economy? Surely such inconsistency does not make sense.

It will not fatten the dairy farmer's pocketbook to tell him he will sell more dairy products at 75 percent of parity than at 90 percent. He is currently selling all his dairy products at 90 percent, with the Government taking the surplus.

I am not trying to dodge the existence of surplus dairy products. They are no greater than other surpluses and less than some. Like other surpluses, they are impressive only in the cumulative sense. They do not frighten me at all; I view them as a blessing in disguise.

The remedy for surpluses is obvious—export. Western Europe, with its large consumption of breadstuffs, could use far more butter, cheese, and milk than it does today. The energetic, productive peoples of many foreign nations are eager to raise their standard of living. If we will take just enough additional foreign products to enable them to absorb our surplus dairy products and other surpluses, the exchange will become feasible. Or, because of the dollar shortage abroad, we could accept foreign currency for dairy surpluses and use this currency to pay part of our occupation costs and other military expenses. We have military establishments in 49 foreign countries at the present time. Western Germany, with 42 million people in an area the size of California, would, however, be our best customer for surplus butter, cheese, and dried milk.

In my 12 years in the Senate of the United States I have introduced a variety of bills looking to the export of our surpluses. Several have been enacted to the material benefit of agriculture, not only in my own State of Mississippi but in the Nation as a whole. A little further pressure on this export question, and I think we shall have our surplus problems solved.

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

Mr. EASTLAND. I should like to conclude my remarks first; then I shall be very happy to yield.

Mr. THYE. On the subject of exporting dairy surpluses, I wish to commend the Senator from Mississippi for that particular reference, because I believe we have not exerted ourselves as a nation in that field to the extent we should have exerted ourselves.

Mr. EASTLAND. I thank the distinguished Senator from Minnesota, and I will say that I believe the suggestion concerning exportations is applicable to all our agricultural surpluses. They have

accumulated because we have not exerted ourselves or taken simple steps to remedy the situation.

Mr. THYE. That is correct.

Mr. LONG. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield.

Mr. LONG. As a matter of fact, it has occurred to me, and I am sure it may have occurred to other Senators, that we could trade some of these perishable commodities for various things which would not deteriorate rapidly. We could trade them for metals and other things of that kind, of which it is almost impossible to obtain adequate supplies.

Mr. EASTLAND. Certainly; and or with the proceeds we could pay occupation costs and costs in connection with the bases which we are constructing abroad.

Every country from which we are buying military equipment is critically short of food and fiber of all kinds.

I will say this for Secretary Benson, that he is heartily in favor of exporting, so far as possible, surplus agricultural commodities. The hitch seems to be in the State Department.

Mr. President, if we had sold Russia our surplus butter recently when she desired to purchase it, our butter surplus would be down to manageable proportions. But 40 million Germans can eat a lot of butter, too, and if we are wise we will get our surpluses to them and to other foreign nations and not yield to a counsel of desperation here at home on this surplus question and liquidate our dairy farmers and promote a depression.

We can give our dairy farmers 90 percent of parity with the greatest of ease simply by exporting our surpluses.

Of course, we must meet competitive foreign prices of dairy products if we are to sell abroad. But the Secretary of Agriculture already has discretionary power to do this by utilizing section 32 funds comprising 30 percent of United States import duties on foreign goods.

Mr. President, an across-the-board reduction in agricultural support prices would throw this country into a drastic depression. I know of no better way to fight depression than to maintain agricultural income at 90 percent of parity and thereby enable the farmers of this country to buy the products of American industry. Farm prosperity is the best job insurance our factory workers can have. Retention of 90-percent support prices for dairy products is vital to the entire Nation because it is vital to the prosperity of the United States.

Mr. AIKEN. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield.

Mr. AIKEN. I agree thoroughly with what the Senator has said with reference to exporting our dairy products. I think it is nothing less than humiliating that we are prevented from selling a normal excess in a normal competitive world market.

I should like to ask the Senator from Mississippi two questions. The first question is whether he would be in favor of permitting unlimited production of dairy products at a 90-percent price support.

Mr. EASTLAND. Let me answer the Senator's first question first.

Mr. AIKEN. I think that is a good idea.

Mr. EASTLAND. That is a question which does not confront us at this time.

Mr. AIKEN. It will, very shortly.

Mr. EASTLAND. No. What we have got to do is to take the steps necessary to export these surpluses. I think that will cure the situation. In my opinion, there would have been large exports if it had not been for the action of the State Department in throttling them. We would not then have had the surplus of dairy products which we now have. If at some time in the future, in spite of the fact that we are exporting and selling competitively, there should accumulate a surplus which is unmanageable, that is another question. But that situation does not confront us today.

Mr. AIKEN. The fact remains that it does confront us. We are not permitted to export dairy products. In order to be exported they have to be licensed.

Mr. EASTLAND. That is my complaint, exactly. I do not think we should permit the whole price program to be destroyed and the Nation thrown into a depression because we do nothing about exporting our surpluses.

Mr. AIKEN. We have been faced for nearly 10 years with the opposition of the State Department to the exporting of American farm commodities. I agree with the Senator that it is time Congress, or someone, took some action to prevent such unwarranted interference with the farm prosperity of this country. I am willing to help to do something about it.

When any Government officials say the United States cannot export farm commodities on a normal competitive market, they are going far beyond the bounds of economic propriety.

Mr. EASTLAND. Let me make a suggestion before the Senator asks his next question.

Mr. AIKEN. Very well.

Mr. EASTLAND. I think these surpluses are a blessing. The reason why I consider them to be a blessing is that the weight of the surplus, because of the problem which confronts us, will force the administration to take action to correct the situation.

Mr. AIKEN. My next question is, If we support one type of fats and oils at 90 percent of parity, should we not also support other types at the same level? If we support dairy products at 90 percent of parity, should we not also support cottonseed and soybeans at the same level?

Mr. EASTLAND. They are all interrelated, of course. Cottonseed is supported at 75 percent of parity. There is under way a drive to take off all price supports.

Mr. AIKEN. The soybean producers are conducting an intensive campaign. Can the Senator explain why the soybean producers are putting on such a campaign? Is it to bring about an increase in the support price for cottonseed?

Mr. EASTLAND. I did not know they were doing that.

Mr. AIKEN. I think every soybean association in the country has been urging Congress to raise the support level for cottonseed. Can the Senator conceive of any good reason for their doing that?

Mr. EASTLAND. Oh, yes. I understand the State Department objected to the Department of Agriculture publishing daily price information because some foreign nation might object. I was given that information by a very high official in the Department of Agriculture. I should like the distinguished Senator from Vermont, who is one of the most powerful men in the administration, to verify that information.

Mr. AIKEN. I do not understand the point the Senator wants to have verified. My question was whether the Senator would insist upon 90-percent price support for cottonseed.

Mr. EASTLAND. I would insist upon the same support price that is applicable to soybeans. It would be the rankest kind of discrimination to support a product grown in the Midwest at one level and to support a product grown in the South at another level. In 1953 soybeans were supported at 90 percent of parity; cottonseed at 75 percent. Soybeans today are supported at 80 percent, and the drive is on to take off all supports and impoverish the farmer.

Mr. AIKEN. Is it not a fact that when cottonseed was supported at 90 percent of parity the Federal Government was the only market for the oil, and that at the present time——

Mr. EASTLAND. No; I do not know those figures, but I will tell the Senator from Vermont that any time the Government is called upon to take 90 percent of a product because of the support price, the price has got to be lowered.

Whether the Senator's figures are accurate or not, I do not know. I do not think they are.

Mr. AIKEN. I do not know the exact percentage; I do not claim to know. I simply had a feeling that the cottonseed support price was lowered to 75 percent after it was found that there was a good market and that producers were happy over that market at the present time.

I also have had a feeling that the soybean growers were putting on their campaign to raise the price of cottonseed in order to push a competitor out of the market. Furthermore, I have felt that there are persons who wish to keep butter out of a competitive position with oleomargarine. I do not know whether the Senator from Mississippi can explain that.

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

The ACTING PRESIDENT pro tempore. The Chair desires to call the attention of Senators to the fact that the Senate is operating in the morning hour, for the transaction of routine business. The Senator from Mississippi is speaking under a unanimous-consent agreement that a few minutes may be devoted by him to a bill he has introduced. The Chair supposes the word "few" may be variously defined.

Does the Senator from Mississippi yield to the Senator from Alabama?

Mr. EASTLAND. Yes; I yield.

Mr. SPARKMAN. The able Senator from Vermont has just said something

about the cottonseed growers being very happy now with the price situation and the market situation. Does not the Senator overlook the very important point that the able Senator from Mississippi made a few minutes ago, namely, that the relief which the support price affords the tenant and sharecropper at cotton-harvesting time certainly does not apply now, because the tenant and sharecropper do not hold the seed now?

The Senator from Mississippi is talking about something which will help the man who produces the seed, rather than assistance that may be given after the seed gets to the processor.

Mr. EASTLAND. The Senator from Alabama certainly is correct.

Mr. SPARKMAN. I believe the Senator from Mississippi will agree with me in the statement of a fact of which I fear a great many people throughout the country are not aware, and that is that cottonseed really represents, to a great many persons in the cotton-growing section, the real earnings or net profits they receive from their cotton crop.

Mr. EASTLAND. To millions of them it is the principal source of income.

Mr. SPARKMAN. Of course, when the cotton is harvested, the crop gets into the market immediately. Most of the small farmers in the cotton-growing sections of the South do not even take their cottonseed home; they dispose of it at the gin.

Mr. EASTLAND. That is correct.

Mr. SPARKMAN. I have just one other point to make. I appreciate the courtesy of the Senator from Mississippi in yielding to me, for I know he is speaking under a limitation of time.

I wish to commend the Senator for something he said a few moments ago; that is, that the surpluses ought to be considered a blessing. As a matter of fact, I often have the feeling that there might develop in this country a psychology that surpluses are a curse, when, as a matter of fact, they ought to be considered a blessing. In most parts of the world the great struggle is to produce enough.

Mr. EASTLAND. We can export. We have not been exporting because we have not attempted to do so. We have been letting the surpluses pile up and thus destroy the production program.

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

Mr. EASTLAND. I yield.

Mr. HUMPHREY. First, I wish to say, "Three cheers for the statement of the Senator from Mississippi." He has done a great service today by pointing out the importance of a sensible and effective price-support program, not merely with respect to dairy products, which are the current issue, but also with respect to the whole area of the commodities of American agriculture.

As the Senator from Mississippi knows, a few days ago I spoke on this very subject.

Mr. EASTLAND. Yes; and the Senator from Minnesota made a very fine speech.

Mr. HUMPHREY. I wish to commend the Senator from Mississippi, particularly upon the foreign-trade aspects, because this afternoon I shall introduce a bill entitled "The Farm Trading Post Act," which will tie together a number of proposals which have been suggested either in resolution form or in statements by committees.

I reviewed the hearings of the Senate Committee on Agriculture and Forestry of last year, and I have drawn up a bill which proposes to do exactly what the Senator from Mississippi is suggesting; namely, to stimulate the exportation of agricultural exports.

The Senator from Mississippi is exactly right when he says that a great deal more can be done than has been done. I think there has been much dragging of feet. There has been very little creative imagination.

The Senator from Mississippi has pointed out the importance of surpluses as a stimulant to the Government to get busy. I may say they are also important in terms of the consumer in the United States. The countries which have a shortage of any commodity pay much higher prices than we do in this country, where we have a price-support program.

We have looked upon surpluses as giving us a variety of goods from which to choose, in addition to the high quality of the goods we consume. We can look upon surpluses as a real blessing and as an economic asset.

I noticed a while ago that the junior Senator from Louisiana [Mr. LONG] mentioned the possibility of exchanging some of our surplus agricultural commodities for more of the storable commodities necessary for our stockpile. All I say is that the administration and the Government seem to lack any creative imagination whatsoever. Their answer to the problem seems to be to reduce price, a process which ultimately results in liquidating a large number of producers.

Mr. EASTLAND. And also a deepening of the depression.

Mr. HUMPHREY. And a deepening of the depression; indeed, it does.

I point out, in collaboration with the statement of the Senator from Mississippi, that once prices have been reduced, a large number of smaller producers will have been knocked out of economic existence, which will cause an aggravation of the economic problem in the United States from which it may take years to recover.

Besides that, the herds in the dairy industry will have been destroyed by the thousands, and it will take anywhere from 3 to 5 years to recover from such a disaster.

Mr. EASTLAND. What the distinguished Senator from Minnesota has said is correct. There is one way to save a support program at 90 percent, and it can be saved; that way is to market the surplus products. Instead of that, the surpluses are being allowed to accumulate, so the whole program is falling of its own weight. Nothing has been done to reduce the surpluses, but they can be reduced in a hungry world.

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

Mr. EASTLAND. I yield.

Mr. HUMPHREY. I was on the floor last year when the Secretary of Agriculture set the 90 percent of parity price. The manner in which he did it, by delaying the announcement, did much, literally, to pile up butter and other dairy products in Government warehouses. That is the judgment of people who are engaged in the business.

I further say that during this period of time when price supports are going to come down, the Government will have just that much more dairy production on its hands. There will not be a producer who will hold any of his 90 percent of parity commodity until the day the 75 percent price support goes into effect.

Mr. EASTLAND. I can understand that.

Mr. HUMPHREY. I further say that the Department of Agriculture has not seen fit to make a constructive proposal to Congress to deal with the so-called surpluses. Yet the Secretary of Agriculture himself said, in one of his recent statements, a press release which I read on the floor of the Senate, that during the 4 years when dairy production was under 90 percent support price, the demand for dairy products was almost in balance with the supply.

This is the answer to the question of what will happen if 90 percent support prices are in effect for a long time. We had them for 4 years, and had no surplus. The Secretary said the surplus was due to two factors: First, unusually good weather in the winter. No Secretary has a pipeline to the Weather Man upstairs, so that he will be able to adjust the weather according to the statistics of the Department of Agriculture.

The second factor which the Secretary reminded us of, which he said had increased the dairy production, was the low price of beef cattle, which resulted in farmers in dairy areas not culling out the cows from their herds.

I realize the Secretary of Agriculture cannot do much about the weather, but he could have done a little more about beef prices. These two factors have no relevancy whatever to the reduction of support prices.

I say the Secretary can produce no evidence whatsoever that a reduction to 75 percent of parity will in any way increase the consumption of butter fat.

Once a stable policy is established, once dairy producers know what can be expected, plus an energetic program of selling to foreign outlets in exchange for critically needed goods, there will be normal consumption and demand.

Mr. EASTLAND. There ought to be a congressional investigation of the State Department and the way in which it has hamstrung and prevented the export of agricultural surpluses. I have stated on the floor of the Senate that I do not think the State Department is an American agency of government, and I repeat that statement—I do not think it is an American agency of government. I think it has done everything to promote the interests of the foreign producer against the interests of the United States.

Mr. HUMPHREY. While the Senator from Mississippi may not be able to be present when I can have the floor in my

own right, I expect to read a statement in connection with my introduction of a bill which wil be called The Farm Trading Post Act. I shall introduce such a bill today.

The bill will contain some mandatory provisions regarding the Department of State and the Department of Agriculture, to the effect that if such departments lack the necessary motivation for taking appropriate action on their own initiative under existing law, the Congress of the United States may provide the departments with some real motivation by legislative enactment.

Once in a while political appointees have to be taken into the woodshed and taught a lesson. I think the time has come when the shillelagh should be wielded in order to get some action on the part of those departments in the area which we have been discussing.

Mr. EASTLAND. Such provisions I believe are very essential.

Mr. President, I yield the floor.

COVERAGE UNDER SOCIAL SECURITY OF ADDITIONAL PERSONS

Mr. HUNT. Mr. President, the President of the United States, in his state of the Union message, recommended bringing into the coverage of social security approximately 10½ million additional persons, including professional groups. It has been my observation through a period of years that the medical and dental professions do not wish to be covered by social security.

I ask unanimous consent to have printed in the RECORD at this point a letter from the president of the Weld County Dental Society, of Greeley, Colo., dated February 17, 1954, expressing the views of the Society on the question.

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

WELD COUNTY DENTAL SOCIETY,
Greeley, Colo., February 17, 1954.

Hon. LESTER HUNT,
United States Senator,
Washington, D. C.

DEAR SIR: In reply to your letter of February 5, 1954, I would like to submit the following reasons why the Weld County Dental Society opposes the extension of social security to the self-employed.

We did not debate or consider the political and economic philosophy or criticize the manner in which the program is administered. All these considerations depend upon the individual's line of thinking and political upbringing.

First we realzed that the self-employed dentist, if he wants to be included, must pay 50 percent more than the salaried employee. Some colleagues in writing in favor of this bill have written that all pension funds are largely financed by passing the cost on to the consumer and if dentists were included it could be added to the cost of service. We feel that this is not right, for there is a large group among the 10,000,000 prospective new Social Security members, for example the farmers, that can't raise their fees. The raising of fees and cost to the consumers is not the answer to our rising cost of living nor does it help in our fight against socialized medicine.

Secondly, once the profession is in the program it is a compulsory participation and no one may withdraw in this generation or the next or the next.

Thirdly, the contributions payable are not contributions at all. They are a tax payable with your income tax. We feel our concern should be with the young dentists who will be following us and not with the present older group who will be paying a lower rate and only for a short time.

Here are the figures for the dentist starting in practice at the age of 25 paying on $4,200:

1954–59, 4 percent, $168 for 6 years	$1,008
1959–64, 5 percent, $200 for 5 years	1,000
1965–69, 6 percent, $252 for 5 years	1,260
1970 to age 65, 6½ percent, $273 for 24 years	6,552
Cost for 40 years	9,820
Interest on payment at 3 percent compound	7,902
Total actual cost of program	17,722

Even if the payments are raised from the present $85 a month to $100 a month the recovery of their own money at monthly payments of $142.50 would require a period of 12 years. Thus they would both have to live to the age of 77 to break even. This does not figure interest on their money after the age of 65. If they die near the age of 65 their estate receives nothing except $255 to help defray funeral cost.

The Longevity of Dentists, compiled by the ADA Bureau, show these statistics: Only 1.5 percent of all dentists died at ages between 35 and 39; that 5.6 percent died between 45–49; that 10 percent died between 50–54.

The insurance companies show the life expectancy of both sexes today to be 69. It becomes obvious that on an overall group basis, the feature of payments to minors under 18 after a dentist's death has less than one-sixth the value it suggests.

We compared the Federal old-age and survivors insurance program with several private insurance policies and found that the self-employed could obtain more security and secure an immediate estate for himself and his family through private insurance, mutual investment funds, and Government bonds.

We thank you for your attention to this matter and for your personal letter.

Sincerely yours,

J. P. HOLMES, D. D. S.,
President, Weld County Dental Society.

REDUCTION OF SUPPORT PRICES FOR DAIRY PRODUCTS

Mr. HUNT. Mr. President, the recent directive of the Secretary of Agriculture, Mr. Benson, reducing support prices for dairy products, has resulted in the receipt in my office of a series of telegrams from cheese manufacturers and dairy associations objecting to that directive. I ask unanimous consent that copies of such telegrams be printed in the RECORD at this point in my remarks.

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

THAYNE, WYO., *February 24, 1954.*

Hon. LESTER C. HUNT,
United States Senate:

Home from NRECA meeting at Miami. Wish to advise that Benson's decision lowering parity will have its negative effect on purchasing power and obligations in Wyoming. To my observation most dairymen are at a loss about their future.

STAR VALLEY SWISS CHEESE CO.,
ERNEST BORG, *Manager.*

AFTON, WYO., *February 17, 1954.*

Hon. LESTER C. HUNT,
Senate Office Building,
Washington, D. C.:

Dairymen will suffer tremendous loss of income from support announcement of Benson yesterday. This loss of income to farmers now in debt will put many of them out of business. It looks almost like a managed program toward a depression. Congress should concern itself with a correction before it is too late.

CARL ROBINSON.

CODY, WYO., *February 16, 1954.*

Hon. LESTER C. HUNT,
Senate Office Building,
Washington, D. C.:

Secretary Benson's recent reduction of supports on dried milk, cheese, and butter will have a crippling effect upon dairying in Wyoming unless dairy farmers are provided with some form of temporary subsidy to make up the difference. We believe that lowering the price of butter to the consumer to get it off Government stockpiles is a necessary move, but some way must be found to cushion the drop in price to the producer. The present high cost of his dairy feeds, equipment, and buildings will not permit a lowering in price of the product he sells. Most Wyoming dairy farmers who have been working to improve their herds and standards in accordance with high State requirements are already operating on a very slim margin of profit. Reduction of that profit must be followed by a drop in standards of quality. We appreciate your continued support.

BIG HORN BASIN DAIRY PRODUCERS ASSOCIATION,
WILLIAM HILL, *Vice President.*
CECIL A. LEGG, *Secretary.*

TREATY RATIFICATION

Mr. THYE. Mr. President, at various times recently reference has been made to the fact that the Senate gave consent to the ratification of a treaty when there were only two Senators on the floor of the Senate. On that occasion I was 1 of the 2 present, and the Senator from Alabama [Mr. SPARKMAN] was the second, and was then acting as presiding officer.

Inasmuch as the occasion has been referred to more than once, I have obtained and have before me a report by Dr. Carl Marcy, of the staff of the Committee on Foreign Relations, which gives a full and complete explanation of how the ratification which has been referred to took place and what led up to the report on the treaty. For that reason, Mr. President, I refer to it.

An examination of the record will reveal that the subject of the treaty was considered by a three-man subcommittee, of which the Senator from Alabama [Mr. SPARKMAN] was the chairman. The subcommittee held public hearings, after which it reported to the full committee. The full committee considered the matter and reported the treaty on May 21, 1952. It was placed on the executive calendar on June 12, 1952, at which time the then presiding officer, the Senator from Alabama [Mr. SPARKMAN] who was chairman of the subcommittee, referred to the treaty and stated it would be considered when the executive calendar was called on the following day.

Inasmuch as the treaty had been acted on and was reported unanimously, and had been on the executive calendar for many days, and inasmuch as the statement had been made that there was no objection to the treaty, when the treaty was considered on the floor I saw no objection to considering it at that time.

Mr. President, I thought there should be in the RECORD a complete explanation

of the action taken on the treaty. I therefore ask unanimous consent that there be printed in the body of the RECORD at this point in my remarks the full and official report of the transaction regarding the treaty, which was a convention with Ireland, as it appears in a publication entitled "A Note on Treaty Ratification," by Carl Marcy.

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

A NOTE ON TREATY RATIFICATION

(By Carl Marcy)

On June 13, 1952, with two Senators on the floor, the Senate of the United States gave its advice and consent to the ratification of three treaties which thereby became a part of the supreme law of the land.[1] One of the Senators did not vote. The other voiced his "aye" while serving as Presiding Officer.

The Conventions approved by the voice vote of one Senator were the Consular Convention with Ireland,[2] a protocol supplementary to the said Convention;[3] and the Consular Convention with the United Kingdom.[4]

Article II, section 2 of the United States Constitution provides that the President shall have power "to make treaties, provided two-thirds of the Senators present concur." Even though, under article I, section 5, clause 2, "Each House may determine the rules of its proceedings" how, as a matter of law, was it possible for the Senate, with but two Senators on the floor, one of whom did not vote and the other of whom was in the chair, to give its advice and consent to a treaty? And as a matter of policy was the Senate in this case properly discharging its responsibilities?

There has been frequent criticism of the Senate in recent months for alleged failure properly to discharge its treaty functions. Whether this criticism is justified depends upon a careful examination of the facts of each case. In this instance, the three Conventions were received by the Senate between 1949 and 1952.[5] A three-man subcommittee of the Foreign Relations Committee held public hearings on the pending conventions on May 9, 1952. On May 21, the full Foreign Relations Committee favorably reported the conventions to the Senate where they remained on the Executive Calendar until June 13, 1952, when they were approved.

On June 12, Senator SPARKMAN, who on that day was acting as Presiding Officer of the Senate and who had acted as chairman of the Foreign Relations Subcommittee considering the conventions, announced as follows: "In his capacity as a Senator, the present occupant of the chair gives notice that in accordance with the understanding between the majority leader and the minority leader, it will be his purpose tomorrow to call up two consular conventions and a protocol which are Nos. 11, 12, and 13 on the Executive Calendar."[6]

June 13 was a Friday. Toward midafternoon the majority leader, Senator JOHNSON, of Texas, announced that when the Senate concluded its business for the day it would recess until Monday. Senator MORSE then obtained the floor and began a speech on the Hells Canyon Dam. At about 6 p. m. he finished his speech, picked up his papers, and departed. During his speech Senators had drifted in and out of the Chamber and, on receiving assurances that no business was pending save the noncontroversial treaties, had departed. When Senator MORSE left, the only Senator remaining on the floor was Senator THYE, who made a few remarks on the St. Lawrence seaway. Senator SPARKMAN had been serving as Presiding Officer during the Morse speech and waiting for an opportunity to call up the conventions in accordance with his announcement of the day before.

When Senator THYE completed his statement, the presiding officer, Mr. SPARKMAN, said that without objection the Senate would proceed to the consideration of executive business. The treaties were then called up one by one, the resolutions of ratification read, and the question put by the presiding officer as follows: "The question is on agreeing to the resolution of ratification. [Putting the question.] In the opinion of the Chair, two-thirds of the Senator present concurring therein, the resolution of ratification is agreed to, and the convention is ratified."[7] There was no quorum call immediately preceding the voice vote, although the presence of a quorum had been ascertained by a quorum call earlier in the day. While the CONGRESSIONAL RECORD does not, therefore, show which Senators were present and who voted, observers in the Senate Chamber noted that Senator THYE did not vote either for or against the conventions. The only Senator casting a voice vote was the Presiding Officer, Mr. SPARKMAN, who voted in the affirmative, and then, on advice of the Senate Parliamentarian, expressed the opinion that "two-thirds of the Senators present" had concurred in the resolution of ratification.

Since Senator THYE did not vote it seems obvious that two-thirds of the Senators present did not vote in favor of the resolution of ratification. The fact that Senator THYE did not vote against the resolution, however, might be construed as indicating that he "concurred" in the resolution. Senator THYE, when asked about the proceedings, told newspaper reporters: "I did not object."[8] His silence must be construed as consent if the constitutional requirements that "two-thirds of the Senators present concur" was met. If one construes the constitutional requirement to mean that two-thirds of the Senators present and voting must concur in resolutions consenting to the ratification of a convention, then the interesting question is raised as to whether one Senator present and voting constituted a two-thirds vote of the Senate.

The view that the treaties under discussion now have the effect of "supreme law" must rest on the presumption that a quorum of the Senate is present unless the question is raised "by any Senator as to the presence of a quorum."[9] In the case under discussion, since the question of the absence of a quorum was not raised preceding the vote, it is to be presumed that a quorum was present, and that the Senate acted properly. It is unlikely that a court will go behind the record which presents a prima facie case of proper action.[10]

Whether the Senate was properly discharging its responsibility in approving the pending conventions with but two Senators on the floor would seem to depend upon whether adequate opportunity was given for anyone who might have objected to any provision of the conventions to make his objection known. In this connection the following facts are relevant: (1) The conventions had been published and pending, substantially in the form finally acted upon, for nearly 2 years. Moreover, because of objections received by the Committee on Foreign Relations when the conventions were first submitted, the convention with the United Kingdom had been renegotiated and the convention with Ireland had been amended by a protocol.[11] (2) A subcommittee had been appointed to consider the conventions. (3) After due notice public hearings had been held, at which no one objected to the terms of the conventions.[12] (4) The favorable report of the subcommittee on the conventions was considered and approved by the full Committee on Foreign Relations. (5) The conventions, accompanied by the committee report, were on the Senate Calendar from May 21 to June 13, and during that period no one brought any objections to the attention of the committee or Senate leaders. Furthermore, during that period when items are on the calendar, it is normal for the minority policy committee of the Senate to examine pending matters to see if there are provisions to which the minority party may wish to take exception. (6) Twenty-four hours in advance of consideration by the Senate, notice had been given that the conventions were to be taken up and the majority and minority leaders of the Senate had agreed to their consideration.

Under these circumstances, it seems fair to conclude that there was sufficient public notice and opportunity for objections to be made known.

It is doubtful that this type of situation will soon arise again. On July 18, 1953, Senator LEHMAN introduced a resolution (S. Res. 145) to amend the Standing Rules of the Senate to require that "No vote upon the final question to advise and consent to the ratification shall be had unless, immediately prior to such vote, it has been ascertained by a rollcall * * * that a quorum of the Senate is present. The final question to advise and consent to the ratification shall be determined by a yea-and-nay vote."[13] Senator LEHMAN discussed this proposed change in the Senate rules at some length, referring briefly to the case discussed here, to the fact that during 1952 the Senate acted upon 5 out of 25 treaties by a rollcall vote (the others being approved by a voice vote), to the approval of the Greek-Turkish protocol to the North Atlantic Treaty with six Senators on the floor (because of objection by Senator GILLETTE and others the protocol was subsequently recalled by the Senate and approved by a rollcall vote), and to Senate approval of a proposed constitutional amendment during a call of the calendar and without a rollcall vote. On July 20, Senator KNOWLAND, the acting majority

[1] See CONGRESSIONAL RECORD, June 13, 1952, pp. 7217–7228.

[2] Executive P, 81st Cong., 2d sess.

[3] Executive F, 82d Cong., 2d sess.

[4] Executive O, 82d Cong., 1st sess.

[5] See Legislative History of the Committee on Foreign Relations, S. Doc. No. 161, 82d Cong., 2d sess., pp. 49–50, for summary.

[6] CONGRESSIONAL RECORD, June 12, 1952, p. 7131.

[7] See CONGRESSIONAL RECORD, June 13, 1952, p. 7228.

[8] Washington Evening Star, June 14, 1952, p. 1. For an interesting discussion of the reason for the requirement of a two-thirds vote of Senators present, see The Federalist, No. 75.

[9] Standing Rules of the Senate, rule V.

[10] But see *Christoffel* v. *United States* (338 U. S. 84), where the Supreme Court by a 5-to-4 decision in a contempt case permitted oral testimony to rebut the showing of the record that a quorum was present in a House committee. Justice Jackson, in dissent, noted, however (p. 92): "All the parliamentary authorities, including those cited by the Court, agree that a quorum is required for action, other than adjournment, by any parliamentary body; and they agree that the customary law of such bodies is that, the presence of a quorum having been ascertained and recorded at the beginning of a session, that record stands unless and until the point of no quorum is raised. This is the universal practice. If it were otherwise, repeated useless rollcalls would be necessary before every action."

[11] See Ex. Rept. No. 8, 82d Cong., 2d sess., p. 2, for discussion of this matter.

[12] The hearings were printed as an appendix to the report cited.

[13] CONGRESSIONAL RECORD, July 18, 1953, p. 9129; see pp. 9129–9136 for discussion.

leader, announced that the proposal had been discussed with the majority policy committee and said: "As a matter of standing operating procedure in the future, we intend, in connection with all treaties, and on constitutional amendments as well, not only to ask for a quorum call, but to ask for a yea-and-nay vote, at least on the first of a series of treaties * * * We shall endeavor to follow that policy as a standard operating procedure from now on." [14]

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[14] CONGRESSIONAL RECORD, July 20, 1953, p. 9231; see also ibid., July 21, 1953, p. 9306, for additional discussion.

AMENDMENT TO THE CONSTITUTION RELATING TO TREATIES AND EXECUTIVE AGREEMENTS

The Senate resumed the consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements.

Mr. MANSFIELD obtained the floor.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield, provided that in doing so I do not lose the floor.

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

Mr. JOHNSON of Texas. Mr. President, shortly after the Senate convened today the Senator from Texas informed the distinguished majority leader that the Senator from Texas planned to refer to some press statements made by the majority leader after the session of the Senate ended on yesterday.

A moment ago I asked that the majority leader be notified that I was about to be reached on the list of speakers. I am informed that the majority leader is temporarily detained. Therefore I shall wait until his return to make my comments.

I express to the Senator from Montana my deep appreciation for his willingness to yield to me, but I shall postpone my remarks.

Mr. MANSFIELD. Mr. President, I have not participated extensively in the debate on the Bricker amendment, since much of the debate has been of a legal nature. In these matters I yield to those who are much more erudite in constitutional theory and precedent than I. I wish to assure the Senate that what I am about to say will not contain any reference whatsoever to the so-called Pink case.

Sitting on the sidelines, however, I cannot help but feel that we are talking round and round the real issue, because we are talking about too many issues. Thanks to the many learned expositions which have been made on the floor of the Senate these past few weeks, I have come to the conclusion that we are discussing not one question but four questions. All of these, to be sure, revolve around a fundamental issue, namely, the division of power among the several branches of government in respect to our relations with other nations. But each question has its own ramifications, and needs to be considered separately if the fundamental issue is to be clearly understood. So long as they are lumped together, the confusion can only deepen.

The Bricker amendment, in its original form, as I understand it, would bring about a drastic and four-sided reshuffling in the ratio of power among the several branches of Government. In effect, it would shift power over foreign relations away from the Senate and the Executive. At the same time it would enhance the power of the House of Representatives and the 48 individual State governments in matters affecting our foreign relations.

The first of the four questions we are really discussing then is whether to reduce the power of the Senate in the field of foreign relations relative to the other branches of Government. Is there a Member of this body who believes that the Senate has been so incompetent in the performance of its constitutional duties that it ought to be relieved of these responsibilities, even in part? I speak now of the Senate through 160 years of history, not any particular Senate. Has its record been so shameful, so inadequate that the Senate of the 83d Congress ought to go on record as bringing about a fundamental change in its role in American Government? I, for one, do not believe that this is so, and I doubt that any other Member of the Senate so believes.

The second of the four questions before us is whether or not to increase the power of the House of Representatives in the field of foreign relations. I have heard no demands from the House for such an increase. This proposed amendment originated in the Senate, not in the House. With all due respect for the great capacities of the other body in which I was privileged to sit for a decade, I would not force this added responsibility on it. The House already has unique responsibilities in the field of appropriations. They are necessary; they are just as valid as the Senate's unique role in foreign relations. I would change neither.

The third question which we are discussing is whether or not to project revolutionary responsibilities in the field of foreign relations on the 48 State governments. Except for those who would turn the clock back, not half a century, not even a century, but 160 years or more, this question hardly merits debate. The State governments themselves rejected a role in foreign relations when the Constitution was accepted. They provided instead for Senators to protect the interests of the States in the Senate. Both the senior Senator and the junior Senator from Montana were elected to safeguard the interests of Montana within the broad framework of the national interest. Those interests include any that may be at stake in our foreign relations. We will do our best to protect them. I am sure that other Senators will do the same for their States, and that they are fully qualified to do so.

If it is neither a desire to reduce the power of the Senate nor to increase the power of the House or the State governments, what, then, is really at issue in this debate? There must certainly be a real issue or the Senate would hardly spend weeks in debate on the proposed amendment.

There is a real issue and it has troubled me deeply as I am sure it has troubled other Senators. It is to be found in the fourth of the questions which are under discussion here, namely, the power of the executive branch in the field of foreign policy.

The Constitution specifically provides the President with certain unique powers to conduct our foreign relations, just as the other branches of government have unique powers in other matters. I do not question those powers which accrue to him as Commander in Chief of the Armed Forces.

But in one aspect of our foreign relations, the treatymaking power, he does not have unique, but rather concurrent power shared with the Senate. Treaties are to be made by the President only with the advice and consent of the Senate. The most vital matters involving the relationships of this country with others are or should be conducted within this realm of concurrent power.

But it is precisely in this realm that an extra-constitutional device, the executive agreement, now threatens the fine balance of power which has been maintained under our system of government for a century and a half.

An executive agreement has been defined as an international agreement with a foreign government, entered into by the Executive with the consent of the Senate. It may be formally negotiated and signed, or it may be achieved by an exchange of notes, the governments merely transmitting diplomatic communications describing the terms of the understanding.

In the Constitution no specific authorization was given to the Chief Executive to make international agreements other than formal treaties, but this power has been exercised by him as the executive head of the Government in charge of foreign relations and as Commander in Chief of the Army and Navy.

I understand that the George substitute to the Bricker amendment makes it very clear, as indicated by the statements made by the distinguished Senator from Georgia, that his substitute in no way conflicts with the power of the President as Commander in Chief of the Army and Navy or his authority to receive foreign envoys.

It will be argued, as it has been, that executive agreements are used almost exclusively in pursuance of authority delegated by Congress or to implement certain valid undertakings growing out of the unique powers of the President. That is true; and I think the device, so used, is necessary and useful and harmless to the principle of balance of powers.

But it is not in the mass of executive agreements that the issue is to be found. It is, rather, in the few—in the very few. For it is in the few, the very few, that this extra-constitutional device can be used to stretch the unique powers of the Executive. It is in the few that there lies the danger of usurpation, destruction of the constitutional balance, and, in the last analysis, the threat of executive tyranny.

This is no imaginary fear which haunts me and other Members of the Senate. Executive agreements have been used to stretch the powers of the Presidency; and unless safeguards are established, there is no reason to believe that they will not continue to be so used. If the Senate will bear with me for a few moments longer, I will undertake to prove by specific example how this extra-constitutional device can undermine the power of the Senate in foreign relations. I will endeavor to show how this device can be used and has been used to erode that power and transfer it painlessly, almost imperceptibly, from this body to the executive branch.

For decades, treaties of friendship, commerce, and navigation have been made with other countries by the President with the advice and consent of the Senate. As Senators know, these are basic treaties which establish the framework of our relations with other countries. The Senate has traditionally given advice and consent to such treaties. It still does so, for the most part.

In 1933, however, the Department of State negotiated an agreement of friendship and commerce with Saudi Arabia. So far as I can determine, this was the first time an executive agreement, rather than a treaty, was used for this purpose. To be sure, the agreement with Saudi Arabia was labeled provisional in nature and was to remain in effect "until the entry in force of a definitive treaty of commerce and navigation."

Even though it was temporary, however, the State Department must have known that this executive agreement was treading on dangerous constitutional ground, for it added the following clause:

> Should the Government of the United States of America be prevented by future action of its Legislature from carrying out the terms of these stipulations the obligations thereof shall thereupon lapse.

This executive agreement was never replaced by a definitive treaty of friendship, commerce, and navigation. Though the Senate has never given consent to ratification, it stands in equal force with genuine treaties dealing with the same subject matter, to which the Senate has given approval.

This agreement, Mr. President, established a precedent. Note now how the precedent is reinforced. Thirteen years later, in 1946, the State Department negotiated a similar agreement with the Kingdom of Yemen. The terms of the 2 agreements were practically identical except for 2 omissions. The agreement with Yemen no longer carried the phrase indicating that it was to remain in effect only "until the entry in force of a definitive treaty of commerce and navigation." Also omitted was the phrase, "Should the Government of the United States of America be prevented by future action of its Legislature from carrying out the terms of these stipulations the obligations thereof shall thereupon lapse." In place of the former is the phrase, "until succeeded by a more comprehensive commercial agreement."

In short, the State Department appears, in 13 years, to have reached the conclusion that the power to make treaties of friendship, commerce, and navigation had become, at least in some cases, a unique power of the executive branch, that the consent of the Senate was no longer necessary, at least in some of these agreements.

One year later, in 1947, a third agreement of friendship, commerce, and navigation was negotiated with the Kingdom of Nepal. In printing the text of this agreement in its Bulletin, the State Department apparently still had a twinge of nervousness about the procedure it was following. It was constrained to point to two precedents. What were the precedents? The agreements with Yemen and Saudi Arabia.

Yemen, Saudi Arabia, and Nepal. These are faraway lands. Few of us could locate them quickly on a map. Still fewer have any direct concern with what transpires in them. Yet, the agreements which have been negotiated with them constitute a series of precedents which is of vital importance to our constitutional division of powers. None of them has ever been replaced by a regular treaty, yet all of them cover subject matter which traditionally has been handled by treaty.

Twenty-one years have elapsed since the first of these three agreements was negotiated. Was the failure to replace the agreements by permanent treaty an oversight or a conscious expansion at the unique powers of the Executive at the expense of the Senate? Is this example a straw man or a very real case of usurpation of power? Will the President now send these three agreements, or their permanent replacements, to the Senate for advice or consent, or after years and decades is the need still for temporary agreements?

How is the Senate to deal with the disappearance of its prerogatives in this fashion? By abdication to the House or to the 48 States, or by crippling the capacity of the President in the field of foreign relations? In each case, the remedy would be far worse than the illness. The answer for the Senate is to deal with the real area of danger and that area alone. The answer is to take only those precautions which are necessary to prevent a bureaucratic abuse of this extra-constitutional device, the executive agreement.

In my opinion this can be accomplished by the Senate if it will adopt the George substitute to the Bricker amendment. The George substitute reads:

> SECTION 1. A provision of a treaty or other international agreement which conflicts with this Constitution shall not be of any force or effect.
>
> SEC. 2. An international agreement other than a treaty shall become effective as internal law in the United States only by an act of the Congress.

Mr. President, I am in favor of the George proposal as it now stands, and I shall vote for it.

Mr. President, I ask unanimous consent that at this point in my remarks there may be printed a statement relative to executive agreements.

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

EXECUTIVE AGREEMENTS: THEIR USE AND PRESENT STATUS

Executive agreements can best be described and understood if they are compared with treaties. By tracing the origin of the treatymaking power and contrasting treaties with executive agreements, it is possible to depict more clearly what executive agreements are, the manner in which they may be used, and their present status.

THE TREATYMAKING POWER

Under the Articles of Confederation, Congress, while it had power to enter into treaties, could not compel the States to observe them because of the veto power which they possessed. Satisfactory foreign relations under these conditions were difficult. To help correct this situation the members of the Constitutional Convention framed the Constitution so as to give the Federal Government alone the power of dealing with foreign countries and to enter into treaties with them. The question then arose as to who should exercise this power. Congress as a whole was considered too unwieldy to act expeditiously, so the choice was narrowed down to the President or the Senate. The customary international practice of other nations, plus the recognized need for speed and secrecy in negotiating treaties, favored placing this power in the hands of the President, but some of the founders felt that the power should reside in the legislative branch. A logical compromise was effected by which the President was empowered to negotiate treaties while the approval of the Senate was made a prerequisite of ratification. Article II, section 2, provides that "He (the President) shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur."

DEFINITION AND NATURE OF TREATIES

The treaty has been defined as an understanding or engagement between states which is usually concluded to establish, alter, or terminate mutual rights and reciprocal obligations.[1] Under the Constitution the responsibility for negotiating a treaty rests on the President. In practice, negotiations are normally performed by the Secretary of State, a member of the Foreign Service, or a specially designated emissary. After a treaty has been concluded with a foreign power it is submitted to the Senate for its approval before final ratification by the President. Many of the treaties so submitted are approved without change. But in numerous instances treaties are not acted on by the Senate, are rejected, or are approved only with reservations.

When a treaty has been ratified and has gone into effect the House of Representatives (as well as the Senate) must, under penalty of sacrificing the good faith of the United States, make the necessary appropriations or must pass such laws as may be necessary to carry it out. The House has objected at times to being thus coerced, but historical precedent and constitutional interpretation have upheld the power of the President and the Senate to act.[2] President Washington refused to submit papers on the Jay treaty on request of the House of Representatives, stating that it was clear from a vote in the Constitutional Convention that the House of Representatives did not share in the treatymaking power.

EXECUTIVE AGREEMENTS: DEFINITION AND SCOPE

The word "agreement" occurs in article I, section 10, of the Constitution, which says: "No State shall, without the consent of Congress * * * enter into any agreement or compact with another State, or with a foreign power." This serves to indicate that the Members of the Continental Congress recognized that different kinds of international

[1] Elmer Plischke, Conduct of American Diplomacy (New York, 1950), p. 268.

[2] Quincy Wright, The United States and International Agreements. In International Conciliation (No. 411, May 1945), p. 379.

agreements might exist, and it is argued by some authorities that, since the President was not forbidden to use the other kinds of agreements mentioned in the Constitution, he may rightly do so.

An executive agreement has been defined as "an international agreement with a foreign government entered into by the Executive without the consent of the Senate." It may be formally negotiated and signed, or it may be achieved by an exchange of notes, the governments merely transmitting diplomatic communications to each other prescribing the terms of the understanding.[3] In the Constitution no specific authorization was given to the Executive to make international agreements other than formal treaties, but this power has been exercised by him as the Executive head of the Government in charge of foreign relations and as Commander in Chief of the Army and Navy.

TYPES OF EXECUTIVE AGREEMENTS

Although executive agreements are not submitted to the Senate for approval or ratification, they may have legislative sanction of some other kind, and may be classified accordingly in the following categories.

1. Agreements which are made with prior authorization

In this case Congress enacts basic legislation which authorizes international agreements for specific purposes. For instance, in the Economic Cooperation Act of 1948 the Secretary of State was authorized to conclude, with individual participating countries or any number of such countries or with an organization representing any such countries, agreements in furtherance of the purposes of the act.[4] Subsequently 105 executive agreements were made under the authority of this act and the Foreign Aid Appropriation Act of 1949. Forty-six agreements were made under the authority granted in the Lend-Lease Act.

2. Agreements which implement a treaty

Similar to agreements which are authorized by legislation are agreements which are authorized by treaty or are necessary to implement a treaty. These may generally be considered to have the sanction of the majority of the Senate which consented to the ratification of the treaty involved. Examples of this would be the agreement made for the extradition of a criminal under an extradition treaty or an agreement on the marking of a boundary delimited by treaty.

3. Agreements which are subsequently sanctioned or implemented by congressional legislation

In many cases an executive agreement requires appropriations or implementing legislation before it can be effective, for instance, the agreement to establish the seat of the United Nations in New York City. Congress gives its approval to this kind of agreement by passing a joint resolution giving it effect, or by making appropriations to carry out its provisions. This method has often been used in entering international organizations. Among organizations joined by the United States in this manner are the International Labor Organization, the United Nations Relief and Rehabilitation Administration, the Food and Agriculture Organization, the International Monetary Fund, and the United Nations Educational, Scientific, and Cultural Organization. These are sometimes called legislative agreements.

4. Agreements made on executive authority without any congressional approval

Probably the most controversial type of executive agreement is that which has not been previously authorized by legislation or treaty and is not subsequently submitted to Congress for approval by joint resolution. Agreements of this type are entered into solely on the powers of the President, either as Commander in Chief of the Armed Forces or under his general foreign relations authority.

As Commander in Chief the President has entered executive agreements concerning the use of American military forces, military plans, exchange of prisoners, armistices, and many other subjects. A brief list of the surrenders and armistices effectuated by executive agreement includes the "Declaration for the Suspension of Arms and Cessation of Hostilities" which was signed some months prior to the treaty of peace following the Revolutionary War; the agreement concluded with Spain during the war of 1898, which included a number of nonmilitary principles; the armistice entered into with Germany and Austria during World War I; and the surrenders and armistices terminating hostilities in World War II.

The President's authority as "sole organ of external relations," as expressed by John Marshall in 1799, has been the basis for many other international executive agreements. Among these are the recognition of the Soviet Union in 1933, various arrangements regarding claims, and political understandings such as the Lansing-Ishii agreement of 1917.

DIFFERENCES BETWEEN TREATIES AND EXECUTIVE AGREEMENTS

Subject matter is not necessarily a means of distinguishing between treaties and executive agreements. The subjects of some executive agreements are of equal or even more importance than the subjects of some treaties. Executive agreements on occasion during World War II were concerned with matters of very great importance. Likewise, the form of treaties and executive agreements is often similar.

However, executive agreements are different from treaties in certain other characteristics. Whereas treatymaking is often a formal and lengthy process involving negotiation, signing, approval by the Senate, ratification, exchange of ratifications, and proclamation, an executive agreement may be made very simply because it does not go through the ratification process. This is sometimes the only feature distinguishing a treaty from an executive agreement.

Under the Constitution, treaties are the supreme law of the land. They supersede previous, conflicting laws passed by Congress. The legal status of an executive agreement is less definite. In international law executive agreements are usually considered equally as binding as treaties.

As far as they affect domestic law, however, there appears to be a greater degree of difference. While in some cases courts have held that executive agreements are of equal dignity with treaties and like them supersede previous, conflicting laws, other authorities contend that an executive agreement does not become the supreme law of the land unless supported by congressional action.[5]

ALTERNATE USE OF TREATIES AND AGREEMENTS

There are no formal rules as to when the treaty procedure should be used or when an executive agreement may be employed. The executive agreement has played its part side by side with the treaty in international political affairs. Since the Revolutionary War, when hostilities were terminated by executive agreement, it has been used from time to time to end wars (by armistice or surrender) and to prepare for peace. But when thus used, it has usually been followed by a treaty formally reestablishing peace. The executive agreement has also been used alternately with treaties in arranging membership in international organizations, in acquiring territory, and in settling disputes. The outstanding cases of the acquisition of territory by means other than treaties are those of Texas and Hawaii, which were annexed by executive agreement with the endorsement of Congress after the attempt to annex them by treaty had failed because the Senate refused to approve ratification.

Since the legal status of an executive agreement is less precise, a treaty is considered to have more prestige and be more durable. Accordingly it will be more often used for matters which relate to permanent arrangements. Executive agreements are more likely to pertain to routine or transitory matters.

Many authorities contend that practical expediency is the chief reason for using an executive agreement. Since one-third plus one of the Senators present and voting can defeat a treaty and the Senate has defeated or shelved many treaties in the past, there is sometimes reason for the Executive to be uncertain that a particular treaty will be approved. Furthermore, if speed is desired, an executive agreement may more likely be used than a treaty because the Executive may feel there is not time to wait for the consent of the Senate.

Although a secret treaty has not been concluded since 1790,[6] executive agreements have been kept secret in the case of the Taft-Katsura Agreed Memorandum of 1905, a protocol of the Lansing-Ishii Agreement of 1917, and the Yalta, Potsdam, and Teheran agreements. Such secret agreements would hardly have been possible if the treaty form had been used.

Other authorities feel that the treaty process is just too cumbersome to use for the rank and file agreements necessary in the conduct of foreign affairs, especially as the number of international agreements is increasing yearly. To support this view are statistics which show that, as the number of international agreements in which the United States has participated has increased, the executive agreement has been used in an increasingly higher ratio than the treaty. The following chart[7] shows this increase to the beginning of World War II.

Period	Number of international agreements	Executive agreements	Treaties
1789-1839	87	27	60
1839-89	453	238	215
1889-1939	1,441	917	524

Since the war both the total number of international agreements and the ratio of executive agreements to treaties have continued to increase. One observer has stated that the ratio is now at least 10 to 1 against the use of the treaty procedure.[8]

In view of the large number of international agreements at the present time, "the President could not successfully deal with [foreign relations] if every agreement made by him on any and every question or subject of discussion * * * required the approval of the Senate before becoming effective. Such a procedure would * * * hamstring the President. * * * It would negate the underlying theme of the constitutional division of authority between the three branches of Government."[9]

[3] Plischke, op. cit., 273.

[4] Economic Cooperation Act of 1948, sec. 115.

[5] Quincy Wright, op. cit., p. 383.

[6] Green H. Hackworth, Digest of International Law (Washington, 1943), vol. V, p. 87.

[7] Wallace McClure, International Executive Agreements. New York, Columbia University Press, 1941, p. 4.

[8] John Sloan Dickey, Our Treaty Procedure Versus Our Foreign Policies. Foreign Affairs, April 1947, p. 359.

[9] Green H. Hackworth, op. cit., p. 397.

TERMINATION OF INTERNATIONAL AGREEMENTS

Many international agreements contain time limits, and after the expiration of that time, the agreement simply lapses. Other agreements pass out of force because their terms have been fulfilled, or by mutual agreement of the parties concerned. When a treaty or executive agreement does not die a natural death in the above manner, the question arises as to how long the agreement is binding upon the parties.

Since a treaty is a pact between States, it binds not only the Government in authority at the time it is made but also subsequent administrations. The duration of executive agreements, however, is less certain. Some authorities contend that an executive agreement morally binds only the signing executive, not his successors; if they wish to continue, it is by voluntary act.[10]

On the other hand, the Chief of the Treaty Division, United States Department of State, in 1934 expressed the view that executive agreements with foreign governments entered into under one President continue to remain in force under his successors unless and until the statutes or regulations in pursuance of which they are entered into are repealed, or the specified time for their operation has expired or notice of a desire to terminate is given by one side or the other.[11]

During the period that an international agreement is in force, its terms are considered binding in international law. A party may terminate, or withdraw from, the agreement by the process of denunciation. Often the method of denunciation is prescribed in the terms of the agreement.

Although the Constitution does not specify which organ of the Government has the right or responsibility of denunciation of a treaty, notice of termination of treaties is given by the President. There are precedents for the Executive to act on his own initiative, or with the advice and consent of the Senate, or in accordance with congressional resolutions, or with later congressional approval.[12]

There is also various practice in the denunciation of executive agreements. It has been done by the President under authority granted in the act authorizing an agreement, as in the case of the trade agreement with Czechoslovakia which was revoked in 1939. Similarly, termination has been announced by the President under congressional authorization which he has requested, as in the case of the Taft agreement between the United States and Panama in 1923.[13] The President has also denounced executive agreements without congressional approval. This happened in the case of a commercial agreement with France which the Department of State declared had been superseded by the Tariff Act of 1909, and in the case of the Lansing-Ishii agreement which was superseded by the Nine Power Treaty of 1922.

Grounds for unilateral denunciation of a treaty are generally considered in international law to include the breach of a treaty obligation by the other party or parties. Writers in the field of international law appear to hold the view that, while in force, executive agreements are subject to the same criteria as treaties.

PRESENT STATUS OF EXECUTIVE AGREEMENTS

From the above brief account one may see how the President's use of executive agreements has grown apace as the United States has moved rapidly forward toward a position of leadership in the modern world. Various reasons for the use of executive agreements have been mentioned and certain advantages which executive agreements have over treaties have been indicated. However, the growing prevalence of executive agreements has caused concern to many observers, which has found expression in the public press and in congressional debate and resolution. The position of those wishing to curb the power of the President in the making of executive agreements may be very briefly summarized as follows: (1) the powers of the legislative branch of the Government are being usurped and, if the trend continues, the executive branch will have exclusive control over the making of United States foreign policy; (2) executive agreements are often made by means of secret diplomacy which denies to the people and to their elected representatives information which, if known, might prevent the transaction from being consummated (the Yalta Agreement is often cited a case in point); (3) the conduct of American foreign relations without the participation of the American people through Congress is essentially an undemocratic procedure.

[10] Edward M. Borchard, Treaties and Executive Agreements. American Political Science Review, vol. 40, p. 738.

[11] Herbert W. Briggs in the American Journal of International Law, vol. 40 (1946), pp. 381-382.

[12] Wallaces M. McClure, op. cit., p. 16.

[13] Green H. Hackworth, op. cit., p. 432.

Mr. GILLETTE obtained the floor.

Mr. DANIEL. Mr. President, will the Senator from Iowa yield so that I may ask a question of the Senator from Montana?

The ACTING PRESIDENT pro tempore. Does the Senator from Iowa yield?

Mr. GILLETTE. I shall be glad to yield for that purpose, provided I do not lose my right to the floor.

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

Mr. DANIEL. Mr. President, will the Senator from Montana yield for a question?

Mr. MANSFIELD. I yield.

Mr. DANIEL. I congratulate the distinguished Senator from Montana on his excellent speech concerning the danger arising from the use by the State Department of executive agreements instead of proceeding via the treaty route, especially with reference to the type of agreements the Senator has mentioned.

I should like to ask the Senator, however, what there is in the George substitute which would cause the executive agreements to which the Senator from Montana has referred to be submitted to the Senate for approval?

Mr. MANSFIELD. I may say to the distinguished Senator from Texas that practically every treaty of friendship, commerce, and navigation with which I am familiar could in some way perhaps be considered to be applicable as internal law within a State itself. Hence, treaties which affect relationships between two sovereign nations have been referred to the Senate for ratification. Under the executive agreement procedure, agreements are not necessarily referred to the Senate. The result is that executive agreements along this particular line, of friendship, commerce, and navigation, seem to be coming into use, and treaties which must be considered constitutionally are going out the window.

Mr. DANIEL. But the George substitute refers only to international agreements that have to do with internal law. Is that correct?

Mr. MANSFIELD. That is correct.

Mr. DANIEL. Then is there not need for some policy to be adopted to bring the type of international agreements to which the Senator from Montana has referred into the treaty realm so that they will come before the Senate for its advice and consent, if we are to keep international agreements from being used by the State Department to circumvent the Senate in its constitutional power?

Mr. MANSFIELD. I agree with the Senator from Texas. As I understood the senior Senator from Georgia, in discussing his substitute, he made the statement that it would be up to the President to decide which of the particular executive agreements conflict with internal law, and those would have to be submitted to the Senate and considered as treaties. So far as executive agreements covering friendship, commerce, and navigation are concerned, I do not believe they should be considered in that particular category, but should be submitted to the Senate as full-fledged treaties, so that they can be passed on by the Senate under constitutional provisions.

Mr. DANIEL. I thank the Senator from Montana.

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

Mr. GILLETTE. Mr. President, I shall be glad to yield, provided I do not lose the floor.

Mr. HENNINGS. I should like to interrogate the Senator from Montana.

Mr. GILLETTE. I shall be glad to yield for that purpose, provided I do not lose the floor.

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

Mr. HENNINGS. Mr. President, does the Senator from Montana understand that there is any date upon which such agreements may be terminated by either side? Is there not a 30-day termination clause in the agreements?

Mr. MANSFIELD. I do not know about the termination date.

Mr. HENNINGS. There is a 30-day termination clause in both agreements to which the Senator from Montana has referred, providing that the agreement may be terminated by either party to it within 30 days.

Mr. MANSFIELD. Usually there is a termination date. The one with the Kingdom of Nepal, the latest one, in section 12 reads:

> This agreement shall continue in force until superseded by a more comprehensive commercial agreement, or until 30 days from the date of written notice of termination, given by either party to the other party, whichever is the earlier. Moreover, either party may terminate paragraphs 7 and 8 on 30 days' written notice.

Mr. HENNINGS. I take it, since the Senator from Montana believes the agreements are improvident, and could be injurious to the United States, that he proposes they be terminated?

Mr. MANSFIELD. The Senator misses my point, I believe. My point is that these executive agreements are in reality treaties, and as such should come before the Senate for consideration. I used

them as illustrative of the fact that under the Constitution there is no reference whatever to executive agreements. There is a need for such a procedure, I will admit, and I am in favor of the President using executive agreements to further the foreign affairs of the United States; but I do not believe he should usurp power in that particular respect, by using executive agreements in matters which could be better taken care of in the form of treaties, which would have to be considered by the Senate.

Mr. HENNINGS. I listened carefully to the Senator's excellent speech on the subject. I believe I understood his point. The Senator is aware of the fact, of course, that the agreements were published; is he not?

Mr. MANSFIELD. That is correct.

Mr. HENNINGS. When were they published?

Mr. MANSFIELD. The one with Saudi Arabia was published November 7, 1933; the one for Yemen was published May 4, 1946, and the one for Nepal was published in 1947.

Mr. HENNINGS. The Senator is aware, is he not, that any Senator may offer a resolution to negate the effect of these agreements?

Mr. MANSFIELD. That is correct.

Mr. HENNINGS. Does the Senator propose to do that?

Mr. MANSFIELD. I do not propose to do it, no; and I made no such assertion during the course of my remarks.

Mr. HENNINGS. I was asking for information. The Senator having raised the point, I wondered if he would in any way quarrel with the effect of these agreements, either externally or internally.

Mr. MANSFIELD. I quarrel with the aspect of the agreement which has to do with the sidestepping of the Senate in carrying out its duties with regard to treaties.

Mr. HENNINGS. The Senator is aware, of course, that there are obstacles in the way of negotiating treaties involving what we may call formalities.

Mr. MANSFIELD. I am aware of the fact that the Senate has been called the graveyard of treaties.

Mr. HENNINGS. I mean in reference to the specific cases which the Senator has chosen as illustrative of his point.

Mr. MANSFIELD. Will the Senator state his question again?

Mr. HENNINGS. I suggest that the Senator is aware of the fact that under the terms of the agreements which the Senator has chosen as illustrative of his point the Senate can take action upon them.

Mr. MANSFIELD. That is correct.

Mr. HENNINGS. And the Senator is also aware of the fact that we have had some difficulty in consummating treaties.

Mr. MANSFIELD. That is correct.

Mr. HENNINGS. Would the Senator say that we should not have negotiated the executive agreements when the Senator must know that the United States is the beneficiary of these agreements?

Mr. MANSFIELD. Let us hope that is true. I do not think it is a beneficiary so far as the Senate is concerned.

If the Senator from Missouri will indulge me, I should like to cite some figures to illustrate the growth of executive agreements. Too many of them are being negotiated.

From 1789 to 1839 there were 87 international agreements, of which 27 were executive agreements and 60 were treaties.

From 1839 to 1889 there were 453 international agreements, of which 238 were executive agreements and 215 were treaties.

From 1889 to 1939 there were 1,441 international agreements, of which 917 were executive agreements and 524 were treaties.

Since the war both the total number of international agreements and the ratio of executive agreements to treaties have continued to increase. One observer has stated that the ratio is now at least 10 to 1 against the use of the treaty procedure.

Mr. HENNINGS. If the Senator will yield further, the Senator has, for some obvious reason well known to him, selected two examples upon which he relies as illustrative of his point.

Does not the Senator agree that this country has been the beneficiary under the terms of those two agreements?

Mr. MANSFIELD. I am sure we have received what we wanted, or we would not have signed them. But I may point out that these are the only ones I found. There may be more. In later years, since 1933—and, incidentally, the negotiations covering the Saudi-Arabia agreement go back 2 or 3 years beyond that—the trend has been to increase the usurpation of power in this respect, because we have so many more executive agreements to contend with, and we know very little about many of them. I think executive agreements are necessary, but I think there should be a check on their possible infringing on internal law.

Mr. HENNINGS. I do not want to labor the point, but I think it is very important. I understand a great many executive agreements have been entered into within 3 years. Who is to decide whether any one of those agreements has any impact upon what has been said to be internal law or domestic law? Who is to determine that question under the terms of the amendment of the distinguished Senator from Georgia, in order to submit such agreements to the Senate and to the House of Representatives?

Mr. MANSFIELD. If I correctly understand what the distinguished Senator from Georgia has stated with regard to his own amendment, that would be a matter for the President to determine. In other words, it would be up to him to decide whether any executive agreement was in conflict with internal law. I assume he would work it out through the State Department.

Mr. HENNINGS. Then the man whose power is sought to be restricted, under the substitute of the distinguished Senator from Georgia, is the very man who is to determine what is to come before the Senate to be passed upon as executive agreements affecting internal or domestic law?

Mr. MANSFIELD. That is correct.

Mr. GEORGE. Mr. President, will the Senator from Iowa yield?

Mr. GILLETTE. I shall be glad to yield to the Senator from Georgia, provided I shall not lose the floor.

Mr. GEORGE. I should like to cite one other example of how this form of usurpation of power by the executive branch has grown. I think that is the sole purpose of the Senator from Montana [Mr. MANSFIELD] in his very excellent statement.

Mr. President, I invite attention to the fact that in December 1950, Prime Minister Attlee visited Washington and suggested the creation of an international operation—note the language—to distribute raw materials on an international basis. A month later, the State Department announced the creation of such an operation, known as the International Materials Conference, the "IMC," as it is called, with offices in the Department of State, and largely paid for with American funds.

There was established a central group under this organization, composed of the United States, the United Kingdom, and France. Then certain committees were formed to allocate and control prices of certain raw materials. The IMC, as I shall call it for the sake of brevity, made clear the responsibility of each country for "seeing that their allocations are not exceeded."

In 1952, Assistant Secretary McFall, who was in charge of a part, at least, of the operation, issued a statement which contains this language:

> There is no statutory authority for the participation of the United States in this conference, as it is one of many activities carried out in furtherance of the foreign policy of the United States.

I invite attention to the fact that these activities were carried out in the United States by regularly established agencies of the United States, such as the National Production Administration, the OPS, and other agencies. I also invite attention to the fact that most dealers in and fabricators of copper will tell us that even down to this day this organization did, in fact, affect prices in the United States through the regulations made under the agreement, which was extra-law, extra-Constitution, and extra-everything, except that it had been established by the State Department in the exercise of its authority over foreign affairs.

GRAIN STORAGE SHORTAGE

Mr. GILLETTE. Mr. President, I desire to take the time of the Senate to discuss a matter extraneous to the unfinished business, although it is of paramount importance to the agricultural interests of the United States.

Unless the Department of Agriculture promptly makes provision for at least 200 million bushels of additional grain storage space before the wheat and corn harvests this year, farmers will face another

year of acute shortage in storage space and disastrously low harvest-period prices.

The impending 200-million-bushel shortage of storage room is already affecting grain markets and causing declines in futures prices.

The Secretary of Agriculture must give the highest priority to securing adequate storage, using all the authority and funds available to him.

Within the last hour my attention has been called to a report on the news ticker that the Secretary of Agriculture has issued a statement with reference to the same matter, in which he calls the attention of farmers to the need of the farmers themselves to construct the additional storage facilities.

Mr. President, the Secretary would, in fact, do far better to stay in Washington solving the storage problem than making speeches around the country denouncing the price-support programs. If price supports are not working, it could well be because of failure to provide sufficient grain storage. If the Secretary will stay home and use all efforts to build the necessary storage, he will have no trouble keeping prices up to support levels.

Mr. President, the 1954 storm warnings are hoisted high for all to see who wish to see.

As early as January 22 of this year the Wall Street Journal printed a story headlined "Storage Squeeze Threatens a Farm Crisis by Midyear." The article stated the problem as follows:

> Where to store hundreds of millions of bushels of wheat and corn the United States will acquire this year in price-propping deals. Farmers can't get price guaranties unless they can find adequate storage space.

To demonstrate the immediate impact of the threatening shortage I quote a paragraph from an Associated Press dispatch datelined Chicago, February 4:

> The specter of not enough storage room for 1954 crops cast its shadow over the grain market on the Board of Trade today. Prices generally declined, particularly for those futures representing 1954 crops, on reports the Agriculture Department was concerned over the fact that it would not have enough room to store mounting Government surpluses.

In an extensive analysis of prospects for what it calls homeless grains, the Wall Street Journal on February 4 reported that the Department of Agriculture anticipates an increase in storage needs of 500 million bushels, but has in sight only 220 million bushels of storage space through the guaranteed occupancy storage program and use of the mothball shipping fleet. According to this calculation, there will be 280 million bushels of grain this year with no space to store it.

I ask how, in the face of these figures, the Secretary of Agriculture expects any price-support program to succeed. The price-support law requires farmers to find storage space for their crops if they are to place them under the price-support and loan program. If there is no storage space, the farmer can seek a waiver of this provision, but he bears the cost of any loss resulting from spoilage.

The Wall Street Journal article describes some of the current and proposed plans of the Department to find storage space, including wider use of the mothballed merchant ships and such other unorthodox facilities as abandoned army barracks, idle airplane hangars, vacant garages, deserted movie houses and other sorts of empty buildings. The article reports one official saying facetiously: "If that doesn't do the trick, the farmers will have to dump the stuff in their bathtubs or put it in the front parlor." The key paragraph in the Journal account is this one:

> But the new bin building, spurred by a variety of Government incentives, together with wider use of idle ships, will furnish no more than about 220 million bushels of new capacity, agriculture experts figure. The United States would thus be shy some 280 million bushels of storage space for grain.

Mr. President, I ask unanimous consent that the full text of the February 4 Wall Street Journal article be printed in the RECORD at this point in my remarks.

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

HOMELESS GRAIN—PRESENT STORAGE SPACE ISN'T ENOUGH TO HOUSE EXPECTED 1954 SURPLUS—NEW BINS, USE OF MORE IDLE SHIPS WOULD STILL LEAVE 280 MILLION BUSHELS OVER—FARMER LOSSES AND ELECTION

(By Gene E. Miller)

WASHINGTON.—Federal farm boss Benson and his aides are bracing for a new crisis. Their problem: Where to cache 280 million bushels of wheat, corn, rye, oats, barley, and other grains, due to be harvested this summer, for which no storage space is available.

For the Federal farm folks the crisis is political as well as agricultural. Price support law requires that if farmers put their crops under supports they must find storage space, or if none is available, seek a waiver of this provision and bear any resulting loss from spoilage. The scramble for space is likely to ruffle many rural tempers. Farmers whose crops spoil are bound to be more than just ruffled. This being an election year, Mr. Benson and his minions will be under heavy pressure to do something about the situation.

STUDYING THE OUTLOOK

Agriculture Department officials have made a private study of the storage outlook this year, trying to match prospective supplies of grains with available storage space in warehouses, grain elevators, and even mothballed merchant ships. Here are their unhappy conclusions:

When added to present record surpluses, this year's grain crops, even if yields are only average, will create the need for an extra 500 million bushels of storage space, atop the Nation's 7.7 billion bushels of grain storage capacity available last year.

But new bin building, spurred by a variety of Government incentives, together with wider use of idle ships, will furnish no more than about 220 million bushels of new capacity, agriculture experts figure. The United States would thus be shy some 280 million bushels of storage space for grain.

WORSE WOES?

Of course, widespread crop failures or a new war emergency could upset this prediction, and ease the storage squeeze. But unusually good crops, on the other hand, would aggravate the problem. And right now, the Department's crystal gazers are betting privately that grain production this year will be very favorable, despite 1954 planting curbs. If they're right, Mr. Benson's storage woes may be even worse than presently reckoned.

The upshot is hard to predict in precise terms. But officials concede that failure to find shelter for a big chunk of this year's crops of wheat, corn, and other grains can only result in heavy losses for some farmers.

One way out for the administration would be a hurry-up request to Congress for funds to finance Government building of storage bins. But this isn't likely; for one thing, it doesn't fit in with President Eisenhower's drive to get the Government out of private businesses.

FARM PROGRAM'S ROLE

More important, however, is the fact that construction by the Government of a flock of new storage bins doesn't jibe with Mr. Benson's long-range farm aims. He's busy trying to sell Congress on a new, fresh-start farm program designed to discourage overproduction of food and fiber in the future. He's also pushing plans to dispose of much of the Government-owned hoard of farm products, now valued at $2.7 billion and expected to jump to $4.2 billion by mid-1955.

The key to his scheme: A new system of flexible price supports that could be raised or lowered to encourage output of scarce goods, dampen production of commodities when surpluses threatened. This would replace the present rigid, high props under prices of wheat, corn, cotton, tobacco, rice, and peanuts.

Mr. Benson thinks doing away with the present rigid supports will eventually solve the storage problem. But some influential lawmakers from farming areas are not inclined to approve such a scheme if it would mean lower price supports under crops grown in their home districts. As of now, the chances that Congress will approve Mr. Benson's plans are rated poor.

SOME PLANS

Meantime, Agriculture Department aides are wrestling with the more pressing problem of where to store the current farm glut until Congress decides what to do about it. Here are some of their plans:

The Agriculture Department already has decided to make wider use of mothballed merchant ships. This year the Government stowed about 28 million bushels of grain in ships on the east coast. But these floating warehouses, already taken into consideration in reckoning the storage outlook, have one disadvantage: The Maritime Commission insists the Agriculture Department be prepared to unload the wheat on short notice, in case of emergency.

The farm planners are counting on some other unorthodox storage facilities to help ease the pinch. Officials are prepared to turn to abandoned Army barracks and idle airplane hangars, the two types of buildings most readily converted into grain warehouses.

If such facilities aren't enough, and the expectation is they won't be, the Department is mulling an emergency order to Agriculture Department fieldmen to scour the countryside for any kind of empty buildings, from vacant garages to deserted movie houses, to use for storing grain.

"And if that doesn't do the trick," says one official facetiously, "the farmers will have to dump the stuff in their bathtubs or put it in the front parlor."

Actually, the Federal experts think the farmers may well be able to find extra storage space on their farms—without tying up the bathtub. For one thing, they figure, horses can be turned out to pasture, and wheat stored in the stalls. Or farm machinery

can be put in temporary sheds, and wheat poured into the barn.

Also, the Government is pushing a plan to make it more appealing for farmers to build their own storage facilities. Under a law passed last year, farmers can write off for tax purposes the entire cost of a new storage bin in the first 5 years, instead of spreading the depreciation allowance over a term of 20 years or more, as in the past. Until 1953 tax receipts are in, the Government will have no idea how this scheme is working, and even then it may not have an accurate count.

Under another program aimed at easing the storage shortage, the Government guarantees to use a certain proportion of a new storage bin for a given length of time. This plan, aimed at warehousemen and other builders of storage facilities, has not, however, been a smashing success. Since it was first announced late last summer, the Agriculture Department has received inquiries from enough builders to suggest a 530-million-bushel increase in storage capacity—more than enough to solve this year's storage problem.

CANCELLATIONS GROW

But builders have been dropping out of the plan at a fast clip. The Department has actually made use-guarantee agreements with builders accounting for 292 million bushels of storage capacity. But contractors already have canceled out 78 million bushels of this and further cancellations are expected, due to high building costs and other factors. Many of the original applicants were just curious, Department officials note.

Another reason for cancellations: Contractors are presumably leery of an oversupply of storage space a few years hence, if Mr. Benson is in fact successful in chipping away at the Government's heavy stocks of farm products. The Government guarantees use of the new facilities under the program from 3 to 6 years, depending on how much of the facilities Uncle Sam promises to occupy.

Officials say the use-guarantee scheme will add less than 200 million bushels of capacity to the more than 7 billion bushels of storage space now supplied by private warehousemen, elevator operators, and grain terminals. The rest of the Nation's grain-storage space, totaling about 639 million bushels of capacity, is owned by the Government. This is more than three-quarters filled with corn right now, and will be jammed close to capacity next October when the Government has to take over ownership of corn under loan from last year's crop.

Mr. GILLETTE. Mr. President, it may be that these figures are exaggerated and that the new crop will not be as large as foreseen. There is drought in the Midwest, as well as other unpredictable weather factors. I have obtained a report on the supply situation as viewed by Agriculture Department experts which is somewhat more conservative. At the same time I have information leading me to believe that the storage space under present plans will fall far short of what the Wall Street Journal writer predicts, thus leaving approximately the same gap between supply and available storage.

The USDA supply estimates of stocks, as we go into the harvesting of 1954 crops, as compared with stocks in the year previous, indicate that at the beginning of the current marketing year carryover stocks will be 393.3 million bushels net greater than last year. I ask unanimous consent that the table showing these carryover figures be printed as a part of my remarks at this point.

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

Grain supply situation

[Million bushels]

Commodity	Beginning stocks, 1953	Begin ning stocks, 1954	Change
Wheat	562.3	830.0	+267.7
Corn	768.8	890.0	+121.2
Rye	6.3	15.0	+8.7
Oats	255.5	235.0	−20.5
Barley	51.4	65.0	+13.6
Sorghums	7.3	12.0	+4.7
Soybeans	10.1	4.0	−6.1
Flaxseed	10.0	14.0	+4.0
Total	1,671.7	2,065.0	+419.9
			−26.5
Net change (increase)			393.3

Mr. GILLETTE. Mr. President, Senators will be interested to know that this table shows that whereas as beginning stocks last year we had 562.3 million bushels of wheat, at the start of this harvesting year wheat stocks will amount to an estimated 830 million bushels, an increase since 1953 of 267.7 million bushels. We had as beginning stocks last year 768.8 million bushels of corn, whereas at the start of harvesting this year we will have stocks of corn amounting to an estimated 890 million bushels, or an increase of 121.2 million bushels over last year. The net increase of all grains over the beginning of harvest in 1953 will be, according to these calculations 393.3 million bushels.

What are the figures for storage space? It is reported that the Department has located 35 million bushels of storage space in vessels of the mothballed fleet on the east and west coasts. The Department is also working on its guaranteed occupancy storage plan which is designed to encourage private building of additional commercial storage facilities.

If one reads the headlines of Department bulletins one gains the impression that nearly 294 million bushels of new storage space will be provided under this plan. Unfortunately the text of the releases does not justify this impression. Actually the program is sliding backward instead of advancing at the required swift pace.

The February 12 announcement, for example, declared that the total acceptances by commercial storage companies had risen by 1,282,800 bushels over the total on February 1. But it is revealed in the second paragraph that cancellations in prior applications had exceeded the new contracts by 400 percent. This rapid advance toward the rear, left us with net occupancy storage facilities of some 208 million bushels on February 12, or 6 million bushels less space than 2 weeks before.

For the edification of fellow Senators, I read these two splendid specimens of progress through publicity:

February 1 release. Headline, "Additional Acceptances in Occupancy Storage Program: Total now 292,156,824 bushels":

The United States Department of Agriculture today announced additional acceptances of applications totaling 3,012,500 bushels for participation in the grain occupancy contract program. * * * Today's list brings total acceptances to date to 292,156,824.

The Department also announced that cancellations and withdrawals by applicants of tentatively approved applications to date total 77,973,996 bushels. This leaves a net total of acceptances of 214,182,828 bushels.

The second release is dated February 12. Headline, "Additional Acceptances in Occupancy Storage Program: Total Now 293,689,624 Bushels":

The United States Department of Agriculture announced additional acceptances of applications totaling 1,282,800 bushels for participation in the grain-occupancy contract program. * * * Today's list brings total acceptances to date to 293,689,624 bushels.

The Department also announced that cancellations and withdrawals by applicants of tentatively approved applications to date total 85,445,496 bushels. This leaves a net total of acceptances of 208,244,128 bushels.

By this kind of public-relations legerdemain, Mr. President, we are increasing our available grain-storage space at the rate of a net loss of 6 million bushels in 2 weeks.

Some agricultural experts believe that cancellations under such a program may ultimately reduce the total net sign-up considerably below the present mark of 208 million bushels, and that new storage space actually ready through this bin-construction program may be as low as 150 million bushels by the time harvesting begins.

All these figures indicate our farmers are going to have to contend with at least 200 million bushels of homeless grain this year. If the prospective 393-million-bushel increase in grain carryover turns out to be correct, if storage space on mothballed ships is not more than 35 million bushels, and if the commercial storage-construction program provides only 150 million bushels of space, simple arithmetic leaves a gap in storage of 208 million bushels.

Even if the construction program under the guaranteed-occupancy plan holds up to the present level, with no more cancellations, we will be short 150 million bushels of storage space. Is it really the serious belief of the Department of Agriculture that such space can be found in old school buildings, garages, hangars, and movie houses?

After last year's experience when farmers suffered losses of millions of dollars because the administration would not or could not make the price-support and loan program work, there can be no excuse for failing to be ready this year.

Farm-price supports can work only if there is enough storage. If the Department of Agriculture refuses to do everything in its power to provide adequate grain storage, it can be charged—and it will be charged—with deliberate sabotage of the price-support program.

Mr. Benson must announce, and the sooner the better, that he is going to see that there is a home for every bushel of

grain. The Commodity Credit Corporation has all the authority it needs to let contracts for the construction of bins and other storage facilities. It has the funds to do the job, and if it needs additional funds it can come to Congress for them.

We seem to have difficulty impressing on those currently in charge of administering the farm program the simple fact that for a farmer to obtain a Government loan under the price-support program, he must have adequate storage for his grain. If the carryover of previous years fills all the storage space in existence, he cannot move his new crop into bins and granaries at harvest time.

What will happen to grain prices, come harvest time, if, as is conservatively estimated, there are 393.3 million bushels of grain more than last year which need storage space, but there are only 150 million or even 200 million bushels of space available? Are the wheat and corn farmers going to face the choice of dumping their new harvest on the market at ruinous prices or leaving it spoil on the ground?

The Secretary of Agriculture seems determined to blame the high level and rigidity of corn and wheat price supports on the fact that farmers are receiving less than full support prices.

As recently as February 10, Secretary Benson was quoted as telling a farm audience in Columbus, Nebr., that the price-support program is not working, and citing as proof that "the average market price of wheat is only 82 percent of parity" and "the average price of corn is only 79 percent of parity."

I wonder if it would not be the better part of wisdom for the Secretary to use every means at his command to provide for adequate storage space so that the price support program will be fully effective, instead of undermining farmers' faith in a program which Congress has approved, and which farmers themselves have repeatedly endorsed in democratic, secret balloting.

Just 3 days before the Secretary spoke at Columbus, the Omaha World-Herald printed an article on February 7, with the following headline: "Elevators Can't Hold All Grain—Storage Already Tight in Area; Corn, Wheat To Increase Squeeze."

The article asked:

> What is Nebraska going to do with all the grain? Omaha grain men agreed Saturday the State, and the rest of the country, faces an almost certain shortage of storage. James Lemley, Lincoln, chief of the price-support program in Nebraska, said: "We're going to be in real trouble in the summer."

The story continued:

> Tight conditions at the terminals mean the same conditions at country elevators and farm granaries. Farmers may be forced to pile wheat on the ground "temporarily if not permanently," said Harry C. Christiansen, a former exchange president. Omaha grain men said new facilities scheduled won't make much of a dent in the space picture.

Mr. President, I will repeat that last sentence, because it is of controlling importance as we face the new crop:

> Omaha grain men said new facilities scheduled won't make much of a dent in the space picture.

This fact is important not only for its own sake, but also the Department of Agriculture is claiming that its program of guaranteed occupancy will result in enormous additions to the Nation's storage capacity. The grain trade evidently does not agree with these claims.

Although, as I have pointed out, the Department has been showing gross acceptance figures in this program of about 293½ million bushels, with 85½ million bushels of space already cancelled, the Department is left with 70 percent of what it claims.

We will doubtless hear other claims in the next few months, telling us how many ships have been filled with grain, how many contracts have been let, how many empty barracks and school buildings have been transformed into storehouses for grain, and so on. But the proof of success or failure will come at harvest time, at the moment when farmers must either sell at distress prices or have available to them storage space into which they can put their grain under loan.

I am deeply disturbed over signs which are apparent so early this year that the storage program will not succeed. Farm income is too crucial in our Nation's economy to risk such a failure. I sincerely hope the administration reads those signs and does what it should do, vigorously, thoroughly, and immediately. If strong action is taken now, some of the damage later may be prevented.

The price-support programs will certainly not work if the Secretary of Agriculture fails to do all in his power to build enough storage for grain, fails to ask Congress for any additional authority or funds he believes he may need, and, on top of that, attempts to use the consequences of such failure as arguments proving the program will not work. Failure to provide adequate space last year was the major cause in low farm prices. If that failure is repeated again this year, obviously farm income will sag again.

Mr. President, the farmers of my State and the farmers of the whole Nation will not tolerate another year of inaction, postponement, and failure. Let no one try to brush aside these warnings of mine on the specious grounds that, for example, in my State of Iowa there may be enough storage to take care of local stocks of corn, or that drought or weather conditions may reduce the Iowa crop and thus ease the local storage problem. There is no certainty that such eventualities will occur, in the first place; and, in the second place, the farmers of my State know that prices in Iowa are affected just as much by a shortage of storage space in other States as in Iowa itself. Corn and wheat from all the producing States are sold on the same market in Chicago, and the forces that bear down on prices in Chicago originate in all the States, not in just one or two.

We from the great grain-producing region of America await with anxiety to learn what the Department of Agriculture is going to do about filling the gap in storage space in time for the coming harvest.

AMENDMENT TO THE CONSTITUTION RELATING TO TREATIES AND EXECUTIVE AGREEMENTS

The PRESIDING OFFICER (Mr. GRISWOLD in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. BRICKER], inserting on page 3, after line 9, a new section.

THE TENTH INTER-AMERICAN CONFERENCE

Mr. SMATHERS. Mr. President, on Monday, next, representatives of the various nations of the Western Hemisphere will assemble at Caracas for the 10th Inter-American Conference. The importance of this conference is emphasized by the fact that on the opening day our own Secretary of State, Hon. John Foster Dulles, will address the assembly, carrying a message to the conference from the President of the United States and the people of the United States.

It is incumbent upon all of us in the Congress, in my opinion, to take note of this occasion and, each in his own way and in accordance with his own capacity, as his duties permit, to make some contribution toward the success of the meeting. I hope there will be adequate and attentive representation of the Congress at these deliberations and discussions. Furthermore, I trust that a comprehensive report of the meeting and its results will be made to the Congress.

In my opinion, Mr. President, it is not presumptive to expect that the Secretary of State and his staff will return from the conference with some factual findings as to the degree of Communist infiltration into the Western Hemisphere. What we are seeking in this regard are the facts—just the facts. For too long, this subject, as well as the entire field of inter-American relations, has been brushed off with glib phrases, wordy reports, and noble-sounding clichés, which have not produced the results we must have. So, to repeat, Mr. President, I hope we can look forward to receiving "just the facts—nothing but the facts," from the meeting.

For instance, it is most important that we have the facts about Guatemala and its reportedly Communist-dominated government. There are reports that the Reds are winning in Guatemala without a fight. We are reading news accounts that, despite the fact the Communist strength in Guatemala is estimated at only 3,000 in a population of 3 million, the Reds have control of 51 of the 56 seats in the National Congress. A report of our National Planning Council states:

> At the present time [late 1953], the Communists are so deeply entrenched that it may no longer be possible to eliminate them by peaceful means.

Mr. President, it appears unknown to millions of people in this Nation, but reports are that right next door to the Panama Canal, only a few hours by air from vital oilfields and key industries in the United States, a Government has been established with the potential of weakening and subverting other Latin American countries and decreasing the strength, or perhaps the hope for, any allied inter-American anti-Communist action. What are the facts, Mr. President? Have the Communists actually opened a beachhead, or a bridgehead, in the Western Hemisphere—and, in fact, on the North American Continent? Have the Communists by stealth and ideological treachery infiltrated among our good neighbors? Have the Reds politically breached our defenses, in violation of the Monroe Doctrine—accomplishing by political maneuver and ideological propaganda what no nation has ever done, and what no nation could ever do, by force of arms? What is the truth about Guatemala? We made much of our continued use of the fine phrase "good neighbors." Have we been so long preoccupied with fighting communism in Europe and in Asia that there now is, in fact, a Red foothold right at our back door?

Mr. President, I hope this will prove not to be the case. I understand that our expenditures in Indochina, where for several years now we have been aiding the French in their struggle against the Communists, have reached a billion dollars. We have spent many times that amount in Korea and in other places in Asia, and many times that amount in Europe.

It is most important that we not lessen our support of other free peoples in the world in their struggle against communism, and it is vital to us that the Communists be repulsed in Indochina. But, in my humble opinion, there is a grave object lesson for us in Guatemala and in many other chapters of the current story about this great inter-America of which we are a part.

The Western Hemisphere is our home, and it must have our priority attention, just as it has the first love of the citizens of our country and the citizens of the other countries which are our neighbors. There are many reasons why Latin America should be our major diplomatic concern, rather than a casual one. Latin America, now with a population as great as that of the United States and Canada combined, will outnumber us by 550 millions to 250 millions in 50 years. In this fastest growing area, industrial and trade expansion goes apace, and already it is the busiest trading area outside Western Europe.

We look forward to the opportunities offered the United States in the Inter-American Conference. I feel sure that all of us in Congress look for the Conference to produce some further guideposts for a tightening of ties among the Americas.

Mr. President, in connection with the statement I have just made, I ask unanimous consent to have printed at this point in the body of the RECORD, as a part of my remarks, an article entitled "Latin America—World's Fastest Population Increase Makes Good Neighbors Important to United States." The article was written by Richard Fryklund, and was published in the Washington Star of February 21.

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

LATIN AMERICA—WORLD'S FASTEST POPULATION INCREASE MAKES GOOD NEIGHBORS IMPORTANT TO UNITED STATES

(By Richard Fryklund)

Latin America, with a population already equal to that of the United States and Canada combined, is the fastest-growing area in the world.

This fact alone would be enough to make Uncle Sam look southward, as he will be doing at the coming Caracas conference, to firm up ties with an important part of the world. But there is another good, practical reason for paying closer attention to Latin America: Much of that area is moving from an underdeveloped status onto a higher producing and consuming level. South and Central Americas are bound to grow more important in the near future, both economically and politically.

The population of Latin America, according to latest estimates, is about 173 million. Canada and the United States, the only two English-speaking nations, count about 13.6 million and 160 million persons, respectively. Three Latin American countries are more populous than Canada—Brazil, the eighth largest nation in the world with about 54 million; Mexico with more than 27 million, and Argentina with 18 million.

There are 62 cities in Latin America with a population of more than 100,000, compared with 106 in the United States. The third, fourth, fifth, and sixth largest cities in the Western Hemisphere are in Latin America: Buenos Aires (3 million), Rio de Janeiro (2.4 million), São Paulo, Brazil (2.2 million), and Mexico City (2.2 million).

THE FUTURE

All this is small potatoes compared with what is to come. While world population is growing at the rate of 1 percent a year and the United States is growing 1.7 percent a year, Latin America is swelling by 2.5 percent. If that rate continues, Latin Americans will outnumber North Americans 550 million to 250 million in another 50 years.

Reasons for the amazing growth are the high, steady birth rates (Chile, for instance, has had an annual birth rate of 32 or 33 a year per thousand persons since 1934; Venezuela is up to 44.3 per thousand and still gaining; no Latin American nation has as low a birth rate as the United States' 24.5) and steadily declining death rates (Peru, 9.2 a year per thousand, down from 16 in 1937; Argentine, 8.7 compared with 11.5 in 1937; Honduras, 10.7 compared with 18.2 in 1937; the United States' has dropped slightly from 11.3 to 9.7 over the same period).

Birth rates in Latin America, predominantly Catholic countries, are expected to remain high, but modern health measures are expected to lower the death rate further. So populations are expected to continue gains like these: Argentina, 13.5 million to more than 18 million since 1937; Brazil, from 38.7 million to 54 million; Mexico, 18.7 million to 27 million; Colombia, 8.5 million to 11.3 million.

Along with this population growth has gone economic expansion, reflected particularly in increased foreign trade. Eighteen percent of the world's trade now goes to or from Latin America, compared with 15.3 percent in 1937. This is of particular importance to the United States, as most of this trade (10.1 percent of the world total) is between North America and Latin America. This is the busiest trading area outside Western Europe and the artifically maintained sterling bloc.

Except for Canada, Latin America is this country's biggest customer and supplier.

Industrial production in Latin America is expanding with population: Almost doubled in Argentina since 1937; more than doubled in Chile; almost doubled in Mexico. As another indication of expansion, the number of railway passenger miles traveled in Argentina and Cuba almost tripled since 1947, doubled in Brazil and Mexico, increased by 50 percent in Chile. Rail freight ton-miles have almost doubled in the same period in Costa Rica, almost tripled in Ecuador, increased by 50 percent in Chile and 30 percent in Argentina and Brazil.

LIVING STANDARDS SOAR

Standards of living also are on the rise in the southern nations, although the increase is not as spectacular as that in population. Per capita incomes still average below the $500 mark, as compared with upward of $1,000 in Canada, Britain and Scandinavia, for instance. Since 1937 United States national income has quadrupled, Venezuela's has almost quintupled, Mexico's is up 600 percent, Guatemala's 500 percent, Argentina's 800 percent.

Food production has not expanded enough, however, to raise diets to desirable levels. Persons in Argentina and Uruguay take in enough calories, on the average, but persons in Mexico, for instance, lag by 17 percent, in Chile by 10 percent, in Brazil by almost 5 percent. Most countries are better off than in pre-World War II years, however: Average calories consumed per person in Brazil is up 10 percent, in Venezuela and Cuba up 5 percent, in Mexico up 12 percent, in Colombia up 20 percent.

Nutrition will improve faster in Latin America if wasteful agricultural practices are abandoned and if more arable land is put into production. Good land, however, is not plentiful in many countries, and food shortages threaten to be a real danger to Latin America if her population continues to expand at the present rate.

But school attendance is growing rapidly, an indication that Latin America is out to solve her problems over the long haul.

There can be no doubt that the expanding countries to the south will be increasingly important neighbors to the United States in the years to come.

Mr. SMATHERS. Mr. President, I also ask unanimous consent to have printed at this point in the body of the RECORD, as a part of my remarks, an article entitled "Caracas Parley To Focus Spotlight on Red Infiltration." The article was published in the Miami Daily News of February 21.

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

CARACAS PARLEY TO FOCUS SPOTLIGHT ON RED INFILTRATION

(By Morgan Monroe)

WASHINGTON, February 20.—The United States and its Latin American neighbors are preparing for a policy showdown on Communist penetration of the Americas.

That subject dominates the political agenda of the 10th Inter-American Conference which opens March 1 in Caracas. The Communist issue promises to make the conference one of the most significant get-togethers in the history of the Organization of American States.

In addition, the high-level meeting will offer the Eisenhower administration its first opportunity to outline for Latin America this Nation's position on a number of other vital

inter-American matters. As the OAS policy-making body convenes only twice in each decade, the conference will set the pattern of United States Latin American relations for the next 5 years.

Overshadowing that long-term significance, however, is a pressing challenge to the immediate future of solidarity and security in the hemisphere. The challenge appears on the conference agenda in these words:

"Intervention on international communism in the American republics."

FAST-GROWING THREAT

That subject will focus world attention on Caracas in March. Free nations will look for evidences of renewed inter-American unity. Moscow will be watching for signs of Communist-encouraged nationalism, dissension, and anti-United States sentiment.

Since the last inter-American conference in 1948, the Soviet Union has pushed its penetration of the Americas to a point which makes communism the most critical item on the agenda of the forthcoming conference. Conditions in Guatemala and elsewhere in Latin America leave no doubt that the OAS nations are confronted with a fast-growing threat to individual sovereignty and collective security.

Guatemala, second largest and most heavily populated nation in Central America, is the chief source of immediate concern. Since 1948 the colorful country has become the first Soviet satellite in this hemisphere.

First by infiltration and more recently through political power, Communists have for 10 years worked toward their present entrenchment in Guatemala. The sustained Red effort has been shockingly successful. With control of government, all major political parties, labor unions, the press and radio, Soviet imperialism is today the most powerful influence in Guatemala.

MAJORITY NOT RED

But the majority of Guatemalans are not Communists. Political observers in Latin America estimate the number of hard-core Reds in control of the country at not more than 3,000 among a population of approximately 3 million. Yet Soviet-trained subversives, aided by fellow travelers who helped them rise to power, control 51 of the 56 national congress seats, together with the executive and judicial branches of government.

An extensive report released last December by the Washington office of the National Planning Association summed up Guatemalan Red strength in these terms:

"At the present time (late 1953), the Communists are so deeply entrenched that it may no longer be possible to eliminate them by peaceful means."

Unknown to millions in this nation, that situation prevails next door to the Panama Canal. And Guatemala is only a few hours by air from vital oilfields and key industries in the Southern and Southwestern United States.

Communist strategy therefore has been aimed at weakening and subverting other Latin-American countries. This is designed to decrease the possibility of governmental and popular support of any inter-American anti-Communist action. Red propaganda has been geared to alienate Latin-American sentiment from the United States. In the process of pursuing this strategy, Guatemala has been turned into a base for infiltration and subversion of other Latin-American nations.

Machinery with which to create an inter-American defense against Communist penetration will be at hand when the conference convenes. It is contained in the OAS charter and in agreements made at an earlier conference. The latter have since been known as the Rio treaty.

John M. Cabot, former Assistant Secretary of State for Inter-American Affairs, pointed out that both the charter and the Rio treaty contain provisions against intervention which could be invoked if warranted as the basis for concerted policy against Red penetration. But either of two things could stall collective action.

REDS APPLY PRESSURE

One is the attitude of the United States. Although the Communist subject appears on the conference agenda at the insistence of this Nation, there are misgivings in some parts of Latin America about how far the United States is prepared to go on the issue.

These doubts were spurred by a magazine interview with Cabot, circulated throughout Latin America, in which the Assistant Secretary's statements were interpreted as indicating the United States has cooled off somewhat on the Communist issue.

Whether those misgivings will reflect in official positions of the governments represented at Caracas remains to be seen. But it is certain that any anticommunism policy would require the wholehearted support of the United States.

The other factor which would prevent action is Red pressure on some OAS-member government, particularly those which are politically unstable. This pressure has been increased as the conference nears.

CHARGE RIDICULED

An example of methods employed by Latin-American Communists in their efforts to undermine unity at Caracas is the recent "invasion plot" charge by the Red Guatemalan Government. On January 29 that nation's puppet president alleged that four Latin-American governments were planning to invade his country with United States approval.

The charge was branded "ridiculous and untrue" by the State Department, and promptly denied by the accused Latin American nations. The allegation appeared to be an attempt to create suspicion toward the United States in the hope of stimulating disunity at Caracas. This purpose was pointed out by a State Department spokesman.

These and earlier developments make it clear that Latin American Communists are flexing their muscles in preparation for new political conquests. And it is equally clear that unless the free nations of the hemisphere take action at Caracas to halt the spread of subversion, Red expansion will continue at stepped-up pace.

That is why the Communist issue is the most urgent matter to be considered at Caracas.

Mr. SMATHERS. Mr. President, I also ask unanimous consent to have printed at this point in the body of the RECORD, as a part of my remarks, an article entitled "Inter-American Conference: Coffee, Colonialism, and Communism Will Be Top Issues at March Meeting," which was published in the Washington Star on February 21.

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

INTER-AMERICAN CONFERENCE—COFFEE, COLONIALISM, AND COMMUNISM WILL BE TOP ISSUES AT MARCH MEETING

(By Henry B. Lee)

The 10th Inter-American Conference meets at Caracas a week from tomorrow to try to resolve in 1 month issues that have been developing for years. These issues involve communism, colonialism, coffee, and diplomatic asylum. Some are deeply rooted in inter-American history. Most are interrelated, and all are complicated.

Each is loaded with implications for United States diplomacy. Some countries may oppose collective action against international communism. Some will insist on self-determination for Latin American colonies held by strong European allies of the United States. A stronger, Peron-led Latin bloc will press the United States for economic concessions.

In addition, there are issues involving disputes among Latin countries. The question of diplomatic asylum involves a tense dispute between Peru and Colombia. Guatemala and the Dominican Republic charge others with granting territorial asylum to promote revolutionary movements against them. Last week Costa Rica said it would not attend the conference because it is being held within sight of a jail crowded with Venezuelan political prisoners. Chile's Radical Party went on record Thursday in opposition to Carcacas as the site for the same reason.

Thus this conference is confronted with the severest test since the first and founding conference at Washington in 1889. Its agenda is loaded with explosive controversies. It may be the first time a member state boycotts a conference.

MUCH TO LOSE

The United States, moreover, has much to lose and little to gain. There are several issues on which it can hardly take a stand without impairing relations with essential allies.

In historical perspective the conference is nonetheless important. It is the first under the Organization of American States, which replaced the old Pan American Union at the strife-torn 1948 Bogota Conference. The conference, supreme OAS body, meets every 5 years to formulate general policy for the next half decade. Since Bogota, the United States has scattered its foreign policy commitments about the globe in response to cold-war demands. Its inter-American commitments must be made in the light of globe demands.

It is in the light of these extended global demands that the United States wants collective inter-American action against the growing threat of communism in the Western Hemisphere. The need for such action is emphasized by the apparent control Communists have acquired in Guatemala and the election of a Communist-led government in British Guiana last spring.

Except for Guatemala, all Latin-American governments are anti-Communist to some degree. About half have broken diplomatic relations with Russia and outlawed local Communist parties. But some Latin countries say communism is a domestic or constitutional matter, and collective action against it may conflict with their principle of nonintervention in domestic affairs. Latin statesmen pushed this principle for many years and hailed United States recognition of it in 1934 as the cornerstone of the inter-American system. Some are more concerned about an infraction of this principle than the problem of communism.

COLLECTIVE ACTION

Even Guatemala's worst enemies in neighboring Central America are reported hesitant to subscribe to effective collective action. There are, however, some who will for a price—economic concessions.

At best, the United States can expect support from several dictators. This would place us in the poor ideological position of being supported by totalitarian regimes and opposed by democratic ones. To avert this embarrassment, we may delay a showdown for a later conference under better circumstances. Or we may get some neighbor of Guatemala to press the project.

Ironically, this issue, now directed at Guatemala, got on the agenda through the action of an earlier and more moderate Guatemalan

Government. It proposed at Mexico City in 1945 "to stop the establishment of undemocratic regimes" in the Americas. At Bogota the threat of "undemocratic regimes" was defined as "international communism or any other totalitarian doctrine." The fourth meeting of consultation (Foreign Ministers meet periodically to consider urgent matters) at Washington, in March 1951, ordered studies made of methods for fighting communism. The whole issue of communism will break open in the discussion of these studies.

The fact that Guatemala now has an "undemocratic regime" with an alien flavor will not deter that country from pressing this issue. Guatemala may see it as a wedge that can be driven between the Western Allies.

The agenda question relating to colonialism is another test for United States diplomacy. The presence of British, French, and Dutch colonies has become increasingly unpopular in Latin America. The 1948 Bogota Conference resolved that "colonialism and the occupation of American territories by extra-continental countries should be brought to an end." The conference also named a committee to study the whole question and submit a report at Caracas.

When this report comes up the delegations will divide along three lines—those considering European colonies a United Nations question, those suggesting the conference should produce at least another resolution supporting self-determination, and those with territorial claims against the British. Guatemala regards British Honduras as part of its territory occupied by Britain. Argentina feels similarly about the Falkland Islands; in fact, Argentina has issued stamps showing the islands as Argentine territory.

Naturally, these countries will scream "colonialism," if only to boost their claims against the British. Argentina also has territorial disputes in Antarctica with the United States, Britain, and Chile. Venezuela is still fretting over territory it lost to British Guiana in a border dispute with Britain and subsequent arbitration award in the 1890's.

The debate on colonialism is expected to involve recent British action in disposing of the Communist-led Jagan government in British Guiana. The Red-tinged Peoples Progressive Party claims it has solicited and received the support of several Latin governments against the British action. The Communist-dominated government of Guatemala is expected to carry the PPP torch at the conference. It may be joined by Argentina and Venezuela, both of which are officially anti-Communist. Thus will hemispheric politics make strange bedfellows.

The United States will, of course, take the position that this whole subject is out of order for an inter-American conference, where Britain has no representation. We may be joined by Chile and several others in holding it is a subject for the United Nations.

ASYLUM ISSUE

The United States will remain aloof from the issue of political asylum—a subject of political philosophy as well as political controversy in Latin America. Two conventions will be considered: Territorial asylum (in another country) and diplomatic asylum (in an embassy). The latter involves a bitter dispute between Peru and Colombia.

Five years ago Colombia granted diplomatic asylum to Victor Raul Haya de la Torre, left-wing Peruvian leader. Since then the legality of this asylum has gone to the World Court and back without a decisive answer. Meanwhile, Peru has stationed guards around the Embassy.

The dispute has become so bitter that the Inter-American Peace Committee has been trying to get the two countries to settle their dispute peacefully. It now has them negotiating bilaterally.

All concerned are anxious to keep it out of the Caracas Conference when the diplomatic asylum convention comes up. This convention gives the granting state the right to determine who is to be granted asylum. If the Haya de la Torre matter is debated in this connection, Peru may walk out of the conference.

The proposed convention on territorial asylum also has current political implications. For more than a century, Latin countries have granted asylum to political refugees. Some refugees have taken advantage of this asylum to foment revolutions back home, thus causing the principle of territorial asylum to conflict with nonintervention. In recent years the Dominican Republic has claimed several neighboring republics have been harboring its political refugees so they may return home as a revolutionary force and overthrow the government. Many alleged plots have been attributed to the so-called Caribbean Legion. Generalissimo Rafael L. Trujillo, the Dominican Republic's "strong man," charges that remnants of the legion are now in Costa Rica plotting against his government. Guatemala recently accused the United States and several Central American countries of a similar conspiracy.

The issue of fomenting revolutions or civil strife in another country will also be considered under another item on the agenda. The 1928 Convention on Duties and Rights of States in Event of Civil Strife required states to prevent aliens from forming armies on their soil to invade another country. It was signed by 17 states, but the practice continued. This conference will consider adding a protocol that would make the 1928 convention more effective.

ECONOMIC PROBLEMS

While these political issues are interesting and important for the stability of United States allies, the economic issues present a greater challenge to United States national interests. Here we must stand and be counted. And it looks as if we may be counted out before the voting is over.

For the first time since 1928 we have few economic concessions to offer. The Eisenhower administration has not yet clearly committed itself to reciprocal trade agreements. It is retrenching on foreign economic aid.

Latin countries will, however, enter the conference with the strongest economic bloc they ever had. They will negotiate on the inference Latin America must have markets for its raw materials. If the United States doesn't lower its tariff barriers, they will find markets in the Soviet bloc.

Coffee will be in the immediate background of economic debate. It will remain a symbol of the grievances among Latin countries whose economies are generally dependent on one or two basic raw materials, mostly sold in United States markets. These countries have often complained about prices for these commodities fluctuating between boom and bust. They say they prefer stabilized prices that will guarantee them prices commensurate with prices they pay for our manufactured goods. In short, they want the purchasing-power parity granted our farmers. Coffee-producing countries feel some American politicians have played for the housewife vote here by unjustly blaming them for high coffee prices.

Another grievance these countries have on the agenda involves the protection of purchasing power of monetary reserves against inflationary pressures. This issue stems from World War II when they sold many goods to us, but could not in return buy much manufactured goods from our war economy. When our goods did go back on the market after the war price controls were dropped and their accumulated dollar reserves were thus decimated.

ECONOMIC DEVELOPMENT

These issues of guaranteed prices and monetary reserves are related to another agenda item. The conference will discuss economic development of Latin America that could make it less dependent on producing one or two raw materials.

Here the United States has one of its best tactical opportunities. Instead of infusing economic development with handouts, we can insist this objective can best be reached by better treatment of United States private investments.

In connection with economic development the conference will consider a permanent status for the OAS technical cooperation program, development of oil and seafood resources in the submerged Continental Shelf and uniform customs and statistical procedures.

These economic issues are perhaps more critical than the administration realizes. President Juan Peron, of Argentina, has thus far met with only limited success in his efforts to form an economic bloc in Latin America against the United States. States now lined up with Peron are Paraguay, Chile, and Ecuador. But if his neighbors come away from Caracas emptyhanded, his success may not be so limited in the future. Already he is courting Nicaragua economically.

Latin countries that have stoutly resisted Communist infiltration have fretted at watching us pour economic aid into Italy and France, which have not so stoutly resisted communism.

If the administration is very much concerned about these impending diplomatic defeats, it is not evident. Almost on the eve of the conference John Moors Cabot, Assistant Secretary of State for Latin American Affairs, was switched to an Ambassador's post in Europe. He will attend the conference as an adviser to his successor.

Mr. SMATHERS. Mr. President, I also ask unanimous consent to have printed at this point in the body of the RECORD, as a part of my remarks, an article entitled "Trade Will Be a Big Factor at Caracas," which was published in the Washington Star on February 21.

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

TRADE WILL BE A BIG FACTOR AT CARACAS

In nations as in individuals, the most sensitive nerve in the body is the pocketbook nerve. This will become evident as the Caracas conference unfolds next month, and baffling realinements take place.

For instance, when communism is up for discussion. Brazil undoubtedly will oppose the Guatemalan point of view, since the one nation is strongly anti-Communist and the other is dominated by Reds. But when the issue is coffee, the two countries can be expected to present a united front.

Coffee is a major item of export to the United States from 12 of the 20 Latin American Republics. Bananas are a chief export for six nations, cocoa and related products for five, and manila and sisal fibers for five.

The Latin countries are primarily producers of raw materials and consumers of finished goods. Thus they complement the United States in trade as ham complements eggs at breakfast. Chile produces iron ore and buys iron and steel mill products. Bolivia sells metallic ores to the United States and buys back machinery that contains these metals.

The position of the United States vis-a-vis the Latin Republics has changed in the years since the last Inter-American conference at Bogotá in 1948. At that time, the United States was principally an exporter; now it is an importer.

In 1948, the United States exported $3,166,-000,000 worth of goods to Latin America and imported $2,352,000,000, for a "favorable" trade balance of $814 million. Last year, we exported something less than our 1948 total—$3,085,000,000 worth of commodities—but imported $3,400,000,000, or 44 percent more than we imported 5 years earlier. Our trade balance last year was "unfavorable" to the tune of $315 million.

The table below shows what we sold Latin America (exports and reexports) and what we bought (imports). Chief commodities exported to and imported from these countries also are shown.

The 1953 breakdown for exports does not add up to the total of $3,085,000,000 because this total includes $202 million of "special category" exports on which detailed information is withheld for security reasons.

Country-by-country breakdown follows:

Country	Volume of trade in millions of dollars				Chief commodities, 1953	
	Exports		Imports		Exported from United States	Imported to United States
	1948	1953	1948	1953		
Argentina	381	101	180	185	Machinery, cars chemicals	Wool, beef, tanning extract.
Bolivia	36	18	49	62	Machinery, cars, textiles	Tin, tungsten, lead ores.
Brazil	497	285	514	756	Machinery, cars, chemicals	Coffee, cocoa, carnauba wax.
Chile	105	96	179	243	Machinery, cars, iron and steel.	Copper, iron ore, nitrates.
Colombia	197	281	236	446	Machinery, cars, chemicals	Coffee, bananas, crude oil.
Costa Rica	29	37	23	33	Textiles, chemicals, machinery.	Coffee, bananas, abaca fiber.
Cuba	441	424	375	436	Foodstuffs, machinery, textiles.	Cane sugar, molasses, tobacco.
Dominican Republic	47	48	35	51	Textiles, machinery, cars	Cocoa, coffee, chocolate.
Ecuador	31	42	19	45	Machinery, cars, chemicals	Bananas, coffee, cocoa.
El Salvador	26	36	31	63	Textiles, machinery, chemicals.	Coffee, vegetable oils.
Guatemala	45	45	44	56	do	Coffee, fibers, bananas.
Haiti	20	28	19	15	Textiles, machinery, cars	Coffee, sisal, cocoa.
Honduras	27	36	13	31	Machinery, textiles, chemicals.	Bananas coffee, abaca fiber.
Mexico	522	640	246	349	Machinery, cars, chemicals	Lead, coffee, petroleum.
Nicaragua	21	25	12	25	Machinery, textiles, chemicals.	Coffee, vegetable oils, wood
Panama	92	83	9	17	Textiles, chemicals, machinery.	Bananas, fibers, cocoa.
Paraguay	6	7	4	6	Cars, machinery, textiles	Tanning extract, vegetable oils, meats.
Peru	67	118	35	87	Machinery, cars, chemicals	Lead, zinc, copper.
Uruguay	60	24	58	53	do	Wool, wool tops, canned beef.
Venezuela	517	509	271	441	Machinery, cars, foodstuffs	Crude oil, fuel oil, coffee.

NOTE.—1953 totals include estimate for December; exclude "special category" commodities in export column.
Source: Bureau of Foreign Commerce, U. S. Department of Commerce.

Mr. SMATHERS. Finally, Mr. President, I ask unanimous consent to have printed at this point in the body of the RECORD, as a part of my remarks, an article entitled: "Reds Winning in Guatemala Without Fight," which was published in the Washington Times-Herald on February 17.

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

REDS WINNING IN GUATEMALA WITHOUT FIGHT—WRITER SAYS SWIFT AID IS NEEDED THERE

(By Victor Riesel)

Three flying hours from the United States, and only two flying hours from our Panama Canal, the Communist international operates a replica of the Red military machine which it camouflaged as an agrarian reform party in China before it took over the entire mainland.

Just as that Communist machine in the Orient won by default, so have the Soviets virtually defeated us without firing a shot in Guatemala. Now only swift military and propaganda aid can keep all of central America from going Soviet in a few years.

This our State Department has known for years. To my personal knowledge it has been warned repeatedly by several authorities, including the most knowing of all, Serafino Romauldi, the AFL's Latin American expert, that the Soviets are using Guatemala as a vast base.

There have been warnings of submarine landings, of the use of Guatemalan passports by Red operatives, of the seizure and control of the General Confederation of Labor by Soviet agent Lombardo Toledano, of private Communist airfields, and of arms and money shipments to Central American Reds as far north as Mexico.

FRONTIERS HEAVILY GUARDED

So tough is this network that all the countries near Guatemala have informed the United States that they must guard their frontiers with heavy military contingents. The Soviets, operating in Guatemala, have been intriguing against Honduras, El Salvador, Nicaragua, Costa Rica, and Panama in Central America and against Cuba and the Dominican Republic in the West Indies. Our intelligence files are jammed with this information.

Soviet agents come and go about the Zocolo in Guatemala City, as though it were Red Square in Moscow. For example, during the first week of May 1952, the comintern sent a "rep" in by name of Comrade Ramirez. He arrived by air from Mexico City. He called a secret conference of all Central American and Caribbean Communist leaders.

Then this 45-year-old, well dressed, cultured agent got up and told the comrades how to intensify their undercover, anti-United States revolutionary activities in their respective countries. The Dominican intelligence services passed this on to the United States. We did nothing.

USE DIPLOMATIC OFFICES

There is a pro-Communist legion operating in Guatemala which receives its instructions and money through the Czech diplomatic mission there. Its weapons are Czech. In turn, this legion helps the military cadres of the labor federation now controlled by Toledano.

The link is not with Moscow alone. There are reports of submarine landings and departures of Chinese agents, too, who are specialists in land seizure.

The Soviet intelligence services operate through the Guatemalan diplomatic offices in Paris, traditional center of Russia's western intelligence.

Moscow's influence is also powerful in the Guatemalan radio and press. During the Korean war these media told the usual lies about our alleged germ warfare. The discredited film produced by sovietized Chinese accusing our forces of this type of warfare was shown in the public schools.

And there are government schools to train Communist land reformers and labor leaders.

NO ONE OBJECTS

For the Guatemalans to shout complaints against those of us who have huge files crammed with evidence of Soviet dominance is the sheerest arrogance.

For example when the completely Communist-controlled second labor union congress opened at the Teatro America in Guatemala City, January 29, the government officially congratulated it for perfection of its organization and discipline which is evident in every one of its member labor unions.

When Stalin died last year, the Guatemalan labor dictator, Victor Manuel Gutierrez, insisted that the national congress observe a minute of silence. Then one of Gutierriez's comrades called Stalin:

"The champion of democracy and a guide and teacher of humanity."

No one rose to object. Some congress, indeed.

To top it all, it is virtually illegal to be anti-Communist. The presidential guard shot down anti-Soviet students protesting the discharge of anti-Red members of the supreme court. Anti-Communist radio broadcasters have been beaten and arrested. Anti-Communist youth and political leaders have been murdered—machinegunned in Capone style.

The documentation is available. It has been for several years now. But apparently no one in our Government cared much. Now what are we waiting for?

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed a bill (H. R. 8069) to amend the act of July 10, 1953, which created the Commission on Intergovernmental Relations, in which it requested the concurrence of the Senate.

AMENDMENT TO THE CONSTITUTION RELATING TO TREATIES AND EXECUTIVE AGREEMENTS

The Senate resumed the consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements.

Mr. JOHNSON of Texas. Mr. President, sometimes in the heat of debate we use words we later regret. It is a human failing to which all of us are prone. It is an unfortunate human failing, because frequently it drives men so far apart that they are unable to work closely and harmoniously together.

Mr. President, I was somewhat shocked this morning to read a statement by the distinguished Senate majority leader to a correspondent of the reliable New York Times. The distinguished senior Senator from California, in referring to the vote last evening on a purely procedural question, after the Senate had adjourned said: "It's a filibuster."

The distinguished majority leader then explained his theory, that the Democrats in this body were somehow

filibustering against the administration's legislative program.

Mr. President, I have a great deal of affection for the Senator from California. I hope and presume that he must have spoken those words without weighing all their implications. I yielded to him last evening, but he did not make that statement on the floor of the Senate, where it could be refuted. The correspondent of the New York Times did not have my views on this unfounded charge before the article appeared.

I also assume that the majority leader spoke without reflection or without looking at the record, because on last Saturday the distinguished majority leader telephoned me, asked me for my reaction and the reaction of as many Democrats as I could consult, about a proposed unanimous-consent agreement with respect to the Bricker amendment and the pending amendments thereto. I assured the distinguished majority leader, when he first called me, that the Senator from Texas had no objection to an agreement on a specific time to vote, and was ready to vote.

On Monday, after consulting with many of my colleagues, I again assured him that, so far as I had been able to determine, no Democrats would object to his proposed unanimous-consent agreement to vote.

Mr. President, I cannot believe that the Senator from California would think that the Democrats would be willing to enter into a unanimous-consent agreement in the midst of what he termed their effort to filibuster. Ordinarily I would let such statements pass without further notice, but a reflection has been cast upon certain Members of the Senate; and, in a spirit of friendliness and courtesy, I wish the RECORD to be kept straight.

First of all, Mr. President, the Senator from Texas has not detected any evidence of a filibuster. The Senator from Texas thinks that charge was unfair and untrue. It is still early in the session. It may well be that some Senators have indulged themselves in lengthy remarks; but if that be the case, the greater indulgence has been exercised over on the other side of the aisle. A rough check has been made of the CONGRESSIONAL RECORD for this session. It discloses that only a little more than 40 percent of the column space has been taken up with Democratic speeches. The Democrats have taken up a little more than 40 percent, although they have 50 percent of the membership of this body. I will concede that it is the best 40 percent. It is the best half of the discussion. But if there has been any filibustering, as was charged by the majority leader after the Senate adjourned last evening, it has come from the other side of the aisle.

Personally I am willing to defend the party of the distinguished majority leader from such a charge. I do not think his party has been filibustering either. Although the Senator from California used 18 columns of the RECORD yesterday after returning from Philadelphia the day before; although it was necessary for us to have numerous quorum calls in order to keep the Senate in session until 5 o'clock—after he had used 18 columns speaking on the amendment, intelligently and thoroughly, it is true—I would be the last one to charge the majority leader with filibustering. However, the RECORD should be made clear. If there are any undue delays they could be because of a surplus of Republican oratory. I might suggest, inasmuch as the majority leader has talked more than 10 times as much as has the minority leader, that perhaps there has been a surplus of oratory from directly across the aisle.

Even more important is the statement of the Senator from California that the delays are designed to block the administration's program. Just what is being blocked? Is the so-called Bricker amendment a part of the administration's program? That was not my impression, although frequently in the days in which we are now living impressions are not always confirmed. Perhaps the majority leader has some information on that question which has been withheld from the minority leader. At any rate, it was the Republican policy committee, not the Democratic policy committee, which scheduled the Bricker amendment for floor debate. We Democrats did not schedule it, although we are ready to vote upon it, and we have been ready to vote upon it for many days, as I assured the majority leader last Monday.

Does the distinguished majority leader imply that labor legislation is being held up? Such legislation has not even been written by the Committee on Labor and Public Welfare. Does he imply that the tax bill is being held up—a tax bill which has yet to emerge from the House Ways and Means Committee? Does he imply that the farm bill is being held up, when hearings have not even started? Is the Senator implying that appropriation bills are being held up, when only one minor measure has even cleared a subcommittee?

Perhaps the Senator thinks, as he indicated to the newspaper reporters, that Hawaiian statehood is being held up. If so, I assure the Senator that the Democrats are ready to vote on the so-called Bricker amendment and proceed with the Hawaiian statehood measure whenever the Senator from California makes the motion. I remind the Senator that on February 4, his own committee voted to report a companion measure, the Alaskan statehood bill, and on February 24, the report had not even been written. Who is blocking what?

Mr. President, we are ready to vote as soon as the Republicans, including the distinguished majority leader, cut down their speeches and allow us to reach a vote. I might point out that the majority leader himself, as I have previously stated, only yesterday used 18 full columns in the RECORD. In other words, the distinguished Senator from California is asking us to listen to Republican speeches all day long and then return to the Senate, after being roused out of bed at night, to vote on the amendment of the Senator from Ohio [Mr. BRICKER] or some of the other Republicans perfecting amendments. Then, when I woke up this morning, I read that I had been obstructing the President's program. No, Mr. President. I wish to make the situation abundantly clear. I ask my distinguished friend the majority leader to stop, look, and listen.

There was only one issue involved in yesterday's vote. That was the issue of one-man rule versus orderly procedure—one-man rule versus the wishes of the majority of the Members of the Senate.

The Senate has many serious problems on its hands. Over the years it has found that its burdens can be eased by following the rule of comity and cooperation on purely procedural matters. I believe that has been the experience in every legislative body that I know anything of. The general rule has not been broken in the memory of anyone with whom I have talked in the Senate. It is customary for the majority and the minority leaders to keep each other informed on timetables, to exchange views, and to make every attempt possible to agree on behalf of a majority on both sides of the aisle on purely procedural matters.

Mr. President, there are 47 Members in this Chamber who come to me for information concerning the schedule of the Senate. Sometimes I am able to give them the information, if the press has been kind enough to inform me what the program is. Today the program for this evening, if there is to be a program, and for tomorrow evening and for Saturday was graciously given to me by alert newspapermen. In fairness, I should say that after I received the information and passed it on to one or two Members on my side of the aisle, the majority leader let me in on the secret.

When the Senate majority leader, a few days ago, scheduled a night session for yesterday, without informing the minority leader, as well as many of the other 94 Senators, I felt it was a new and dangerous policy. It is a policy which I do not expect to emulate in the Senate next year when we are in the majority.

What the majority leader in effect said was that 48 Members of the Senate can find out when they will go to work and how long they will be required to work if they are avid readers of the newspapers, or if they do not overlook the RECORD the next day.

Mr. President, I do not believe that is the way to treat Members of the Senate. I do not believe that is the way to treat even half the Members of the Senate. I know it is not the way to treat the Independent Party. [Laughter.]

Mr. President, all of us know that Senators work long and hard hours. The majority of us start our working day at 8 o'clock in the morning. By 6 or 7 o'clock in the evening, after the sun has gone down, we have put in 10 or 11 hours of hard work. I do not think that it is fair to ask the Members of the Senate this early in the session, without consulting them and without their acquiescence, to return to the Chamber in the evening, when actually, as we all know, no program is being blocked, there is no log jam of legislation, and there is no emergency of any

description. It is particularly unfair when they object, as many of them have. I recall communicating their objections to the majority leader some weeks ago, when we had an impetuous announcement to the effect that the Senate would meet at 10 o'clock in the morning and stay in session until late in the evening on several evenings.

Mr. President, I am not a man who is hard to get along with. For 7 months I worked with the previous majority leader of this body, the late Senator Taft. I have stated before, but it will bear repeating, that there was never a cross word between us. There was never an occasion on which the Senate was stalled for even 30 seconds over a pure question of procedure.

Prior to that time, as acting majority leader, I worked in close cooperation with the senior Senator from New Hampshire [Mr. BRIDGES], who then was minority leader and, who is now the distinguished President pro tempore of the Senate. Not once, while I was acting majority leader and the Senator from New Hampshire was minority leader, did a situation like this arise. We tried to find out what the majority on both sides felt was reasonable, fair, and just; we tried to agree on it, and then we let one or the other announce it to the Senate.

Mr. President, I should like to have the same relationship with the present majority leader as I had with Senator Taft and with the Senator from New Hampshire [Mr. BRIDGES].

I believe I have tried my best to demonstrate a deep sense of friendship for the majority leader. However, Mr. President, I wish the RECORD to show, when it comes to the issue of one man—one man—determining how long we work and when we work, without consulting with other Senators; when it reaches the point of one-man rule versus orderly procedure, I am not going to be very cooperative.

I would suggest that we all try the path of cooperation and comity. The Senator from Texas will do his level best to hold up his part of the load and he will always meet the majority leader 50 percent of the way.

Mr. KNOWLAND. Mr. President, I do not intend to carry on this discussion today. My distinguished friend and colleague on the other side of the aisle has already made mention of the fact that I have occupied a few pages of the CONGRESSIONAL RECORD.

I suppose in the normal exercise of the duties of a majority leader, in making motions, and so forth, the majority leader in the Senate must occupy more space in the CONGRESSIONAL RECORD than the minority leader.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield at that point?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. However, the Senator from California does not have to charge his sins to the Democrats. The Senator from California charged that we were taking the time and that we were obstructing the program.

Mr. KNOWLAND. Mr. President, I wish to say to my friend from Texas—and he is my very good friend—that in the period of time I have served in the Senate, both as acting majority leader during the illness of Bob Taft and since then, I have consulted very fully with the distinguished Senator from Texas, as is quite proper and as I intend to do in the future. I should like to add that nothing that has been said here today will in the slightest diminish the very high regard and feeling of friendship I have for the Senator from Texas.

However, in order to keep the record straight, it should be pointed out that on several occasions, well in advance, I had indicated to the Senate that, in the interest of orderly procedure and the dispatch of the public business, it might be necessary to hold an evening session. I discussed the matter with the distinguished Senator from Texas. I fully understand his point of view in opposition to evening sessions, and his reasons therefor. I certainly would not take any offense with his differing with me as to the necessity of holding evening sessions.

I wish to invite the attention of the Senate to the fact that in the CONGRESSIONAL RECORD of February 18, which was Thursday of last week, at page 2005 of the RECORD, I said:

> I hope Senators will keep themselves in readiness, because we may have to have several evening sessions next week. We shall see what progress we can make on Tuesday. There is further legislative business piling up on the calendar. I hope we may have the cooperation of all Senators.
>
> Some time next week, when we have finished the consideration of Senate Joint Resolution 1, it will be the intention of the majority leader to ask for a call of the calendar, for the consideration of bills to which there is no objection, starting where we left off at the last calendar call. That might be on Wednesday or on Thursday, when we have finished debate on the Bricker amendment.

I admit I was a little too optimistic at the time.

> That is as far in advance, Mr. President, as I can now predict.
>
> For the information of Senators, I may say there will not be a Saturday session this week.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. The Senator from California had no discussion with the minority leader as to the evening session referred to, as he admitted last night.

Mr. KNOWLAND. I had no discussion with the Senator from Texas about it. I did not know what progress we would make, but I had to the best of my ability served notice, under my responsibility, not on the basis of one-man rule, because the Senator from Texas and I both know there can be no one-man rule in this body, and there should not be. Whoever occupies this position, having in mind the Senator's optimistic estimate as to who may occupy it next time as majority leader, would be faced with the same problems. We never know from day to day whether we can finish debate and vote on a measure. If there had been a vote by 5 or 6 o'clock last night there would, of course, have been no need for an evening session. On the day before yesterday I did not precipitate an evening session without advance notice. I said it might be necessary to hold an evening session on the following day.

I do not care to prolong the discussion, Mr. President, but I should like to put into the RECORD for the information of the Senate the fact that I think I have given advance notice of the program of the Senate as far in advance as it was possible to see. I am informed—I have not had an opportunity personally to check the information—that in the 33 days on which the Senate has been in session, I have given notice on 25 occasions, as far in advance as I could see, as to what the program of the Senate would be. As I said last night, I gave to the minority notice on the same day our own Policy Committee had the information.

I ask unanimous consent to have printed at this point in the RECORD a memorandum showing the dates on which I have given such notice to the Senate.

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

Date:	Page
Jan. 6	4
Jan. 7	77
Jan. 11	90, 118
Jan. 14	255
Jan. 18	353
Jan. 19	451
Jan. 20	468, 495
Jan. 22	631
Jan. 25	703
Jan. 25	829
Jan. 28	923
Feb. 1	1051
Feb. 2	1120
Feb. 3	1229, 1243, 1256
Feb. 4	1296
Feb. 5	1407
Feb. 8	1423, 1472
Feb. 9	1578
Feb. 10	1607
Feb. 11	1663
Feb. 16	1782
Feb. 17	1887
Feb. 18	2005
Feb. 23	2128
Feb. 24	2217

Twenty-five times in the 33 days of session.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield further?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I have felt that in the past the distinguished majority leader has given such information. I think that in the 25 instances to which the Senator refers, with the possible exception of two, there were joint agreements. The Senator has said in effect, "This is what we should like to do. We have considered it and reasoned it out, and have added some things and eliminated others, and we have agreed." That is not the policy to which I am objecting. In at least two instances, the first information I had about the program was when I read it next day in the CONGRESSIONAL RECORD.

Mr. KNOWLAND. Mr. President, I do not care to prolong this discussion. I am anxious to get on with the voting on the pending amendment, which is that of the Senator from Ohio [Mr.

BRICKER] to Senate Joint Resolution 1. I hope we can finish it this afternoon by 5 or 6 o'clock. If we shall not have finished it by that time, I shall recommend to the Senate, of course, understanding that the Senate is the sole judge of its deliberations, that we hold a session this evening. I would not expect the Senate to be held in any prolonged session this evening, certainly not beyond 9 o'clock. I would recommend, also, that we have an evening session tomorrow, and, if we cannot finish the work by that time, I would recommend that we hold a Saturday session.

Senators may not wish to meet that schedule, but I have the responsibility for making that recommendation.

I understand the Senator from Texas is opposed to evening sessions, but I think most of the Senators—and I have talked with a number of them from time to time on both sides of the aisle—have at least indicated that, in their judgment, after debate has proceeded for a certain length of time, oftentimes a vote can be obtained by holding an evening session when otherwise the debate may be thrown into another week.

I do not think I have been unreasonable in making my recommendations. We have had only two evening sessions so far this year. I hope we shall not have to have many of them. I have been a Member of the Senate long enough to know, however, that in the closing days of the session it is frequently necessary to meet until very late at night, or all night. I think that is a hardship on Members of the Senate. But if I am to be foreclosed as to holding evening sessions, I think there will be a great many things in the President's program which will be very difficult to accomplish. I want to be in position to recommend in February or in March or in April evening sessions of the Senate if that be necessary in order to keep the legislative program moving along.

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

Mr. KNOWLAND. I yield to the distinguished Senator from Missouri.

Mr. HENNINGS. Mr. President, as the minority leader, the Senator from Texas [Mr. JOHNSON] has well stated, a number of us who are particularly interested in the pending amendment have been ready to vote for some time. When the courtesy was shown me a few days ago of inquiring as to whether I would be opposed to a unanimous-consent agreement to vote, I said that I personally would not be opposed to it, but as I represented others, I was trying to express, in connection with a number of other Senators, the view that we were opposed to any amendment to the Constitution of the United States.

We have felt that the debate has about run its course in terms of being useful or constructive in helping the membership to reach a proper conclusion based upon the facts, the evidence, and the arguments.

I wanted to ask the distinguished minority leader—I mean, the distinguished majority leader——

Mr. KNOWLAND. I am not sure but that the Senator was correct the first time. [Laughter.]

Mr. HENNINGS. Some 10 days ago, with reference to the amendment of the distinguished Senator from Ohio, the distinguished Senator from California suggested, on page 1789 of the RECORD of February 16, that he had in his possession a memorandum from the Attorney General of the United States. I took it that the memorandum related either to the amendment of the Senator from Ohio or the substitute amendment of the Senator from Georgia, or both, and that it also related to certain provisos which might have been added to the so-called George substitute, having reference, particularly, to the powers of the President as Commander in Chief and to the authority of the President to receive foreign ambassadors and ministers, and as to whether, in the opinion of the Attorney General of the United States, such provisos would tend to cure any of what seemed to some of us to be patent defects in the substitute amendment.

I hope I am not transgressing on any confidence, but it seems to some of us that upon the eve of voting, upon the threshold of our taking a vote, certainly, on the amendment of the distinguished Senator from Ohio, and, thereafter, upon the substitute amendment, as I understand the legislative procedure, we might have the benefit of the memorandum which the distinguished majority leader assured us some 10 days ago would in due course and at the proper time be made public, and of which the Senate would be given the benefit.

I hope I am not in anywise at this time bringing any pressure to bear upon a matter which certainly is within the discretion of the majority leader, but I am certain that some of us would like to have the benefit of the opinion of the Attorney General with respect to the amendment and the substitute, so that we might conceivably study the opinion and be guided to some extent by it, if it meets with our views, or at least, be enlightened by it.

For that reason, I think it would be most helpful if we could know at this time, I may say to the distinguished majority leader, what the memorandum contained. Is there any objection to letting us have it?

Mr. KNOWLAND. I may say to the distinguished Senator from Missouri, as I pointed out to him before I had received the memorandums from the Attorney General's office, dealing with this subject, and I suppose other prospective amendments which had been discussed from time to time, I have not felt at liberty, up to the moment, at least, to put them into the RECORD or make them available. At least, they were not given to me with the understanding that they would be made public; and until I shall have become completely satisfied that that would be the proper thing to do, I would not wish to make them available.

Frankly, I can see no reason why, I may say to the Senator, they should not be made available, and during the course of the afternoon I shall try to determine whether there would be any objection to having them made available.

Mr. HENNINGS. Without attempting to engage in any disputatious contention with my good friend, the Senator from California, I was relying upon his statement, which appears at page 1789 of the RECORD of February 16. I shall read it only for the purpose of refreshing the recollection of the distinguished majority leader, if I may take the liberty of doing so, with full recognition that it is within his discretion as to how and when, or if and when, he desires to release the letter or memorandum, if such exists.

The majority leader, who was the Presiding Officer at the time, made the statement in reply to a question asked him by the distinguished junior Senator from Arkansas [Mr. FULBRIGHT]:

> The PRESIDING OFFICER. The memorandum—it is in the form of a memorandum, rather than an official opinion—was made available, at the request of the Senator from California, while these discussions were going on.
>
> It will be my purpose to make the memorandum available to the distinguished Senator from Arkansas and the other Members of the Senate in ample time before the debate on the George amendment gets under way, and before any voting regarding that amendment occurs.

My reading of that statement was not, of course, for the purpose of impeaching my good friend, the distinguished Senator from California, but many Senators have been relying somewhat upon the release of the memorandum of the legal adviser of the President of the United States, the Attorney General. We have been told that we would have the benefit of it.

Mr. KNOWLAND. I shall give the question further consideration, to see if the memorandum can be made available.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Does the Senator from California labor under the illusion that the minority leader would have ever agreed to a unanimous-consent agreement in the middle of a filibuster he is alleged to be conducting?

Mr. KNOWLAND. No. I think the Senator from Texas misunderstands the situation. I have not charged that the Senator from Texas was personally conducting a filibuster, but I did indicate that, in my judgment, if I am not to be in a position to recommend an evening session so as to help clear the decks of pending legislation after a reasonable period of debate—and it seems to me that 5 weeks is a reasonable period for discussion——

Mr. JOHNSON of Texas. It seems so to the Senator from Texas.

Mr. KNOWLAND. When we come to other proposed legislation, perhaps equally controversial, and we near the end of the session, the entire legislative program could be blocked.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I am glad to yield to the distinguished minority leader.

Mr. JOHNSON of Texas. I do not wish to lend any credence or attach any substance to the majority leader's news-

paper charge that we on this side of the aisle are filibustering; but before we proceed with the voting, I wish to confirm my memory.

Does not the majority leader recall my assuring him on Saturday of last week and on Monday of this week that, so far as the Democratic leader was concerned, the Senate could proceed to a vote on the Bricker amendment, and on all related amendments, under a unanimous-consent agreement?

Mr. KNOWLAND. I have not disputed the Senator's statement that he thought the unanimous-consent agreement I proposed——

Mr. JOHNSON of Texas. Does not the Senator from California recall that statement?

Mr. KNOWLAND. Yes; I recall it.

Mr. JOHNSON of Texas. In that respect, certainly we have been in complete agreement. The only point I wish to make—and I am certain the Senator from California will agree—is that on last Friday the Senator from California said there would be no Saturday session; that no business would be transacted on Monday; that very likely there would be no votes on Tuesday.

On Wednesday it became necessary to have several quorum calls in order to carry on the business of the Senate until almost 5 o'clock. Then, like a blast out of the sky, it was decided that we should do our legislating in the dark, after the sun had gone down.

The Senator from Texas believes that the majority leader and the minority leader can reason these problems together, without asking the indulgence of all our colleagues. I have assured the distinguished majority leader that I am at his call at any time of the day or night. I will be in touch with him as soon as I receive such a call.

But I think, and the vote last night seems to indicate, that a majority of the Senate believe that at this stage of the game we would lose more than we would gain by asking Senators to work more than 7 hours per day in the Senate Chamber.

I hope that these remarks will be persuasive with the Senator from California, and that he will consider them.

I think the occurrence last evening did not expedite the business of the Senate in any way. I do not believe it will expedite the business of the Senate this evening.

I appeal to the Senator from California to attempt to evolve, in cooperation with the minority, a program which will bring about expeditious action. There is no tendency on this side of the aisle to delay legislation. Our desire is to solve our problems efficiently, instead of having Senators called back at night in order to try to legislate in the night. We have never been successful in doing that, and the record of every legislative body establishes the point that to do so is a mistake.

Mr. KNOWLAND. I wish to thank the distinguished Senator from Texas for his remarks, and also for his cooperation, which has been very helpful during this session. I thank him sincerely. I shall certainly endeavor to make the cooperation mutual for the remainder of the session.

I should like to have a vote on the pending amendment. I can assure the distinguished Senator from Texas that since I did not plan to have the Senate continue in session beyond 9 o'clock last evening, I do not quite understand his statement that it would have been necessary to get Senators out of bed.

Mr. President, may I ask what is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. BRICKER], to insert, on page 3, after line 9, a new section. On this question the yeas and nays have been ordered.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. With reference to the point just made by the Senator that it had not been his plan to keep the Senate in session longer than 9 o'clock, this is the first information I have had of that. I thank the Senator for telling me on Thursday what he had planned to do on Wednesday.

Mr. KNOWLAND. That statement was made several times yesterday during the discussion.

SEVERAL SENATORS. Vote! Vote!

Mr. HENNINGS. Mr. President, I am afraid I did not understand the majority leader, in connection with my request for the Attorney General's memorandum, which was adverted to 9 days ago, on February 16, as to whether we are presently to have the benefit of the memorandum, before the vote upon the pending amendment, or are to have it sometime hereafter; and if so, about when? I assume the distinguished majority leader has the memorandum.

Mr. KNOWLAND. As I now recall the incident which the Senator has read into the RECORD, it occurred at a time when very few Senators were in the Chamber, and I had been called upon to preside.

Mr. HENNINGS. The distinguished Senator from California was occupying the Chair.

Mr. KNOWLAND. I did not, obviously, have my papers with me at the time the Senator from Arkansas raised the question. I mentioned at that time that I hoped to have the memorandum available prior to action by the Senate on the so-called George amendment.

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

Mr. HENNINGS. I yield.

Mr. CHAVEZ. I should like to ask the distinguished Senator from California a question. I am definitely of the opinion that I shall vote for the Bricker amendment, the one on which a vote has been ordered; but it might be that the argument of the Attorney General, or his memorandum, would be so convincing as to cause me to change my mind. Certainly I should like to know what the memorandum contains before I might possibly make a mistake. I think the Senate is entitled to know, one way or the other, whether the memorandum will be made available, before action on the Bricker amendment is concluded.

Mr. KNOWLAND. I believe I had indicated to the Senate at an earlier date, and my statement stands, that so far as both amendments were concerned, the Department of Justice did not feel that either one was acceptable as it stood.

Mr. HENNINGS. Does the distinguished majority leader propose to give the Senate the benefit of the memorandum, with its citations, and prepared somewhat in legal form, so that we can apply the reasoning and conclusions of the chief legal officer of the United States to the amendment, or are we to be restricted and, therefore, constrained to accept the statement that the Attorney General approves of neither the Bricker amendment, which is the pending question, or the George amendment, without any reasons therefor being given?

Mr. KNOWLAND. I think I made clear to the distinguished Senator from Missouri that it was not in the form of a formal legal opinion. I believe I said that in my statement. It was in the form of a memorandum, and it was a rather brief one. It was addressed to the Senator from California. I am not normally in the habit of making public personal correspondence, or correspondence of that kind, without the permission of the one who sent the information, because it was not written for public purposes. If it had been, it would have been released some time ago.

Mr. HENNINGS. I do not wish to quibble, or labor the point, but I had understood from reading the RECORD, and I happened to be on the floor at the time, that a memorandum had been sent by the Attorney General to the majority leader. Relying only on what the majority leader said, I had understood the memorandum was to be released and made public for the benefit of the Senate. I do not necessarily wish to hold the majority leader to that commitment, but the majority leader stated:

> It will be my purpose to make the memorandum available to the distinguished Senator from Arkansas and the other Members of the Senate in ample time before the debate on the George amendment gets under way, and before any voting regarding that amendment occurs.

Of course, the debate on the George amendment has been under way for some time. The distinguished Senator from Montana [Mr. MANSFIELD] spoke to it this afternoon. A number of us have addressed ourselves to that amendment over the period of the last 2 weeks.

I would appreciate it very much if the distinguished majority leader could tell some of us who are interested whether or not we are to be given the benefit of any opinion from the Attorney General of the United States relating to the Bricker amendment or the substitute amendment offered by the Senator from Georgia, known as the George substitute.

Mr. KNOWLAND. Before the Senate starts voting on the question, after a quorum call, as soon as I can leave the floor of the Senate I shall endeavor to determine whether the memorandum can be made available.

Mr. HENNINGS. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. BRICKER], inserting on page 3, after line 9, a new section. On this question the yeas and nays have been ordered.

Mr. BRICKER. Mr. President, I do not wish to prolong the discussion. I desire a vote to be taken on it at the earliest possible time. I do not think I could be charged with filibustering in any way on the pending amendment, or on any other amendment, so far as that is concerned. My remarks shall take only 1 or 2 minutes.

I should like to call the attention of my colleagues to the particular amendment now pending. I refer to a few statements which I made the other day, when some of the Senators now here were not present on the floor.

The three perfecting amendments to the committee text already adopted are acceptable to me and to the administration. Taken together, however, they afford inadequate protection against the danger of treaty law.

In my judgment, the so-called George amendment is also inadequate. It is good so far as it goes. It does not go far enough in that it does not make treaties as well as executive agreements nonself-executing.

For the advice of my colleagues now on the floor, let me say that this amendment would merely place the United States in the same position in which practically every other country in the world is at the present time in regard to treaties.

My amendment to the committee text retains two essential features of the original resolution. First, it helps to insure that the American people will be governed by laws written by their own elected representatives rather than by treaty provisions, the meaning of which is often impossible to ascertain at the time of Senate consent to ratification. And, secondly, this amendment to the committee text will prevent a President of the United States from making domestic law by international agreements not approved by either House of Congress. I cannot honestly describe as adequate any constitutional amendment lacking those two essential safeguards. The George amendment contains the latter provision exactly in the words I have used. Accordingly, the vote on the pending amendment will be properly interpreted as a vote for or against the substance of the so-called Bricker amendment. The pending amendment gives every Senator an opportunity to be recorded for or against what is popularly known as the Bricker amendment. To the best of my knowledge—and this is very important—no administration spokesman and no Member of the Senate has objected to the provision making treaties nonself-executing as domestic law subject to the right of two-thirds of the Senate to make them effective immediately as internal law.

In my statement yesterday and in previous statements, I pointed out that it is constitutionally impossible for the Senate of the United States to protect the reserved powers of the several States by including a typical Federal-State clause in a reservation to the treaty. As an example, I have referred to the Senate reservation to the Charter of the Organization of American States approved by the Senate in 1951, which has been referred to on the floor of the Senate today. That reservation reads as follows:

> None of its provisions shall be considered as enlarging the powers of the Federal Government of the United States or limiting the powers of the several States of the Federal Union with respect to any matters recognized under the Constitution as being within the reserved powers of the several States.

Yesterday the senior Senator from Wisconsin referred to the same treaty and to the Senate's reservation in an effort to show that the Senate was capable of protecting States rights in advising and consenting to treaties. Obviously, the senior Senator from Wisconsin and I cannot both be right on this point. One of us must be wrong. Such a reservation either protects the reserved powers of the States or it does not. In my judgment, it does not. My amendment to the committee text will make such a reservation effective.

This is a point on which lawyers both for and against any treaty-control amendment are in substantial agreement. Mr. Carl B. Rix, past president of the American Bar Association, believes that a treaty-control amendment is necessary. In his appearance before the Senate Judiciary Committee, he pointed out—as shown on pages 1029 to 1031 of the hearings—that the reservation attached to the Charter of the Organization of American States is totally ineffective for the accomplishment of its intended purpose.

Mr. President, yesterday the Senator from Michigan [Mr. FERGUSON] said he wanted the rights of the States protected. In the amendment I have submitted, provision is made for protecting all the States, so far as it is in the control of the Senate to do so; under the provisions of the amendment, the Senate will be able to make effective, as internal law, any treaty.

The reason why such a reservation is ineffective is that the Senate cannot, by way of reservation to a treaty, deny to the whole Congress its constitutional power, under the rule of Missouri against Holland, to implement a treaty, the reserved powers of the States to the contrary notwithstanding. There is no rhyme or reason why the Senate of the United States should be incapable of protecting the reserved powers of the States from the impact of treaty law, if that is its desire.

A report of the New York State Bar Association opposing any treaty-control amendment was signed on June 6, 1952, by William D. Mitchell, John W. Davis, Lewis R. Gulick, John J. Mackrell, and Harrison Tweed. This report appears on pages 618–625 of the hearings. The report shows very definitely that that is the opinion of the attorneys who were making the investigation for the New York State Bar Association.

The signers of the report are leading opponents of any limitation on the treatymaking power. But on page 621 they admit that a Federal-State clause may not be effective to protect the reserved powers of the States. They point out that under the rule of Missouri against Holland Congress would probably have full power to implement all provisions of the Human Rights Covenants, notwithstanding any attempted limitation on the power of the Congress by the Senate.

It has also been brought out in the debate that the American Bar Association's section on international and comparative law does not agree with the position of the American Bar Association itself. The American Bar Association has consistently following the recommendations of its committee on peace and law through the United Nations, and has consistently rejected the recommendations of its section on international and comparative law. It is significant, therefore, that the committee on peace and law and the section on international law were able to agree on the point that a Federal-State clause could not protect the reserved powers of the States. This conclusion appears in the September 1, 1951, report of the committee on peace and law of the American Bar Association, at page 36. That committee and the American Bar Association section on international law reached agreement on the following conclusion:

> An international treaty cannot be safeguarded by a clause in the treaty or by reservation or understanding against the expansion of the limited power of the Federal Congress in the United States to such extent as necessary to fulfill the obligation under the treaty if Congress determines to exercise such power.

Mr. President, several inaccurate statements made yesterday by the senior Senator from Wisconsin should be corrected. He said the Board of Governors of the American Bar Association approved the Bricker amendment by a vote of 113 to 33, but that 77 refused to vote. Actually, the vote was in the house of delegates of the American Bar Association, which is the association's official spokesman. I am reliably informed that all members of the house of delegates who attended the meeting in Boston last year voted on the issue. The 77 members of the house of delegates who did not vote were unable, for one reason or another, to be in Boston at the time of the meeting of the house of delegates.

The senior Senator from Wisconsin also said that as various State bar associations examine the subject "they are going on record against the Bricker amendment." Mr. President, to the best of my knowledge, the New Jersey Bar Association is the only State bar association opposed to this amendment. On the other hand, the amendment has been approved by the National Association of Attorneys General, and by the following State bar associations: Arizona, Arkansas, Colorado, Florida, Indiana, Iowa, Louisiana, Maine, Mississippi, Montana, North Dakota, Ohio, Pennsylvania, South Dakota, Tennessee, Texas,

Washington, West Virginia, Wisconsin, and several others, since I made the tabulation.

Furthermore, Mr. President, the pending amendment is in substance, if not actually in words and form, the amendment which has been approved three times by the American Bar Association, by the American Medical Association, by the Farm Bureau of the United States, by the Grange of the United States, by the Association of Attorneys General—which has twice approved the amendment at the association's national sessions, and by other national organizations, as set forth in the 3-page list which will be found in the RECORD.

Mr. President, it is my hope that for the protection of the liberties of the people of the United States, the Senate will go on record to the extent of providing that treaties shall be confined to the powers given under the Constitution, and that the unalienable rights of the American people shall be protected from invasion by treaties or by executive agreements.

If we do that, we shall have responded not only to the requests and, in fact, the demands of the various organizations I have mentioned, but, I am confident, to the wish and will of 75 percent of the people of the United States.

Mr. KNOWLAND. Mr. President, in view of certain statements made a little earlier today, to the effect that the majority leader's remarks have taken up a certain number of columns in the CONGRESSIONAL RECORD, I wish to assure the minority leader that I had not intended to speak again on the pending subject.

I rise to speak now only because of the point which has been raised regarding my inquiry of the Attorney General as to whether it would be permissible, so far as he was concerned—and since at least one Senator had made such a request—to make his memorandum available.

I wish to say that I am prepared to make it available but not for the purpose of prolonging debate in the Senate.

Mr. HENNINGS. Mr. President, if the distinguished majority leader will yield to me, let me say that I did not understand him to say the memorandum is being released only because I requested its release.

Mr. KNOWLAND. No; but the Senator from Missouri has called the memorandum to my attention. Frankly, because of the many problems I have had, the matter had slipped my mind.

Mr. HENNINGS. Does not the Senator from California believe the memorandum may illuminate the subject, as well as enlighten us regarding some of the doubt which may have surrounded the entire, broad question?

Mr. KNOWLAND. Frankly, Mr. President, I think most of the points covered in the memorandum have already been covered amply in the debate. However, I am prepared to read the memorandum.

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

The PRESIDING OFFICER (Mr. JENNER in the chair). The Secretary will call the roll.

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

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

Mr. SALTONSTALL. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent by leave of the Senate on official business of the Senate.

Mr. CLEMENTS. I announce that the Senator from Oklahoma [Mr. MONRONEY] and the Senator from Nevada [Mr. MCCARRAN] are absent on official business.

The Senator from Missouri [Mr. SYMINGTON] is absent by leave of the Senate on official business of the Senate.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment of the Senator from Ohio [Mr. BRICKER].

Mr. KNOWLAND. Mr. President, the memorandum which has been referred to reads as follows:

MEMORANDUM

It is now suggested that the George amendment to the Constitution should be modified so as to take the following form:

"SECTION 1. A provision of a treaty or other international agreement which conflicts with this Constitution shall not be of any force or effect.

"SEC. 2. An international agreement other than a treaty shall become effective as internal law in the United States only by an act of Congress—"

This was the additional language which was then under discussion, which I do not believe—at least up to the present time—has been included in the amendment of the Senator from Georgia—

"but this section shall not be construed to affect the power of the President as Commander in Chief of the Army and Navy of the United States as provided in article II, section 2, of the Constitution, or the power of the President to receive ambassadors and other public ministers as provided in article II, section 3, of the Constitution. The enumeration of certain powers of the President in this section shall not be construed to deny or disparage other powers vested in him by the Constitution."

It is assumed that the enactment of section 1 would be for the sole purpose of making it clear that no treaty or other international agreement could override or contravene the Constitution.

Section 2 in its now proposed form appears to have the purpose of preserving the constitutional balance of power between the Executive and Congress in accordance with the views expressed by the President. This is accomplished by excluding from the sweep of the section agreements made by the President within the scope of his constitutional powers as Commander in Chief and to receive ambassadors, and by then providing that the enumeration of these powers shall not be construed to deny or disparage the President's other powers under the Constitution.

To eliminate possible misconstruction and the contention that while presidential powers are not to be curtailed, they are nevertheless within the limitations of the section, it is suggested that it be modified so that the meaning may be perfectly clear. The section would thus read as follows:

"SEC. 2. An international agreement other than a treaty shall become effective as internal law in the United States only by an act of Congress, but this section shall not apply to any agreement made under the power of the President as Commander in Chief of the Army and Navy of the United States as provided in article II, section 2, of the Constitution, or under his power to receive ambassadors and other public ministers as provided in article II, section 3, of the Constitution, or under any other powers vested in him by the Constitution."

Your attention is called to a possible effect of section 2 both in its original and revised form. It might be contended that this section could be used to elevate executive agreements implemented by majority action of the Congress to a level where it might be possible to substitute them for treaties.

The memorandum directed to the pending Bricker amendment reads as follows:

MEMORANDUM

Substitute amendment, Calendar No. 408, to Senate Joint Resolution 1 of 2-4-54-A, is as follows:

"SEC. 3. A treaty or other international agreement shall become effective as internal law in the United States only through legislation by the Congress unless in advising and consenting to a treaty the Senate, by a vote of two-thirds of the Senators present and voting, shall provide that such treaty may become effective as internal law without legislation by the Congress."

This proposal in the first portion would take section 2 of the substitute amendment of Senator GEORGE and add to it the words "a treaty or other" so as to cause a limitation on the effectiveness of treaties within the United States similar to that provided for executive agreements in the George draft. It would radically change the treaty process. An act of the Congress would be required to make a treaty as well as an international agreement effective within the United States and by so doing there would be transferred to the House a substantial portion of the participation in foreign affairs which has been the exclusive domain of the Senate since the Constitution was adopted.

This provision would require two separate procedures for any treaty to have domestic effect. First, it would have to be ratified by two-thirds of the Senate and thereafter legislation by a majority of the Congress would give it effect within the United States.

This proposal uses the term "internal law" which is not found in the Constitution or any of its amendments. Since this phrase is not what is known as words of art and lawyers who have worked in this field have generally commented that it is impossible to know what it means, enactment of the section would place in the Constitution an expression as to the meaning of which we can only speculate.

The latter part of the section merely gives expression to the power the Senate now has

and would cause the treaty to become effective within the United States without any action by the Congress. If it is intended merely to deal with the question as to whether a treaty shall be self-executing, that could be handled much more satisfactorily by not amending the Constitution and merely have the treaty recite when it should become effective.

Concerning international agreements the section would transfer presidential powers in the field of foreign affairs and as Commander in Chief to the Congress and thus materially disturb the historic division of powers between the executive and legislative branches of the Government. There might be serious consequences to limiting the President's power as Commander in Chief concerning his ability to provide for the protection of the United States. Insofar as it is necessary or desirable for executive agreements to have effect within the United States, the hands of the Executive would be tied during such time as Congress is not in session. The President would not be allowed to make effective within the country the same kind of agreements that were made in Europe during the last war should there be an attack on the Western Hemisphere or the United States.

This proposal would also limit the power of the President under the Constitution to receive Ambassadors and Foreign Ministers and to conduct foreign relations. An act of Congress would be required to give legal effect to the President's agreements in this area. Authority of the President would be so seriously curtailed that it could not be expected that responsible governments would deal with him on the basis of equality.

Regard should be had for numerous day-by-day agreements that have to be executed by the President or on his behalf in the handling of the ordinary business between the United States and foreign countries. If Congress had to act on each of these agreements, delay in itself might make the action of little, if any, value. If Congress happened to be in recess the situation could not be handled if it involved any application within the United States.

The amendment does not indicate whether the Congress would have any power to authorize action in advance. In fact, it is quite clear as to treaties that Congress could only act if the Senate consents to ratification. The courts might decide that in view of such language Congress can act as to executive agreements only when they have been negotiated and it is known just what legislation is required by the Congress. It could be fairly assumed that the adoption of such a section will involve the United States in many years of litigation to determine just how little power the Government had in trying to handle a particular emergency situation involving its foreign relations.

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

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Missouri?

Mr. KNOWLAND. I yield.

Mr. HENNINGS. May I ask the distinguished majority leader whether the memorandum from the Attorney General in opposition to both the so-called Bricker amendment and the George substitute is expressive as well of the views of the President of the United States, as the majority leader understands them to be?

Mr. KNOWLAND. No; this only purports to be a memorandum from the Attorney General of the United States. I do not want the Senator from Missouri to bring the President into it. I have already stated to him what my judgment was on that point. So far as I know, the President has not read the memorandum. I do not think it was submitted to him. I assume that the Attorney General of the United States is a member of the President's official family.

Mr. HENNINGS. I certainly do not want, necessarily, to attach to the expressions of the Attorney General the imprimatur of the President of the United States, except that I should like to elicit from the majority leader whether it is his understanding that the President of the United States does concur with the conclusions in the memorandum.

Mr. KNOWLAND. No; and I will say to the Senator from Missouri that I do not wish him to press me on that point. So far as I know, the memorandum is known to the Attorney General, his office, and the persons who drafted it. I have no knowledge that the memorandum was submitted to the President, that he read it, or approved it. I do not want any inference drawn, other than that it came as a memorandum from the Attorney General in response to my request.

Mr. HENNINGS. I should like to make it clear to the distinguished majority leader that it is not my purpose to draw anything from him by inference which is unsupported or not justified by the facts. Of course, it has been the common understanding, and has been verified by the majority leader, as he stated on the floor of the Senate, that the President is opposed to all pending amendments and substitutes.

Now, Mr. President, at the 11th hour, before we vote, we have read into the RECORD the opinion of the Attorney General of the United States. I assume that the Attorney General is speaking in his capacity as the chief legal officer of the Government and of the administration and in his capacity as the legal officer of the President. That is a fair assumption, I assume.

Mr. KNOWLAND. The Attorney General is not the official legal adviser to the Senator from California. I submitted an inquiry to him. He returned to me a memorandum which is not in the form of a formal opinion. I do not know just how formal the Attorney General is when he is asked for an opinion by the President. I assume he gives the President an opinion in the nature of a legal brief. In my opinion the memorandum I have before me is not in that category. It is rather short in itself. It is only what it purports to be, namely, a memorandum from the office of the Attorney General to the Senator from California in response to an inquiry made by the Senator from California.

I believe we should let it rest there, because I do not know, and I have no knowledge, that it was ever submitted to the President of the United States.

Mr. HENNINGS. I thank the majority leader.

SEVERAL SENATORS. Vote! Vote!

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

Mr. KNOWLAND. I yield.

Mr. FULBRIGHT. Is this the memorandum which I requested of the majority leader about a week or 10 days ago?

Mr. KNOWLAND. I believe so.

Mr. FULBRIGHT. Does the Senator from California believe I have ample time and that other Members of the Senate have ample time to consider it, approximately 2 minutes before we vote?

Mr. KNOWLAND. I believe the memorandum to which the Senator from Arkansas had reference the other day pertained to the George amendment, which is one of the two memorandums I have read today.

Mr. HENNINGS. Mr. President, will the Senator from California yield for one more question?

Mr. KNOWLAND. I am glad to yield.

Mr. HENNINGS. I have only one more question. As a lawyer, I understand that the terms "memorandum," "legal opinion," and "brief" are often used interchangeably. We have short memorandums, and we have many lengthy ones. We have short briefs and other types of briefs. The distinguished majority leader does not suggest, I assume, by way of any disparagement or other implication relating to the stature of the memorandum, that it is not the Attorney General's best opinion on the subject.

Mr. KNOWLAND. No; the Senator knows I did not have that in mind. I have not attempted to disparage it. However, I did not want to have read into it some implication that should not be read into it.

Mr. HENNINGS. I stated my question in the affirmative, because I am sure the Senator from California does not intend to disparage it.

Mr. GEORGE. Mr. President, before I proceed I should like to inquire of the distinguished majority leader by whom the memorandum was signed actually.

Mr. KNOWLAND. The memorandum itself is not signed.

Mr. GEORGE. So far as my amendment is concerned, that is.

Mr. KNOWLAND. The memorandum itself, I may say to the Senator from Georgia, is not signed. Neither memorandum is signed. The memorandums came to me under a letter of transmittal from Mr. J. Lee Rankin, Assistant Attorney General. My information is that it was written at a time when Mr. Brownell was out of town, but he was consulted by telephone and was familiar with the general facts in the case. It was actually sent to me by Mr. J. Lee Rankin, Assistant Attorney General.

Mr. GEORGE. Mr. President, I wish to make a very brief statement.

The power to amend the Constitution of the United States, by a two-thirds vote of the Senate and the House of Representatives, forgetting for the moment the power of the States themselves to pass upon the amendment, is a power which is not given to the Attorney General or to any other officer of the Government. It is given to the House of Representatives and to the Senate of the United States. The President does not have to approve a constitutional amendment. Why should he? The President acts under the Constitution of the United States. Constitutional amendments go to the people themselves

who are sovereign in the Nation. The President is not called upon to approve or disapprove. I would not be critical of the President if he expressed his opinion as a citizen or as an officer of the United States, but we are now dealing with fundamentals.

I hope the distinguished Senator from Missouri [Mr. HENNINGS] will not forget that if we are to be governed by what the Attorney General says or by what the President says, then we may as well go home and let the President and the Attorney General operate the entire Government, even on so vital a question as a proposed constitutional amendment, which must go to the people of the States and in order to become a part of the Constitution must be approved by three-fourths of the States. They have the final right.

I would resign my seat, Mr. President, before I would be governed by such an odd Attorney General as is the present Attorney General on the subject of a constitutional amendment. I would think I was occupying a position of which I was entirely and utterly unworthy.

The Attorney General of the United States has stated that he does not like the Bricker amendment. I have said I do not agree with it in one respect, which is a vital respect, to my mind, but I appreciate the attitude of the distinguished Senator from Ohio and the great service which he has rendered in this contest.

We are asked to take an amendment not of the Attorney General himself, though he is a rather curious kind of an Attorney General, but we are asked to take the memorandum of one of his assistants. Next year we will be asked to take the recommendation of one of the clerks in the Department of Justice and to abdicate the high responsibility we have—of doing what? Of formulating a constitutional amendment to be submitted to the States for their consideration.

The Constitution places no responsibility upon the executive branch and it places no power in the executive branch in that regard.

I am speaking plainly, Mr. President, because this is more important than is any immediate constitutional amendment. If the President, whoever he may be—and I have disclaimed any purpose of questioning any acts of the present President, and I have said that no particular order of the present President was a matter of concern to the people of the United States in the sense that they should be apprehensive of what may or may not happen—if the President of the United States, or his Attorney General, or an assistant to the Attorney General—and, next year, a clerk in the office of the Attorney General—can tell the Congress of the United States what constitutes a proper amendment to the Constitution of the United States, which must be referred to the very source of power in this Republic, namely, the sovereign people themselves, then we have come to a pitiable state.

I know very well that the President has not sent any message to the Senate on this question. I can assure the Senator from Missouri that he has not, because he would not do that.

I am not surprised that even the Attorney General has not; but he has an assistant who would send up a memorandum. So far as the merits of his memorandum are concerned, they are entitled to respectful consideration, just as the comments of anyone else would receive respectful consideration. I assume that the Attorney General appeared before the Judiciary Committee and made his statement and presented his case. I am sure he was discharging a duty which he owed to the Judiciary Committee. He may have been speaking the sentiments of the President, or he may not have been. But what I am trying to say, Mr. President, is that everything has gone when men in this body do not have the courage to decide what constitutional amendment they will submit to the people of the States.

I cannot make it any plainer. The President does not have anything to do with it. He does not approve or disapprove the amendment if it be passed by the Congress. He may be concerned about it as a citizen, a well-informed citizen, and a citizen of proper motive and purpose, all of which I accord to the President. That may be true, also, of the Attorney General. But that is not their function. Not at all.

Mr. President, a few days ago we heard read Washington's Farewell Address. He appealed to all his successors and to all the American people who would come after him not to disregard or evade or destroy the Constitution by usurpation, but if, from experience, there should be any needed changes, to submit such changes in the way provided in the Constitution, to the people themselves or their representatives.

That is all that is suggested by the distinguished Senator from Ohio. Is he wrong in that, whether we agree or disagree with his total proposal?

That is all I am suggesting. Is there anything wrong about that? If two-thirds of the Members of this body do not wish to submit a constitutional amendment, all well and good. But I abjure Senators not to go back home and say that they based their action upon the written memorandum of an assistant to the Attorney General of the United States. Find a better basis on which to put it.

Mr. President, there are some Members of this body who think no constitutional amendment should be submitted. All good and well. Any Senator who honestly so believes that can vote that way. He is all right and is on safe ground.

I have tried to show by what I have said, and other Senators have tried to show, that there was a reason for some constitutional amendment. I have tried to trim one down to the very minimum that would reach what I believe to be an evil which has developed under our present system.

The distinguished Senator from Ohio is proposing almost the same amendment, except that he wishes to make treaties also the rule in local courts, so far as their jurisdiction extends, only when the provisions of a treaty, affecting internal law, have been approved by Congress, or by congressional legislation, which I believe is the phrase the Senator from Ohio uses, and means the same thing, in my opinion.

Mr. President, I have said repeatedly that I myself do not wish to disturb the relationship between the States and the Federal Government in the field of treatymaking, or the relationship between the executive branch and the Congress, or the Senate, in the field of treatymaking. I believe that when a treaty is submitted, and two-thirds of the Senate consent to it and vote for it, that is sufficient, and that we either know or should know the meaning of the treaty before we vote upon it; and when we vote to ratify it, nothing further should be required to make the treaty the law of the land, or domestic law. I have heretofore so stated.

I have also said that I think the 10th amendment answered itself in this contest. I am a profound believer in the rights of the States. I believe in local self-government as strongly as does any other Member of the Senate, but I know very well that under the 10th amendment, and under the Constitution, the States themselves surrendered the power of treatymaking, and expressly denied it to themselves in another section of the Constitution. I know very well that the 10th amendment itself is not a limitation upon the power of treatymaking, under every decision of the Supreme Court of the United States, from the earliest days down to the Curtiss-Wright case in very recent years.

I know very well that it has been the rule, ever since the debates in the Virginia Convention, when the two leading members, advocating the Constitution or criticizing, as the case might be, themselves stood on the floor of that convention and said that treatymaking was not limited, even by the 10th amendment. It was limited, it was said subsequently by the Court; and the Court in almost every case has been at pains to point out that the treatymaking power was not an unlimited power. But it never having been decided that any particular treaty went beyond the Constitution itself, no authoritative ruling ever has been made by the Supreme Court of the United States as to just where the limitation is to be found, save the general statement in the Constitution.

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

Mr. GEORGE. I yield.

Mr. KNOWLAND. So that the record may be kept clear, and for the benefit of Senators who may have entered the Chamber subsequent to the reading of the memorandum, I wish to say that I do not think it is quite fair to the Office of the Attorney General to say either that they are interposing themselves in this discussion, or have, in fact, as the Senator may have implied, sought to instruct Members of the legislative branch of the Government as to how they should vote.

The fact is that the memorandum was prepared at my request, in order to get such facts as the Department of Justice might have from the legal viewpoint, as to what the effect would be of certain

proposals which had been made in two amendments before the Senate. I thought it was entirely proper to make such a request.

Mr. GEORGE. I do not question that.

Mr. KNOWLAND. It so happens that with respect to the language which the Department indicated might be satisfactory to them, I fully agree with the Senator from Georgia that the language went so far as to nullify the amendment. I may say to the Senator from Georgia that I feel there are other factors which would cause me to vote against the amendment. I outlined some of them yesterday, because they are serious ones, as the Senator understands.

Mr. GEORGE. I am not critical of the Senator from California.

Mr. KNOWLAND. The factor most disturbing to me is that I am fearful that, while the Senator from Georgia desires to solve the problem relative to executive agreements, we may inadvertently be putting into the Constitution a way of bypassing the normal treatymaking power of the Senate of the United States, by making it much easier for future Presidents to handle such questions through the method of merely getting a bare majority in the Senate and the House to approve, which would be a much different situation from getting a two-thirds vote of ratification in the Senate.

I make this statement for the RECORD merely because I do not think the Attorney General, in fairness to him, should be placed in the other light.

Secondly, this memorandum, is not from some minor clerk. I do not think that is the issue. The memorandum happens to have come from an Assistant Attorney General, a man who has been familiar with the situation and with the discussions that have been in progress. The request I made was to the Attorney General of the United States, but during his absence a letter was sent to me, signed by Mr. Rankin. That is the whole story.

Mr. GEORGE. Mr. President, I am not critical of the Senator from California. I am not critical of any Senator who seeks the opinion of anyone, whether he be the Attorney General, an Assistant Attorney General, a lawyer, or someone else in whom the Senator has confidence. I am not at all critical.

What I am saying is that with respect to the submission of a constitutional amendment to the people of the States, neither the President nor his executive officers, whether the Attorney General or someone else, have anything to do with its consideration, unless Senators desire to avail themselves of the information or knowledge of such persons.

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

Mr. GEORGE. I yield.

Mr. KNOWLAND. I think we all agree on that. It is a very sound principle, and the Founding Fathers provided that only ratification by the two Houses of Congress and three-fourths of the States should be involved in the adoption of constitutional amendments. But I think it is perfectly legitimate, and the American public might have an interest, if there were to be an upset of the balance of power between the executive, legislative, and judicial branches of the Government, for the President to make known his views, should he decide to do so, or to have them made known by someone else, who is a citizen of the United States and a responsible officer of the Government. Senators are not required to be bound by such views, any more than the Senator from Georgia would subscribe to a certain point of view simply because it had been expressed by a member of the executive branch of the Government.

I simply thought the RECORD ought to be clear that the memorandum was not furnished as a voluntary act on the part of the executive branch, but only at my request.

Mr. GEORGE. I am certain the President has not said anything about this amendment specifically. If so, I do not know about it. I feel the same way so far as the Attorney General is concerned.

But I wish to emphasize again that there has become apparent too much of a disposition—and I say this with utter kindliness—for Senators to rely upon bureaucratic advice. Do Senators think I am overstating the case? How many times have Senators had hurled into their faces the statement that so and so, in a department, has written a memorandum, has made a statement, is opposed to certain legislation, or favors some other legislation?

The United States Senate will become utterly worthless to the people of America in the making of proposed constitutional amendments if it is to take the advice of all the bureaucracy which has been built up, which flourishes in Washington, and which has such a hold upon many Members of the Senate, until individual Senators insist upon a memorandum being written, such as has been transmitted by someone in the Department of Justice.

I must repeat that in the submission of constitutional amendments to the people and to the States, the executive department as such has no responsibility whatever. As a citizen, yes, they have such a responsibility; but the primary responsibility rests in the Senate of the United States, and in the House of Representatives, at the other end of the Capitol.

George Washington adjured us to approach the question of a change in the Constitution only by the regular methods provided in that document itself; but there are some who are too afraid even to allow the people of the States, whom we represent here, to pass upon a constitutional proposal. I am not afraid of the action the people of my State, or the people of three-fourths of the States of the Union, may take on a proposed amendment to the Constitution. It is easy enough to find an excuse to dodge behind, but finally, and at last, no man worthy of his salt in this body will dodge behind the opinion of an executive officer who has no responsibility, no authority, and who is under no obligation even to express an opinion before this body.

Mr. President, my proposal differs from the proposed amendment of the distinguished Senator from Ohio only in one respect. I have emphasized it before, but I repeat it. I do not think it necessary to involve the treatymaking power in the amendment. I think the present procedure is sufficient, because my interpretation is—and I think no one will challenge it—that the Senate itself is competent, that it has the power and the authority, yea, the obligation and the duty, if it believes it to be its duty, to do one thing with respect to every treaty which is submitted to it for consideration, and that is to make sure that such a treaty affecting internal law will become effective only when implemented by an act of the Congress, or upon the happening of a certain event, if the Senate wishes to make such a reservation. Therefore, I believe we are fully protected, so far as treaties are concerned.

However, when it comes to the wide range of executive agreements, which may not be known to the Members of the Senate until long after they have been concluded, I think the Senate should be able to say, "Mr. President, your executive agreement becomes effective as international law from the moment that you put your signature upon it; but it does not become effective as internal law, which can be enforced by the courts of this country against our citizens, until the provisions of the agreement have been approved by an act of the Congress."

That is what the distinguished Senator from Ohio is proposing. In one respect that is all I have proposed, though I have gone somewhat further. I have said that my proposed substitute did not interfere with and could not be construed as limiting or affecting the powers of the President of the United States as Commander in Chief of the Army and Navy, as provided in article II, section 2, of the Constitution as it now exists, or the power of the President to receive Ambassadors and Ministers of foreign countries, as provided in the third section, because the amendment proposed by me and the amendment proposed by the distinguished Senator from Ohio do not undertake to amend those sections of the Constitution. They do not touch them.

However, since later in our history we might possibly have a President who would attempt to use his powers as Commander in Chief to fasten upon the American people internal law which would affect otherwise valid State laws and State constitutional provisions, I wish to say now that no such colorable arrangement as that ought to be allowed to stand, unless the Congress of the United States has an opportunity to say "Yes" or "No" to such a proposal.

Mr. President, that is all there is to this whole fight, so far as I am concerned. All I desire to have provided is that treaties and executive agreements must conform to the Constitution or they shall be of no force or effect; and, secondly, that international arrangements or agreements other than treaties shall not become the internal law of the United States until they have been approved or passed upon by the Congress

of the United States in the ordinary and normal processes of legislation.

Mr. President, that is all I have said, and I have said it as one who ordinarily has as strong an attachment for the rights of States as any man living, and as one who would like to see States' rights respected. However, States' rights will not be respected under the broad powers given the President to make treaties, with two-thirds of the Senate consenting, unless the President himself respects them, and unless the Senate of the United States, in passing upon them, is able to state, "We will not go as far as this treaty demands that we go."

If the rights of the States are ever to be preserved, if local self government is to survive in America, it will be because of the vision of the men who make up the Senate and the House of Representatives.

I cannot conceive that any President, and I certainly do not for a moment believe that the present President, would desire to abrogate any provision of a State constitution or a State law without bringing it to the special attention of the Senate and saying, "This is a matter for your final decision and determination."

Mr. President, I rose to say what I have said because I profoundly believe that if, in our capacity as representatives of the people, we are to be bound by the bureaucrats in any department of the Government, if we are to hear only the voice of bureaucracy which comes to us from all the buildings up and down Pennsylvania and Constitution Avenues, and elsewhere—if that is to be true of the Congress of the United States, or of the Senate as one of the Houses of Congress, then we are very nearly through.

But, Mr. President, to my utter amazement, some Senators wish to hear what the Attorney General has had to say or what someone else in an executive department has had to say on the simple but basic and fundamental question of whether the people of the United States are to be given the right to consider and to approve or disapprove a proposed amendment to the Constitution of the United States.

Mr. CASE. Mr. President, I expect to vote for the amendment of the Senator from Ohio to the so-called Bricker amendment. Should it fail to receive a majority vote, I expect to vote for the amendment of the Senator from Georgia [Mr. GEORGE], who has just made a very eloquent and moving speech.

I am not at all in doubt as to the basis on which I shall explain my vote to the people of my State. I shall say to them that I am unwilling to have the treatymaking officer or officers of a foreign government, acting in conjunction with the President of the United States, write internal law which the Congress of the United States itself did not write. Likewise, I am unwilling to say that the treatymaking group of a foreign power can modify State law which has been made under the powers reserved to the States by the Constitution.

Having said that, I should like to raise a question which I think is pertinent, in view of what the Senator from Georgia has said. In the case of an ordinary constitutional amendment which does not relate to the powers of the President, I would concur heartily in everything the Senator from Georgia has said. But it seems to me in the present instance, inasmuch as the proposed amendment seeks to place a bridle on the power of the President, we should recognize that the executive branch might be pardoned if it thought it might speak in behalf of the powers the executive branch heretofore has exercised.

Mr. BRICKER. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE. I yield.

Mr. BRICKER. The Senator from South Dakota realizes, does he not, that no part of either my amendment or the amendment of the Senator from Georgia would in any way interfere with the President's powers in the field of foreign relations, but either of the amendments would only prevent treaties from making internal law or prevent executive agreements from making internal law.

Mr. CASE. Yes; and I heartily subscribe to that purpose.

Mr. BRICKER. I thank the Senator from South Dakota.

Mr. CASE. It seems to me that this general amendment deals with the powers of the executive branch of the Government.

If the amendment were one modifying the powers of the President as Commander in Chief or the appointive powers of the President—all of which are embraced in article II, section 2, of the Constitution—does the Senator from Georgia think the executive branch, as the custodian of the powers granted the executive branch by the Constitution, should be entirely silent?

It seems to me that when there is proposed in the Senate an amendment which relates to the powers of the President or the powers of the executive branch, the executive branch might be expected to endeavor to uphold its dignity and the powers accorded it by the Constitution.

Mr. President, if my memory serves me correctly, when the question of repeal of the 18th amendment was under consideration, the Executive at that time spoke rather strongly. Perhaps it might be said he should have kept his mouth shut in such a situation, because the proposed amendment did not relate to the powers of the President.

The pending amendment does bear upon the powers of the executive branch. If a representative of the executive branch wishes to say something about preserving the balance of power between the three branches of our Government, it seems to me, at least, that he should be given a respectful audience.

I have not asked any part of the executive branch of the Government—either the Attorney General or his deputy or any clerk or anyone in the White House—about how I should vote on this question. I shall vote my convictions in this matter; and my vote will be in favor of the amendments which have been proposed.

But I do not think the RECORD should indicate that the executive branch should be forbidden to defend its traditional powers under the Constitution.

Mr. LEHMAN. Mr. President, as one of those to whom the distinguished Senator from Georgia [Mr. GEORGE] referred as the group of Senators who oppose any constitutional amendment which would curtail or restrict the treatymaking powers of the Executive, let me say that I have not been greatly impressed by the memorandum of the Attorney General, although I wish to give consideration to it.

As my colleagues know, ever since the debates began, and even before then, I have been opposed to any constitutional amendment of this character.

For 5 weeks I have listened to the debate on the proposed constitutional amendment. I am not a constitutional lawyer, and I did not feel qualified to participate in the debate concerning the highly technical phases of the proposed constitutional amendment or regarding the weight which would be given by the Supreme Court to the language of an amendment which might be adopted. However, I have had very considerable experience in both the executive branch of government and in the legislative branch, and I am not certain that the lay approach to this important matter may not be fully as sound as that of highly expert men who are well grounded in constitutional law.

After listening to the debate for 5 weeks, it is clear to me that we have tortured both the law and the language, in order to draw up a synthetic constitutional amendment, when no amendment of any character is necessary.

After all, Mr. President, our Republic has lasted for 165 years. It has gone through great crises. It has been confronted with tremendous problems. Administrations have come and gone. The control of Congress has frequently changed. New States have been admitted to the Union. But there has never been a time when any State or any citizen of a State has been injured by any treaty or been discriminated against in any way because of the lack of a constitutional amendment such as any of those now proposed.

There is no reason now for us to endeavor to torture into existence a constitutional amendment, when none is even remotely needed.

A few days ago I listened to the debate on an amendment offered by Senator FERGUSON which lasted for many hours. There was a difference of opinion as to what was meant by the phrase "in pursuance of," by the phrase "not in conflict with," and by the phrase "not repugnant to." No Member of the Senate was able to define those terms; and the sponsor of the amendment said, "We cannot depend upon the dictionary for a definition." Mr. President, at that time I heard the debate regarding what was meant by the terms "which," "what," or "that." Amendments which have been brought before the Senate have been such that no Member of the Senate could adequately explain their meaning.

Last week, after hours of debate, the Senate adopted one amendment by a vote of 44 to 43. I can tell Senators that in the majority vote of 44, there was a

great difference of opinion as to the reason for the support of the amendment; and in the opposition of 43, there was by no means a unity of viewpoint. There was a great difference as to what was meant by that amendment, or whether support should be given for one reason or another. Yet that is the kind of amendment which we now have before us, an amendment of which we do not know the meaning. I doubt very much whether the Supreme Court will understand either the reason for the amendment or the meaning of the amendment.

In conclusion, let me say that the main excuse for a proposed constitutional amendment is, as I understand it, to limit alleged arbitrary powers of the President, powers which might cause embarrassment to our Nation, and also to safeguard States rights.

There is no Member of the Senate for whom I have a greater respect and regard than I have for the distinguished senior Senator from Georgia [Mr. GEORGE]. However, it seems to me that in the case of both the Bricker amendment and the George amendment the President would be given greater arbitrary powers than exist today, because he could choose whether to submit a treaty or an executive agreement. A treaty would require a two-thirds vote of the Senate. An executive agreement would require only a majority vote in the two Houses.

So far as State's rights are concerned, it is obvious that they would be reduced by reason of the fact that, today, a two-thirds vote is required to approve a treaty affecting a State and its citizens. Under the proposed amendment, which will soon come to a vote in this body, a two-thirds vote could impose any executive agreement on the States and on the citizens of the States. So I strongly urge my colleagues not to vote for any constitutional amendment at this time which would limit the treatymaking powers of the President. It would be bad policy. Inevitably it would lessen the authority and the power of the President to deal with other countries. It would cause embarrassment. It would serve no purpose. It would cause confusion.

To all intents and purposes, all these amendments have been written on the floor of the Senate, without adequate thought, without adequate consideration, and without adequate study of the effect they might have on the policy of this country and on the decisions of the Supreme Court. I think we would be making a monumental mistake if we were to approve any constitutional amendment which would lessen or limit the treatymaking powers of the President of the United States.

Mr. FULBRIGHT obtained the floor.

SEVERAL SENATORS. Vote! Vote!

Mr. FULBRIGHT. Mr. President, I shall speak for only 2 or 3 minutes.

I wish to make only two observations. First, my decision to vote against this amendment is in no way influenced by the Attorney General or any bureaucrat. Long before this memorandum was made public I said that I was opposed to such amendments.

I have been very much astonished and amazed at the position of the senior Senator from Georgia [Mr. GEORGE]. I have participated with him and other Members from the South in an effort to preserve the two-thirds rule of the Senate. I participated as a junior member of that group. I felt then, and I feel very deeply today, that the two-thirds rule of the Senate is one of the most important and distinguishing characteristics of this body. I cannot understand how the most distinguished constitutional scholar in this body—and I so regard the senior Senator from Georgia—has come to propose to the Senate and to the country a measure which, in my opinion, would largely destroy the power of the Senate to prevent an improvident or unwise treaty from going into effect. By that I mean the two-thirds rule.

As I read the amendment which has been proposed, it is an invitation to the Executive from now on to submit international agreements in the form of executive agreements to be confirmed by a majority vote of both Houses. Everyone knows that, generally speaking, a majority vote of both Houses is much easier to obtain than a two-thirds vote in this body.

I think this amendment is an extremely serious attack upon the integrity of this body and upon our power to resist improvident agreements. It seems to me that it would cut down the States' rights to a very great extent.

We all know why the Senate was constituted as it was, under the compromises in the Constitutional Convention, to protect States rights. Small States similar to my State and many other States were afraid of being imposed upon by the larger States. That is why the two-thirds rule was instituted. That is why each State insists upon equal representation in this body.

In my judgment this amendment would be an open invitation to submit all international agreements in the form of executive agreements. No one has undertaken to say that there is any way, other than the judgment of the Executive, by which to distinguish between an executive agreement and a treaty. If the President chooses from now on to call all agreements executive agreements, there will be nothing in the Constitution and no basis that I can see upon which his judgment can be attacked. If he says an agreement is an executive agreement, it will be submitted to us in that form and we shall pass upon it by a majority vote. We have seen the time when a strong executive could obtain a majority vote in this body when he could by no means obtain a two-thirds vote.

I think this proposal has an important bearing on the two-thirds rule in the Senate with respect to limitation of debate. I make no apology now, and shall not apologize at any other time, with regard to my defense of the two-thirds rule with regard to limitation of debate. Certain Senators who some time ago thought it was a bad rule are beginning to think it is a little better rule, when they observe the differences and the changes which have come about in this body.

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

Mr. FULBRIGHT. I yield.

Mr. KNOWLAND. The Senator is making a very persuasive argument on the proposition that the amendment would cut down the treatymaking power of the Senate, which requires a two-thirds vote. Certainly we who serve in this body know that it is much easier to obtain a majority vote than a two-thirds vote.

The Senator has raised the point regarding the rights of the States. Does he not believe there is an additional factor? While there have been a few times in history when the Members of one party have constituted more than two-thirds of the Senate, over the long run normally neither party dominates this body by a very large majority. So by having the two-thirds requirement we at least have a bipartisan approach to any constitutional amendment, whereas otherwise there might be domination by a single political party.

Mr. FULBRIGHT. I appreciate the Senator's observation. He is entirely correct. I welcome the support of the Senator from California in opposition to the amendment, which provides for the ratification of executive agreements by a majority of both Houses of Congress. That is what it provides.

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

Mr. FULBRIGHT. I yield.

Mr. HENNINGS. I am very much interested, of course, in the persuasive and cogent argument of the learned Senator from Arkansas. The suggestion has been made this afternoon that to seek an opinion from a qualified lawyer, or even a young lawyer, or a clerk, is improper, or might be beneath the dignity of this body, or might in some way be a surrender or an indication of an abdication of its responsibilities.

I believe that many of us have learned much from some of the most unexpected sources. If the Attorney General, who has been criticized as being an odd and peculiar fellow—and, of course, I am not saying that he is, and he may or may not be——

Mr. FULBRIGHT. The Senator from Missouri is not saying that the Attorney General is not.

Mr. HENNINGS. I do not know him very well, may I say to my friend from Arkansas. Be that as it may, while we as a Senate—and, I hope, without heat of blood or intensive feeling of rancor against any individual Senator or group of Senators because of the principles they may hold—are improving upon the work of the Founding Fathers of 165 years ago, and while we are addressing ourselves to the facts in this case and to the law, as suggested by the memorandum, whether it be from a clerk or a lowly Assistant Attorney General of the United States, or anyone who may not in his own esteem or in the esteem of others rise to the top and lofty height and dignified place occupied by a United States Senator, there are attorneys in the Department of Justice, there are lawyers in the law offices of the country, including John W. Davis, and those of

lesser eminence who may not agree with the views expressed by the Attorney General——

Mr. FULBRIGHT. Mr. President, is the Senator from Missouri asking me a question? I have yielded only for a question.

Mr. HENNINGS. I was just about to ask the Senator a question. I appreciate the Senator's indulgence, as the distinguished majority leader indulged the Senator from Georgia for some 30 or 40 minutes. I assure the Senator that I will not press this upon his good nature or his time, but I should like to ask him, as one who understands the thesis and the principles and the effect of States' rights, as a Senator from the State of Arkansas, and as a Senator of the United States, whether he feels that in leaving the matter to the States or to the people of the States, as it has been put, he is failing to exercise or is abdicating his authority and responsibility as a United States Senator?

Mr. FULBRIGHT. I will say to the Senator, certainly not. I do not distrust the people of my State or of any other State. However, I believe it is our duty to make a recommendation which we believe to be wise, and not to accept simply what is submitted to us.

That leads me to the next point I wish to make. As I stated, I have no long speech on the subject. The second source of amazement, second to hearing the senior Senator from Georgia recommend a measure which would, in my opinion, seriously diminish the power of the States in the National Government and certainly the power of ourselves as representatives of the States, is that neither amendment, the one under consideration, offered by the Senator from Ohio [Mr. BRICKER], or the one offered by the Senator from Georgia [Mr. GEORGE], has ever been submitted to a committee. It has not been exposed to the study which we expect all measures to have before we pass upon them in the Senate. How many times have we seen a Senator rise on the floor of the Senate and object to an amendment to a bill on the ground that the amendment had not been submitted to a committee and that it was a very complicated amendment, and should receive study? We hear that all the time.

Certainly in the case of an amendment to the fundamental law of the land a committee ought to hold hearings for some time and then consider, deliberatively and at leisure, its significance and the significance of amendments proposed to it.

To some extent that may be the reason why the Members on the other side of the aisle solicited an opinion from the Attorney General, or anyone else, because they felt the need for some expert opinion as to what the proposed amendments meant.

I did not ask anyone's opinion. I did not ask the Attorney General's advice. Having heard that the majority leader had requested his views and had received them, and suspecting in my own mind that the Attorney General disapproved of these amendments, I of course asked the majority leader if he would make the memorandum available to the Senate. That was the reason I asked for it.

I do not want to leave the impression at all, which I believe was created by some of the remarks made by the senior Senator from Georgia, that I am simply following the advice of the Attorney General of the United States, because it has nothing whatever to do with my opinion. Long before his opinion was given to the Senator from California, I had made up my mind with regard to the necessity of the amendments which are now under consideration.

I certainly hope that the Senate will have sufficient interest in the Constitution to reject the amendments. If they are to be considered at all, they ought to be considered first by a committee, where some of the other Members of the Senate, who are just as much interested as I am in the preservation of the two-thirds rule, both as to the rule of the Senate, about which we have had some discussion, and also as to the two-thirds rule with regard to treaties, may have something to say about the subject.

SEVERAL SENATORS. Vote! Vote!

Mr. GEORGE. Mr. President, I merely wish to say to the Senator from Arkansas that he is quite willing to leave to the President of the United States the making of executive agreements which affect the internal affairs of States, but he is not willing to let Congress say that they shall become effective as such. In other words, the Senator is quite willing to risk the judgment of one man, rather than a majority of both Houses of Congress.

Mr. FULBRIGHT. If I may be permitted to do so, I shall be very glad to comment on that statement. I believe that during the course of 165 years Presidents have submitted the most important and serious political agreements in the form of treaties.

Mr. GEORGE. A President does not present executive agreements to the Senate, may I say to the Senator from Arkansas. The Senator is a member of the Committee on Foreign Relations. How many executive areements has he seen in that committee?

Mr. FULBRIGHT. The reciprocal trade agreements are executive agreements, which are made in pursuance of our authorization.

Mr. GEORGE. Certainly; they are made in accordance with the majority vote of the two Houses of Congress.

Mr. FULBRIGHT. That is correct.

Mr. GEORGE. Certainly they are. So were the lend-lease agreements and operations.

Mr. FULBRIGHT. In the 165 years of our experience, can the Senator from Georgia point out an executive agreement which has been harmful to this country, which would have been prevented by his amendment?

Mr. GEORGE. Oh, yes. That was pointed out this morning, and heretofore, but the Senator was too busy to worry about it. I merely wish to suggest to the Senator from Arkansas that if he is not willing to trust the majority vote of the two Houses, but is willing to trust the decision of the State Department or of the President, I do not see how he is a very strong advocate of States' rights.

Mr. FULBRIGHT. I am willing, and I hope to continue, to require two-thirds of the membership of this body to vote on all treaties.

Mr. GEORGE. So do I. I am not touching treaties at all.

Mr. FULBRIGHT. The major agreements between this country and other countries are in the form of treaties. There is no authority in the Constitution, excluding the President's power as the Commander in Chief and the power of recognition, for executive agreements.

Mr. GEORGE. I beg the Senator's pardon. There certainly is.

I merely wish to call the Senator's attention to the fact that if he is quite willing to trust one man rather than a majority of the Senate and of the House, he has a different concept of States' rights than I have.

Mr. FULBRIGHT. I wish to correct the implication of the Senator's remark that I was not interested enough to be here. I happen to be a member of the Joint Committee on the Economic Report, and the committee held a meeting to vote on its report. That is where I have been this afternoon, while the Senator has been giving these examples.

The Senator has been asked, as I asked the Senator from Ohio, to give examples of agreements which he regarded as being harmful to the welfare of this country and whose harmful effects would be prevented by the proposed amendments. As yet, I have not heard of a single one.

Mr. HENNINGS. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. HENNINGS. Does the Senator from Arkansas understand that under the proposed substitute amendment of the distinguished Senator from Georgia the President is to determine and can determine whether to use the executive agreement route or the treaty route?

Mr. FULBRIGHT. I think that is very clear.

Mr. HENNINGS. There is no way, in other words, to control the Executive as to whether he shall use the treaty route or the so-called executive agreement route.

Mr. FULBRIGHT. That is correct.

Mr. HENNINGS. Then, if certain executive agreements having an effect upon domestic law should be made, who would, then, determine which one of the many thousands should be sent to the Congress for the approval of the Congress?

Mr. FULBRIGHT. The Executive would determine it.

Mr. HENNINGS. So, we would wind up, under the terms of the amendment, with the Executive determining, first, whether he would use an agreement or a treaty, and he would have the sole power to determine which of the executive agreements should be submitted to the Congress?

Mr. FULBRIGHT. The Senator is correct.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Ohio [Mr. BRICKER] to insert on page 3

of the committee amendment, after line 9, a new section.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

The PRESIDING OFFICER. A quorum is present. The question is on agreeing to the amendment of the Senator from Ohio [Mr. BRICKER], which will be stated.

The CHIEF CLERK. On page 3, after line 9, of the committee amendment, it is proposed to insert a new section, as follows:

SEC. 3. A treaty or other international agreement shall become effective as internal law in the United States only through legislation by the Congress unless in advising and consenting to a treaty the Senate, by a vote of two-thirds of the Senators present and voting, shall provide that such treaty may become effective as internal law without legislation by the Congress.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent by leave of the Senate on official business of the Senate.

Mr. CLEMENTS. I announce that the Senator from Nevada [Mr. McCARRAN] and the Senator from Oklahoma [Mr. MONRONEY], both of whom are absent on official business, are paired on this vote. If present and voting, the Senator from Nevada would vote "yea," and the Senator from Oklahoma would vote "nay."

The Senator from Missouri [Mr. SYMINGTON] is absent by leave of the Senate on official business of the Senate.

The result was announced—yeas 42, nays 50, as follows:

YEAS—42

Barrett	Capehart	Eastland
Beall	Case	Ellender
Bennett	Chavez	Goldwater
Bricker	Cordon	Griswold
Butler, Md.	Daniel	Hickenlooper
Butler, Nebr.	Dirksen	Hunt
Byrd	Dworshak	Jenner
Johnson, Colo.	Maybank	Smathers
Johnston, S. C.	McCarthy	Smith, Maine
Kuchel	Mundt	Stennis
Langer	Payne	Watkins
Long	Potter	Welker
Malone	Russell	Williams
Martin	Schoeppel	Young

NAYS—50

Aiken	Hayden	Magnuson
Anderson	Hendrickson	Mansfield
Burke	Hennings	McClellan
Bush	Hill	Millikin
Carlson	Hoey	Morse
Clements	Holland	Murray
Cooper	Humphrey	Neely
Douglas	Ives	Pastore
Duff	Jackson	Purtell
Ferguson	Johnson, Tex.	Robertson
Flanders	Kefauver	Saltonstall
Frear	Kennedy	Smith, N. J.
Fulbright	Kerr	Sparkman
George	Kilgore	Thye
Gillette	Knowland	Upton
Gore	Lehman	Wiley
Green	Lennon	

NOT VOTING—4

Bridges	Monroney	Symington
McCarran		

So Mr. BRICKER's amendment to the amendment was rejected.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. FERGUSON. Mr. President, I call up the amendment designated "2-23-54-A," and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, it is proposed to strike out all in lines 10 to 15 inclusive.

Mr. FERGUSON. This is an amendment to strike out from Senate Joint Resolution 1, as it was reported by the Committee on the Judiciary, on page 3, lines 10 to 15, inclusive. It is a perfecting amendment. I should like to refer to a reprint of the amendment, so that Senators may have a statement of the way the amendment would read after the language in lines 10 to 15, inclusive, on page 3, is stricken out.

I think it is clear that, as amendments go, it would be, in form, a proper amendment to the Constitution. Because the last amendment considered was rejected, I do not think any debate is required on this amendment to indicate why the language on page 3, lines 10 to 15, inclusive, should be stricken out, since that language is no longer applicable, having related to what was sought to be done heretofore.

So far as Senate Joint Resolution 1 is now concerned, it would provide:

A provision of a treaty or other international agreement which conflicts with this Constitution shall not be of any force or effect.

The next amendment is known on the new print as section 2, page 3, and is as follows:

Clause 2 of Article VI of the Constitution of the United States is hereby amended by adding at the end thereof the following: "Notwithstanding the foregoing provisions of this clause, no treaty made after the establishment of this Constitution shall be the supreme law of the land unless made in pursuance of this Constitution."

The next section reads:

On the question of advising and consenting to the ratification of a treaty the vote shall be determined by yeas and nays, and the names of the persons voting for and against shall be entered on the Journal of the Senate.

The last section would be:

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission.

I do not believe any further debate is necessary on this particular question.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FERGUSON. I ask that the numbers be placed in the order in which they now appear.

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

Mr. MAGNUSON. Mr. President, will the Senator from Michigan yield for a question?

Mr. FERGUSON. I yield.

Mr. MAGNUSON. Several days ago I proposed an amendment which would also apply to executive agreements. The amendment is not designated by number. Would it be proper to call up that amendment now, or should it be called up later?

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FERGUSON. I desire to have the Chair answer the question propounded by the Senator from Washington.

The PRESIDING OFFICER. The Chair advises the Senator from Washington that the amendment would be in order now.

Mr. MAGNUSON. Before calling up the amendment, I wish to ask the Senator from Georgia a question. His proposal reads:

Section 2: An international agreement other than a treaty shall become effective as internal law in the United States only by an act of the Congress.

The only difference between my proposal and that of the Senator from Georgia is that Congress would act, under its regular rules, and the yeas and nays would not be required. Is that the Senator's interpretation?

Mr. GEORGE. No; I think action might be taken without the yeas and nays, or it might be taken with the yeas and nays.

Mr. MAGNUSON. But if the yeas and nays were called for, in connection with a vote on an executive agreement, they would be ordered?

Mr. GEORGE. They would be ordered if they were called for by any Member.

Mr. MAGNUSON. Mr. President, with that explanation of section 2 of the George amendment, it would probably take care of what I had in mind, the only difference being that I would order the yeas and nays, whereas the George amendment would provide for an act of Congress, under the regular rules. After second thought and reflection, I think that might be better procedure, and I

ask unanimous consent to withdraw my amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendment is withdrawn.

Mr. GEORGE. Mr. President, I now offer the substitute which I offered some days ago, at the beginning of the debate.

I should like to modify the substitute in one respect, at least. My substitute provided that, in lieu of the language proposed to be inserted by the committee on page 3, lines 5 to 19, inclusive, certain language be inserted. I do not know the number of the section, but I have no desire to strike out the section which requires the States to act upon the amendment within 7 years after its submission. I would not include that requirement in my substitute. I wish to modify the substitute to that extent.

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

Mr. GEORGE. I yield to the Senator from Florida.

Mr. HOLLAND. Does the Senator have any objection to including in his amendment the provision which requires the compulsory yea-and-nay vote?

Mr. GEORGE. I have no objection, but there are some who think such a provision should not be included in a constitutional amendment. I thought if the Senate were to adopt an amendment which would require a two-thirds vote and then have it go to the House of Representatives, it would be sufficient. I certainly have no objection to such a provision. I would vote for it.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. After the Senator's substitute was agreed to, would an amendment inserting a provision requiring a two-thirds vote be in order?

The PRESIDING OFFICER. The Chair is informed that if the substitute is adopted, it would not be subject to further amendment.

Mr. McCLELLAN. Mr. President, a further parliamentary inquiry. Is the George substitute, in the manner in which it is now presented, open to amendment, and could an amendment to it be offered which would incorporate in it the requirement of a two-thirds vote?

The PRESIDING OFFICER. No; that would be an amendment in the third degree, and would not be in order.

Mr. McCLELLAN. If I may make an inquiry of the distinguished Senator from Georgia, as I understand the parliamentary situation, if the substitute is offered without a modification which would include a provision requiring a two-thirds vote, there would be no way by which it could be amended, either before adoption or after.

Mr. GEORGE. I think the statement of the Senator is correct. I am perfectly willing to modify my substitute further by including such a provision, which has already been agreed to by the Senate. I do not know which line it is, but my amendment should strike out all after a certain line down to a certain line. I think it might be well to understand I am not opposing an amendment which would require a yea-and-nay vote, about which the Senator from Florida [Mr. HOLLAND] and the Senator from Arkansas [Mr. McCLELLAN] have inquired. I am willing to include it.

I think some objection can be raised to it, but, since we already have the pattern of a yea-and-nay vote in the Constitution regarding the question of overriding a veto, I see no particular objection to it.

Mr. McCLELLAN. I understand that the Senator has now modified his proposed substitute to incorporate the amendment to the original Bricker amendment which was adopted, and which requires a yea-and-nay vote.

Mr. GEORGE. Exactly. Mr. President, I hope that is understood.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. GEORGE. I yield.

Mr. HOLLAND. I am not quite clear on what the Senator has excepted from his substitute. Am I to understand that he is excepting from his substitute, and leaving in the Bricker amendment as it now is, as amended, section 5, requiring the compulsory yea-and-nay vote, and section 6, requiring that the amendment, if submitted, be acted upon within 7 years from the date of its submission?

Mr. GEORGE. The Senator is correct. I am adding nothing to my own substitute but those two independent sections, one of which relates to the period in which ratification must take place, that is, within 7 years after an amendment is submitted, and the other of which relates to the recording of the yea-and-nay vote on treaties.

Mr. HOLLAND. I thank the Senator.

Mr. GEORGE. Mr. President, I have no desire to discuss the substitute further. It has been discussed many times by many Members of this body.

I do wish to emphasize one point, namely, that it is not a new proposal. The Committee on the Judiciary of the Senate took testimony on all the proposed amendments. At least the substance of every proposed amendment, with one possible exception, which I am not embracing in my substitute, has been discussed in 1,266 pages of printed testimony. Every single phase of the issue which has been debated on the floor of the Senate was gone into in the hearings before the Committee on the Judiciary.

I wish to make just one more statement. I said, in the beginning of these debates, that the issue involved in the proposal to amend the Constitution was a divisive issue. I think it is. I regret that it is, because this is a time when our people should be united. I should like to see the issue settled, and that is why I have offered the substitute.

I could not fully agree with certain provisions of the committee amendment as reported. I did not think two provisions in particular were wise. I offered the substitute in the hope that we might be able to submit this matter at least to the House of Representatives, and, if the House concurred by a two-thirds vote, then the amendment could be submitted to the people of the States or the States themselves.

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

Mr. GEORGE. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Let me state what seems to me to be the principal difference between the present Bricker amendment as amended by the proposal of the Senator from Michigan [Mr. FERGUSON], in behalf of himself and other Senators, and the substitute proposed by the Senator from Georgia. The Bricker amendment, as amended by the amendment offered by the Senator from Michigan, adds the words, "treaty or international agreement that is in conflict with the Constitution."

Mr. GEORGE. Which is the same as my first section.

Mr. SALTONSTALL. There is no difference there?

Mr. GEORGE. There is no difference at all.

Mr. SALTONSTALL. The Senator from Michigan submits a proposal which amends article VI, clause 2, to add the words "in pursuance of the Constitution" to that clause; does he not?

Mr. GEORGE. He does. He proposes an amendment to the supremacy clause of the Constitution.

Mr. SALTONSTALL. Is not the principal difference between the proposal of the Senator from Georgia and the proposal, as now amended, of the Senator from Michigan as follows: Both the Senator from Georgia and the Senator from Michigan would provide that neither a treaty nor an international agreement shall be in conflict with the Constitution—on that point, there is no difference between the two Senators—and that a treaty shall be in pursuance of the Constitution——

Mr. GEORGE. I did not vote for that.

Mr. SALTONSTALL. The Senator from Georgia did not?

Mr. GEORGE. No.

Mr. SALTONSTALL. I understand that the Senator from Georgia proposes that in the case of an international agreement, Congress must act upon it affirmatively; as I understand, he would provide that an international agreement must be in conformity with the Constitution, and that Congress must act affirmatively in case internal law is concerned.

Mr. GEORGE. That is true.

Mr. SALTONSTALL. As I understand, the proposal of the Senator from Michigan is a negative one, namely, that such a treaty or international agreement shall not be in conflict with the Constitution, whereas the Senator from Georgia has advanced the affirmative proposal that action on such a matter would be required by Congress.

Mr. GEORGE. That is true, insofar as the internal law effect of such an international agreement is concerned—but not its external effect.

Mr. SALTONSTALL. Have I not thus stated the difference between the George substitute and the Bricker amendment, as proposed to be amended?

Mr. GEORGE. I think that is substantially correct.

Mr. CORDON. Mr. President, will the Senator from Georgia yield to me?

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

Mr. GEORGE. I yield.

Mr. CORDON. Mr. President, my seat is behind that of the Senator from Georgia, and thus I could not clearly understand the modifications he has made in his amendment.

I should like to ask whether there is any modification in his amendment identified as "1-27-54-C," as he now offers it, as compared with the printed version. If so, what are the modifications? Will the Senator from Georgia state them in a few words?

Mr. GEORGE. No modifications have been made in the substitute as I originally submitted it; it remains in precisely the same language. However, I have added to my substitute—out of respect for the Members of the Senate, who could not amend my substitute, because such an amendment would be in the third degree—a provision for a yea-and-nay vote, a recorded vote.

Mr. CORDON. Nothing else has been added to the amendment?

Mr. GEORGE. There has also been added the other provision—in the original Bricker amendment—that the amendment must be ratified by the States within 7 years. But I have not changed anything whatever in the proposal I have made, except to add those two sections.

Mr. CORDON. And the amendment is now offered as a substitute for the entire Bricker amendment, as perfected; is that correct?

Mr. GEORGE. Yes; for the whole of the Bricker amendment.

Mr. CORDON. I thank the Senator from Georgia.

Mr. DANIEL. Mr. President, will the Senator from Georgia yield to me?

Mr. GEORGE. I yield.

Mr. DANIEL. Does the distinguished Senator from Georgia interpret section 1 of his substitute as, in effect, requiring that treaties and international agreements shall be made pursuant to the Constitution?

Mr. GEORGE. I do. Therefore I did not vote for the amendment offered by the Senator from California, the Senator from Michigan, and other Senators, which would have amended the supremacy clause of the Constitution; that is to say, that was one of the reasons why I did not vote for that amendment. There were other reasons why I could not bring myself to support it. I feared what might be said under it.

One thing which certainly would happen under it would be that it would open up for determination the validity of every treaty made from the time of the establishment of the Constitution to the present time, if any litigant in any court were to raise that issue.

However, I construe section 1 of the substitute, which relates to a provision of a treaty or other international agreement which conflicts with the Constitution, to be the same as saying, "which is not in confromity with this Constitution" or "which is not in pursuance of this Constitution." That would be my interpretation, although I do not know what the courts might hold.

Mr. DANIEL. I agree with the Senator from Georgia. I merely wished to be sure the RECORD showed that was his interpretation and his opinion of this section.

Mr. GEORGE. That is my intention, and that is my belief.

Mr. President, I wish to call the attention of the Senate to the fact that I am not proposing that a treaty or an international agreement which conflicts with the Constitution shall be of no force or effect. On the contrary, I am proposing that a provision of a treaty or international agreement which conflicts with or is not in conformity with or is not made in pursuance of the Constitution shall be of no force or effect. The other portions of such a treaty or international agreement might be perfectly valid. Under my amendment, only the bad parts of such a treaty or international agreement would be ineffective. That is all I have in mind.

Mr. DANIEL. I thank the Senator from Georgia.

Mr. GEORGE. I do not wish to go beyond that, and I do not think any other course would be safe.

Mr. President, my amendment has been discussed in full and I have no desire to discuss longer except to state that if anything is to be done in this field, now is the time to do it, because following the 44-43 vote on the amendment which relates to the supremacy clause, it is perfectly obvious that a two-thirds vote cannot be had in favor of the so-called Knowland-Ferguson amendment.

Mr. President, I am willing to submit the matter without further argument.

Mr. MORSE. Mr. President, I wish to make a brief statement in support of a motion to recommit which I shall make at the conclusion of my remarks.

In the first place, the record made by the Senate on the Bricker joint resolution and the George amendment is the best exhibit I can offer in support of my motion to recommit. That is true because the totality of that record is at least so confused that the people of the United States are entitled to have the joint resolution and all amendments to it returned to the committee for consideration by the constitutional experts who would be called before the committee to testify as to the legal meaning and consequences of some of the terms which now have crept into the proposed constitutional amendment, as it has been drafted on the floor of the Senate during the debate. The Senate owes that much to the judicial branch of the Government. We have the duty of returning this proposal to the Judiciary Committee, so that the experts can testify at hearings of the committee as to the legal effects of the proposed amendment in its present status of draftsmanship.

As I said in my argument the other day, Mr. President, the present proposal includes the phrase "internal law." That phrase has yet to be interpreted and adjudicated in any decision by the Supreme Court of the United States.

In reply to my statement on that point, it was said that in the majority report and in the minority views the phrase "internal law" is used a number of times. So it is, Mr. President, but it is not used there definitely. Other Senators told the Senate that on the basis of the assumption that the members of the committee knew what the legal consequences and implications would be if that phrase became a part of the Constitution of the United States, the proposal should be adopted.

Mr. President, that is not the way we should amend the Constitution. In a constitutional amendment we should not use for the first time a legal concept which has yet to be passed upon by the courts of the Nation without at least calling in expert witnesses to testify as to its legal meanings and effects. We should not incorporate such a concept into the Constitution until, at least, we have heard from experts superior to ourselves. In the United States there are many who should be called, as constitutional experts, to testify before the Judiciary Committee as to the effects and implications of the phrase "internal law."

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an analysis of the majority report and the minority views of the Judiciary Committee, showing the number of times the phrase "internal law" is used in them—but used nondefinitively. A record has not been made to date on the term "internal law" which is definitive in nature or which will help the courts in determining what the intent of Congress really was if the amendment is passed without further hearings.

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

FEBRUARY 16, 1954.

An examination of Senate Report No. 412 on Senate Joint Resolution 1 discloses that the words "internal law" appear the number of times indicated on the following pages of the report:

MAJORITY REPORT

Page 8: 3 times. (No definition or discussion of possible meaning.)

Page 11: 3 times. (No definition or discussion of possible meaning.)

Page 12: 1 time. (No definition or discussion of possible meaning.)

Page 13: 1 time. (No definition or discussion of possible meaning.)

Page 16: 1 time. Very general. No discussion of the kinds of State law or the nature of the effect of treaties and international agreements upon it.

Page 20: 1 time. Extradition treaties as internal law.

Page 23: 1 time. No definition or discussion of meaning of "internal law."

Page 30: 3 times. Reciprocal trade agreements as "internal law."

Page 33: 1 time. Reiterates provision of Senate Joint Resolution 1 as reported.

MINORITY VIEWS

Page 36: 3 times. Quotes from various versions of joint resolution. No definition or discussion of possible meaning.

Page 41: 3 times. Quotes from various versions of joint resolution. No definition or discussion of possible meaning.

Page 49: 1 time. Specifies types of laws subject to being overriden. All examples concern military and emergency international agreements by President as Commander in Chief.

Page 52: 1 time. Specifies civil aviation and communications. These subjects are already subject to congressional control under the commerce clause of the Constitution.

Page 57: 2 times. No specification. Quotes from joint resolution.

Page 58: 1 time. Examples of international agreements as internal law re extradition, narcotics, and alien rights.

Mr. MORSE. Mr. President, the argument is made that if we are to do anything about this problem this is the time to do it by passing some amendment developed out of the confused record of this long debate. I do not accept that premise either. Nor do I accept the argument that to recommit the joint resolution at this time is but a parliamentary device to kill it. I deny any such intention or motivation, because I believe that the recommittal of the joint resolution could result in bringing it forth again within 6 weeks if the Judiciary Committee does its job properly. This motion is not a device to kill it, but it is a sound, orderly proposal for bringing to bear upon the draftsmanship of the proposed constitutional amendment, as it has come to be drafted during the debate on the floor of the Senate, the judgment of outstanding constitutional experts as to what the effect of our debate really has been in terms of legal meanings and consequences.

If the Judiciary Committee does the job which I think it should do, by proceeding at once with hearings on the subject, it can certainly bring the joint resolution back within 6 weeks or 2 months at the most. That would still give us adequate time to pass in the Senate—if we decide to pass it—an amendment which really would have the benefit of careful analysis and a careful hearing before the Judiciary Committee, as well as a report based upon such consideration. I repeat that I think we owe it to the courts of the country to follow that course of action.

The last point I wish to make is by way of an answer to the argument that, politically speaking, this is the way to get the subject off our backs. It is not going to be done that way. In my judgment the chances are greater that no amendment will be passed than that one will be passed. I think we are pretty well agreed among ourselves that the only amendment which has a chance at the present moment is the George amendment, but I seriously doubt if it would come anywhere near receiving a two-thirds vote.

So we shall not solve the problem, so far as the political issue is concerned, by adopting the George amendment or by defeating the George amendment. I think the best way to solve it is to recommit the joint resolution to the committee, so that we may have an expert report on the legal meaning of the George amendment, and then take the results of that report to the American people and let them judge the public-policy question on the basis of such a hearing.

I close by saying that we owe it not only to the courts but to the people of the country, to give them the benefit of a Judiciary Committee hearing and a report on the implications, consequences, and legal effects of the George amendment as it has been drafted on the floor of the Senate.

Therefore, I most respectfully move that Senate Joint Resolution 1, with all the amendments attached thereto, including the substitute amendment, be recommitted to the Committee on the Judiciary.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon [Mr. MORSE].

Mr. KNOWLAND. Mr. President, on the motion of the Senator from Oregon to recommit, I ask that the yeas and nays be ordered.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

The PRESIDING OFFICER. A quorum is present.

Mr. McCLELLAN. Mr. President, I shall not delay the vote on the motion to recommit but for a very few minutes. I oppose the motion to recommit. I do not ascribe to the author of the motion any dilatory tactics or the use of it as a device to delay final action on the pending resolution. There are those who may contend seriously and sincerely that the pending substitute should be recommitted to the Committee on the Judiciary for further study.

In my opinion it can hardly be said that the Committee on the Judiciary has not considered all of the implications and effects the substitute proposal would have on our organic law. I note from the printed hearings that the Committee on the Judiciary has had the original proposal under consideration since it began hearings on February 18, 1953. I observe, too, that the record of the hearings contains in excess of 1,200 pages. It contains evidence submitted before that committee on every aspect and viewpoint of the issue. Certainly the provisions of the substitute are in no sense more complicated, drastic, or far reaching in effect and implication than were the provisions of the original Senate Joint Resolution 1, which the committee has had under consideration and under study for more than 1 year.

The question resolves itself into a determination, a decision, as to whether we shall submit to the several States any constitutional amendment on this issue. Senators who want no constitutional amendment at all, Senators who feel that there is no evil that should be eliminated or corrected, Senators who are opposed to providing any further restraint over executive power, in my opinion, should vote to recommit. Senators who believe in trying to do what the distinguished Senator from Georgia has indicated he proposes to do, Senators who believe that at least a very minimum of restraint should be imposed, should vote against the motion to recommit, and should support the pending proposed substitute.

Mr. President, the substitute contains very simple language. It is language which is clear and understandable and is appropriate and suitable as fundamental law of the land. There is certainly nothing complicated about it. Let me read the first section. It says:

> A provision of a treaty or other international agreement which conflicts with this Constitution shall not be of any force or effect.

If I were to ask for a raising of hands of Senators present who believe that a treaty should be permitted to violate the Constitution of the United States, I wonder how many hands would be raised? I can hardly conceive any Senator would take that position.

Senators who believe that the treaty-making power should supersede the Constitution, that a new section of the Constitution might be written by the negotiation of a treaty, and by submitting that treaty to the Senate for a two-thirds vote, of course, will not vote for a proposal that will prevent changing the Constitution, as this proposal will prohibit it.

However, if Senators vote to recommit the substitute proposal offered by the senior Senator from Georgia, they will, in effect, by their vote take the untenable position that they are opposed to limiting a treaty to conform to the Constitution of the United States. The only other implication that could follow is that they favor the process of vesting a power in the President of the United States to negotiate a treaty and a power in two-thirds of the Senate alone to ratify a treaty that would supersede the Constitution, or to negotiate and adopt a treaty which would conflict with it. I oppose any such power. If any such power, by any strained interpretation now exists, I want by my vote to offer to the people of this country and to the several States of this Nation for adoption a constitutional provision which will remove and prohibit it.

I go to the second section of the George substitute. Certainly it is a very plain and understandable proposal. It contains no ambiguity. It reads:

> An international agreement other than a treaty shall become effective as internal law in the United States only by an act of the Congress.

The Supreme Court has held, I believe unfortunately so, that an executive agreement made under the authority of the United States, as is the Constitution at present, is akin to, and has the same force and effect and is as binding upon this Government and on the several States, as is a treaty.

What is an executive agreement? It is said it cannot be defined. It is any agreement made by our President with a foreign government which is not submitted to the Senate as a treaty, or any agreement which is made under the authority of the presently existing Constitution, or any internal agreement or compact which is made by the Executive and is not submitted to the Senate in the form of a treaty for ratification. That is what an executive agreement is, and that is what this section in the George substitute is undertaking to reach.

There are many executive agreements or international agreements which have been entered into, which are binding upon our country and upon this Government and upon the several States of this Nation which have never been submitted to the Senate for ratification, and never submitted for legislative action. Under the holdings of the Supreme Court those international agreements are today the supreme law of the land.

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

Mr. McCLELLAN. I yield to the Senator from Missouri.

Mr. HENNINGS I do not wish to interrupt the Senator from Arkansas frequently, and I know we are all interested in saving time and in coming to a vote. However, I should like to ask the Senator a question, if he will indulge me.

The Senator has suggested, as I understand him, that presently an executive agreement is anything that is not a treaty and, consequently, not submitted to the Senate.

Mr. McCLELLAN. I do not know of any other way to differentiate between the two.

Mr. HENNINGS. That is what I am getting at. I am seeking enlightenment, and I am certain other Senators are also, and I wonder whether the Senator can furnish it. Can the Senator, if he knows not the distinction between an executive agreement and a treaty, save that a treaty is something that comes to the Senate to be ratified an executive agreement does not come to the Senate to be ratified, what the distinction will be, in the event of the adoption of the George substitute, between a treaty and an executive agreement, other than to suggest the distinction in the mind, determination, and purpose of the Executive in employing either an executive agreement or a treaty.

Mr. McCLELLAN. Mr. President, I do not think the proposed substitute will change the present situation with respect to the difference between a treaty and an executive agreement. But I will tell the Senator what it will do. That is what concerns me, and that is why I support the substitute. There will be no future executive agreements or international compacts that are secret, about which we know nothing, which nullify the Constitution or change the law of any State of the Union, until and unless they are submitted to the Congress and legislation is enacted to implement and enforce them. That is the difference.

Mr. HENNINGS. Mr. President, will the Senator from Arkansas yield further?

Mr. McCLELLAN. I yield.

Mr. HENNINGS. I do not wish to go into it any further. This is the last time I shall interrupt the Senator.

Does the Senator suggest that so-called secret agreements and secret understandings which take the form of executive agreements do not affect internal law until they are published, assuming we know what the phrase "internal law" means, which John W. Davis says he does not?

Mr. McCLELLAN. When such an agreement is published it may then be discovered that the act of a citizen may be a violation of it, or his rights may not have been protected.

Mr. HENNINGS. Does the Senator suggest that any citizen would be prosecutable in such an instance?

Mr. McCLELLAN. He might very well lose his property rights.

Mr. HENNINGS. Before the publication of the agreement?

Mr. McCLELLAN. No; I did not say that. But he may very well lose his property rights.

Mr. HENNINGS. I cannot agree with my friend, but I shall not take his time any further.

Mr. McCLELLAN. I point out, Mr. President, that international agreements are being entered into all over the world, committing this Government to construct many large military installations. They are made upon certain conditions, concessions, and agreements, and all that the Congress of the United States knows about them, in most instances, is that we are supposed to make appropriations and spend the taxpayers' money in carrying out their terms. We do not know what are the terms, conditions, and obligations involved.

Mr. President, I feel that in the protection of America in this day of multitudinous foreign entanglements, the people have a right to know what is in them. And this Congress has the right to pass, by legislative processes, upon any international agreement or compact which reaches beyond international boundaries and into the sovereignty of States or which have the effect of repealing or nullifying the laws of the States of this Union.

Mr. HENNINGS. Mr. President, will the Senator from Arkansas yield for a further question?

Mr. McCLELLAN. I yield.

Mr. HENNINGS. The Senator is aware, is he not, that there are thousands, literally tens of thousands, of executive agreements which have been made within recent years? They probably run into thousands a year, do they not?

Mr. McCLELLAN. I am sure the making of such agreements has been greatly accelerated and increased in the past few years; and thus the danger inherent in them is greater than ever before during our national existence.

Mr. HENNINGS. Most of them are made, presumably, in furtherance of a bargain between the United States of America and nations abroad.

Mr. McCLELLAN. That is correct.

Mr. HENNINGS. We give something and we get something.

Mr. McCLELLAN. Yes; but we do not always know what we are getting.

Mr. HENNINGS. We should know.

Mr. McCLELLAN. Certainly we should. I agree with the Senator.

Mr. HENNINGS. If the Senator will bear with me for a moment, does the Senator recall any international agreement which he thinks was particularly hurtful or injurious?

Mr. McCLELLAN. There are many which have been proposed which would be very detrimental.

Mr. HENNINGS. But the Senator knows of none which have been made which are detrimental?

Mr. McCLELLAN. I will say this to the Senator, that at the time the Constitution was adopted we were living in a philosophy of beware of foreign entanglements. Today we are living in a philosophy of assuming a large measure of world responsibility in accordance with our position in the family of nations which our economic power and our position would require us to assume. But, Mr. President, at the same time, I do not want a loose power reposed in the President of the United States that will permit him to make an international agreement that will have the effect of amending the Constitution of the United States or any provision of the constitution of any State, or nullifies internal law or affects it in any way, without that agreement being openly presented and being implemented by the Congress through legislation.

That is the only principle that the substitute before us undertakes to establish and to safeguard. That principle is sound. With the world situation what it is, and with the great number of agreements that are being made today, as referred to by the distinguished Senator from Missouri, it strengthens the position of those of us who are apprehensive. We know that such agreements have been made and are being made. We can provide a great measure of protection by adopting this provision in the Constitution, at least by submitting it to the several States for their judicious determination and approval.

Mr. HENNINGS. May I ask the distinguished Senator one further question?

Mr. McCLELLAN. Certainly.

Mr. HENNINGS. Of course, through a so-called entangling alliance with France, we won our independence. I do not want to argue with my friend, whose legal qualifications and statesmanlike qualities no one knows better than I. He knows how I feel about him.

Mr. McCLELLAN. I thank the distinguished Senator for his compliments.

Mr. HENNINGS. But what disturbs me is this: The Senator has indicated that because of a proliferation, because of the vast number of executive agreements being made, we should adopt the substitute which is now before us, which might, or might not, inhibit the number of such agreements. But the Senator

has conceded that the President can still act either by the treaty method or the agreement method to achieve an end. We have no definition or line of distinction or demarcation as to what may be a treaty and what may be an agreement. If the document comes to the Senate it is a treaty, and if it does not, it is an executive agreement.

Mr. McCLELLAN. May I interrupt the distinguished Senator at that point, to point out that if this proposal is adopted, then an executive agreement must be submitted. The Senator agrees to that, does he not?

Mr. HENNINGS. That is exactly the point I am trying to reach.

Mr. McCLELLAN. The President makes the first decision. If it is submitted to the Senate or to the Congress as an executive agreement and this body then concludes that the President is wrong, and it should be submitted in the form of a treaty, the Senate by a majority vote can require it to be submitted as a treaty.

Mr. HENNINGS. Granted that the President may use an executive agreement or a treaty; granted that a treaty comes to the Senate for ratification and an executive agreement does not; granted that the President may execute it, if the amendment of the distinguished Senator from Georgia be adopted, the President can still conduct our international relations by executive agreement, can he not?

Mr. McCLELLAN. He certainly can. That is he can still make agreements.

Mr. HENNINGS. Then, when we speak about that which may affect internal law, or, to use another phrase, domestic law, according to the amendment of the learned Senator from Georgia, in determining whether an executive agreement shall be submitted to Congress for action by the Senate and House, would it not be the President who would determine whether there was contained in the executive agreement anything which would have an impact upon domestic or internal law? Would it not, after all, essentially be the President himself who would determine, first, whether he wished to use the form of a treaty or of an executive agreement; and second, if he used one or the other, would he not decide whether it affected internal law?

Mr. McCLELLAN. The President might make the initial determination. But if, in fact, the treaty or agreement affect internal law, then the President's decision would be a mistake of judgment, which could be corrected. The courts then could provide a remedy, and a citizen's rights would be protected, despite the President's erroneous decision. That is what I want accomplished.

Mr. President, I do not wish to take up more time. I simply desired to state my position. I believe there is great need for a constitutional amendment in this field. Therefore, I do not believe the argument that the question should be restudied is at all persuasive, in view of the very simplicity of the language of the amendment and its clear import.

The whole subject matter, including every phase and angle of it, has had meticulous consideration over a long period, beginning with the time when the original proposal was before the Committee on the Judiciary, and I do not find it is necessary to resubmit it for further study. I believe the proposal in its present form is understood by every Member of the Senate. All Senators know what its effect would be. They have every reason to understand how the courts would interpret it, or how they would be compelled to interpret it.

I think the Senate should reject the motion to recommit, adopt the substitute, and proceed to final passage of the resolution as amended.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon [Mr. MORSE] to recommit. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent by leave of the Senate on official business of the Senate.

Mr. CLEMENTS. I announce that the Senator from Nevada [Mr. McCARRAN], and the Senator from Oklahoma [Mr. MONRONEY], both of whom are absent on official business, are paired on this vote. If present and voting, the Senator from Oklahoma would vote "yea," and the Senator from Nevada would vote "nay."

The Senator from Missouri [Mr. SYMINGTON] is absent by leave of the Senate on official business of the Senate.

The result was announced—yeas 18, nays 74, as follows:

YEAS—18

Douglas	Humphrey	Morse
Fulbright	Jackson	Murray
Gillette	Kennedy	Neely
Hayden	Kilgore	Pastore
Hennings	Lehman	Sparkman
Hill	Magnuson	Wiley

NAYS—74

Aiken	Flanders	Mansfield
Anderson	Frear	Martin
Barrett	George	Maybank
Beall	Goldwater	McCarthy
Bennett	Gore	McClellan
Bricker	Green	Millikin
Burke	Griswold	Mundt
Bush	Hendrickson	Payne
Butler, Md.	Hickenlooper	Potter
Butler, Nebr.	Hoey	Purtell
Byrd	Holland	Robertson
Capehart	Hunt	Russell
Carlson	Ives	Saltonstall
Case	Jenner	Schoeppel
Chavez	Johnson, Colo.	Smathers
Clements	Johnson, Tex.	Smith, Maine
Cooper	Johnston, S. C.	Smith, N. J.
Cordon	Kefauver	Stennis
Daniel	Kerr	Thye
Dirksen	Knowland	Upton
Duff	Kuchel	Watkins
Dworshak	Langer	Welker
Eastland	Lennon	Williams
Ellender	Long	Young
Ferguson	Malone	

NOT VOTING—4

Bridges	Monroney	Symington
McCarran		

So Mr. MORSE's motion to recommit was rejected.

PROGRAM FOR TOMORROW

Mr. KNOWLAND. Mr. President, for the information of the Senate, it is not expected that additional votes on the Bricker amendment will be taken tonight, but I wish to ask unanimous consent that the amendment presented by the distinguished Senator from Michigan, in its final form, may be printed and be available to Senators tomorrow and that the amendment, in its perfected form, presented by the distinguished Senator from Georgia, may be printed in its final form, so that both amendments will be on the desks of the Senators tomorrow when the Senate acts on the pending joint resolution.

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

Mr. KNOWLAND. I am very hopeful that the Senate may be in a position to complete action on the joint resolution tomorrow at a reasonable hour. If so, I would not expect to recommend to the Senate that there be a Saturday session. However, I would wish to reserve judgment on my recommendation in the event the Senate does not complete action on the proposed constitutional amendment tomorrow.

I should also like to have the Senate advised of the fact that it will have for consideration tomorrow a conference report, which is a privileged matter, relating to the retirement benefits of legislative officers and employees and members of Congress. I call attention to the fact that it may be called up tomorrow, so Senators may have ample notice.

COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. KNOWLAND. Mr. President, I have discussed with the distinguished minority leader, the Senator from Texas, a bill which passed the House today. It is very short, and I ask unanimous consent that it be considered this evening. First I ask that the clerk read it, for the information of the Senate.

The bill (H. R. 8069) to amend the act of July 10, 1953, which created the Commission on Intergovernmental Relations, was read the first time by title and the second time at length, as follows:

Be it enacted, etc., That subsection (c) of section 3 of the act of July 10, 1953, entitled "An act to establish a Commission on Intergovernmental Relations," is hereby amended to read as follows:

"(c) The Commission, not later than March 1, 1955, shall submit to the President for transmittal to the Congress its final report, including recommendations for legislative action; and the Commission may also from time to time make to the President such earlier reports as the President may request or as the Commission deems appropriate."

SEC. 2. Section 6 of such act of July 10, 1953, is hereby amended to read as follows:

"TERMINATION OF THE COMMISSION

"SEC. 6. The Commission shall cease to exist at the close of business on March 1, 1955."

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

Mr. JOHNSON of Texas. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. I yield to the distinguished minority leader.

Mr. JOHNSON of Texas. I have discussed the proposed legislation with the

Democratic Members of the Commission, and we have no objection to the passage of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill? The Chair hears none.

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

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

Mr. FERGUSON. The bill would extend the authority of the Commission on Intergovernmental Relations to complete its work and to make its report from March 1 of this year to March 1 of next year, when it will expire. As one of the co-sponsors of the original legislation, I had hoped the Senate might pass the bill today, in order that the Commission might not pass out of existence. I hope it will pass in its present form, because the House of Representatives, which passed it today, is not in session.

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

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

Mr. ELLENDER. Will the Senator from Michigan give us his assurance that the Commission will end its work in another year?

Mr. FERGUSON. The Senator from Michigan feels certain that the Senate will not be asked to extend the life of the Commission beyond another year. It is the hope and the desire of the administration that the work of the Commission will be completed at an early date. I know every effort will be exerted to that end.

Mr. ELLENDER. I hope the Senate will not be asked to extend it any longer.

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

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

Mr. CAPEHART. Is the Senator referring to the Manion Commission?

Mr. FERGUSON. The Senator is correct.

Mr. CAPEHART. Who is going to be the Chairman of the Commission?

Mr. FERGUSON. That will depend on the appointing power.

Mr. CAPEHART. Mr. President, I object to considering the bill tonight, because I wish to go into it to some extent. I do not like the way a fellow Hoosier has been treated. No one had informed me that the bill would be considered tonight.

The PRESIDING OFFICER. The Senator from Indiana is advised that his objection is too late, and that no objection was offered to the present consideration of the bill.

Mr. CAPEHART. Mr. President, that cannot possibly be true.

The PRESIDING OFFICER. The Chair asked if there was any objection to the present consideration of the bill, and the Chair thought he heard none. Therefore, the bill is under consideration.

Mr. CAPEHART. I object.

The PRESIDING OFFICER. The Chair did not hear the objection until this moment.

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

Mr. CAPEHART. I do not think I have the floor, but I am glad to yield.

Mr. FERGUSON. I hope the Senator will not object to present consideration of the bill. The question involved is merely whether the Commission shall continue its work.

Mr. CAPEHART. Why is it so important to act on the bill presently?

Mr. FERGUSON. Unless the bill is passed, the power of the Commission to make its report, will expire on the first day of March, 1954. The fact that there is no chairman of the Commission should not stop the Commission from doing its work.

Mr. CAPEHART. Does the Senator mean the life of the Commission will expire on March 1st?

Mr. FERGUSON. The power of the Commission to make its report and complete its work will expire on March 1, 1954.

Mr. CAPEHART. That is provided by law?

Mr. KNOWLAND. That is provided by law.

Mr. CAPEHART. Then my good friend from Indiana could have remained as Chairman of the Commission until March 1, and the Commission would have expired at that time. Did Mr. Adams or the President know the life of the Commission was going to be renewed? Did they go completely out of their way to slap down a great American for a matter of 6 or 7 or 10 days?

Mr. FERGUSON. I would say they must have considered that the Commission would complete its work.

Mr. CAPEHART. The life of the Commission is to expire automatically on March 1; is it not?

The PRESIDING OFFICER. The Chair wishes to state that if the Senator from Indiana insists that he did object at the time his objection should have been heard, the Chair will sustain the objection.

Mr. CAPEHART. I did object. I reserved the right. I should like to discuss this matter a little bit. Then perhaps I shall not object. The situation is that the Commission is to expire, as I understand, on March 1.

Mr. FERGUSON. The power of the Commission to make its report will cease then.

Mr. CAPEHART. A citizen of Indiana was Chairman of the Commission which, as I understand, would have expired on March 1, and within about 10 days of that date he was deliberately fired, when those who fired him knew that the life of the Commission was to expire on March 1. They did not know at the White House that the life of the Commission was to be extended for another year.

Mr. CORDON. Mr. President, will the Senator yield to me?

Mr. CAPEHART. Yes, I am glad to yield.

Mr. CORDON. Mr. President, as a member of the Commission, I can say to the Senator that the White House knew the Commission could not get its work done within the time prescribed in the act. That was known months ago. The Chairman, Dr. Manion, was one of those who joined with others of us in the thought that we should make application—as is done in the bill—for an extension of time, in order that the Commission might have a fair chance to explore at least the areas into which it had commenced investigation. It was for that reason that the bill was introduced. But the facts were known at the White House and were known to the Commission; and the proposed action is that requested by Dr. Manion.

Mr. CAPEHART. If they knew it was going to be necessary, why did they wait until the last minute to request the renewal—at a time when no one of us has a chance to debate or argue the matter?

Mr. CORDON. I cannot answer that question.

Mr. KNOWLAND. Mr. President——

Mr. CAPEHART. I yield.

Mr. KNOWLAND. Mr. President, I thought I yielded to the Senator from Indiana, but I shall not press the point.

I wish to ask the Senator from Oregon if it is correct, as I understand, that the request for a 1-year extension was made as a result of the unanimous vote of the Commission.

Mr. CORDON. That is my impression. In the Commission there was unanimity of opinion. As to whether the vote was unanimous, I cannot say; but I am under the impression that was the case.

Mr. CAPEHART. Mr. President, I was away when this matter came up, but I want the world to know that I think this is a most unfortunate situation. It seems that if a Member of the Senate wishes to have anything done for his State, either by the Senate or the administration, he must begin to object and to obstruct. I do not like the way some things are happening.

I want the world to know that; I want the majority leader to know it; I want the President to know it; I want Mr. Adams to know it; and I want others to know it. Frankly, I, for one, am getting a little bit tired of being kicked around. I think that is true of other Members of the Senate who are just being kicked around. Unless we walk right up and put our heads in the noose and say, "Boys, do whatever you want to do," it seems that we get pushed around and kicked around. I am not in favor of that. I wanted the world to know it, and I wanted the President and Mr. Adams and the Independent Party, if you please, and the Democratic Party, and the Republican Party to know it.

Mr. MORSE. I already know it. [Laughter.]

Mr. CAPEHART. Mr. President, I am not angry about it. I am in good humor about it, but I want them to know that I do not like it.

With that explanation, I withdraw my objection.

The PRESIDING OFFICER. Is there objection?

Mr. WELKER. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. WELKER. How much time is to be allowed?

Mr. KNOWLAND. One year.

Mr. WELKER. When does the time expire?

Mr. KNOWLAND. On March 1, 1955.

Mr. WELKER. Then we have some little time to deliberate the matter.

Mr. KNOWLAND. No. The present law expires on March 1, 1954. This bill proposed that the time be extended 1 year.

The House passed the bill today. The House is now in recess, and the present law will expire if the Senate does not act.

Mr. WELKER. Mr. President, reserving the right to object, let me ask why we cannot postpone this bill until tomorrow.

Mr. KNOWLAND. Only for the reason that on tomorrow we shall have a fairly heavy program. We shall have the Bricker amendment, the conference report on retirement, and an appropriation bill. I hope we shall not have to have a night session tomorrow night. I do not wish to request a Saturday session.

I had consulted with Senators on the other side of the aisle, after the distinguished chairman had brought this matter to my attention.

Under all the circumstances, I was very hopeful that we could dispose of the bill tonight, so we would not unduly delay the proceedings tomorrow.

No Senator would be foreclosed from discussing the case of Dr. Manion or anything else he might wish to discuss, as the able Senator from Idaho knows. So I plead with him to let this bill be passed.

Mr. WELKER. Mr. President, I am always willing to cooperate with my distinguished friend, the majority leader. But here we find ourselves in a position where none of us has heard about this matter, which comes before us at the late hour of 6:15 p. m. Perhaps some of us would like to study the matter a little. Like the distinguished senior Senator from Indiana [Mr. CAPEHART], I am not too happy about this situation.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I appreciate so very much the excellent cooperation of the majority leader, so far as a night session this evening is concerned, that I wish to reciprocate as much as I can.

When he presented the bill, I had the Members on this side of the aisle analyze it and evaluate it. We were somewhat disappointed, because we understood that last year was a study year, but we thought this year we would have a chance to study the studies. [Laughter.]

But under the bill, an additional year is requested, in order to permit the study to be continued. While we regret to see a report postponed that long, we are willing to go along, because of the unusual circumstances in which the Administration finds itself.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MAYBANK. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. WELKER. Mr. President, who objected?

Mr. MAYBANK. I objected.

The PRESIDING OFFICER. Objection being heard, the bill will lie on the table.

RECESS

Mr. KNOWLAND. I move that the Senate stand in recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate took a recess until tomorrow, Friday, February 26, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 25, 1954:

UNITED STATES ATTORNEY

Theodore F. Stevens, of Alaska, to be United States attorney for division No. 4, district of Alaska, vice Everett W. Hepp, resigned.

UNITED STATES MARSHALS

Charles Peyton McKnight, Jr., of Texas, to be United States marshal for the eastern district of Texas, vice Stanford C. Stiles, whose term expires February 28, 1954.

William Raab, of Nebraska, to be United States marshal for the district of Nebraska, vice Frank Golden, resigned.

Hobart Kelliston McDowell, of Texas, to be United States marshal for the northern district of Texas, vice James R. Wright, resigned.

PROMOTIONS IN THE REGULAR ARMY

The following-named officers for promotion in the Regular Army of the United States under the provisions of sections 502 and 510 of the Officer Personnel Act of 1947. Those officers whose names are preceded by the symbol (×) are subject to physical examination required by law. All others have been examined and found physically qualified for promotion.

TO BE COLONEL

Leland Francis Adair, O41473.
Frank Adams, O51189.
Daniel Wayne Allison, O29071.
Robert Marshall Bacher, O51045.
×Richard Lee Baldwin, O29113.
Aaron Bank, O28959.
Cletos Otho Bennett, O28966.
Curtis Hargrave Bennett, O41821.
George Walter Frank Biles, O39590.
Charles Henry Blumenfeld, O29763.
Lewis Alexander Bonifay, O29040.
John William Bowen, O18904.
Fred Brasted, O41854.
Gilbert Guion Brinckerhoff, Jr., O41686.
Henry Chesnutt Britt, O18891.
Kirk Patrick Brock, O41650.
Clarence O. Brunner, O29456.
Roy Thomas Bucy, O51188.
R. Beverly Caldwell, O51185.
Ross Rowland Caldwell, O51111.
×Peter Duryea Calyer, O17116.
×Hugh Thomas Cary, O18845.
William Turner Cathcart, O41521.
Arthur Clark Cheyne, O29512.
Carl Francis Chirico, O29506.
James Madison Churchill, Jr., O18907.
Robert Anthony Cliffe, O29515.
Theodore Philip Coates, O41480.
×Loris Ray Cochran, O18889.
Howard Coleman, O29457.
James Walker Connor, O29479.
Jewell Howard Cook, O39595.
John Garnett Coughlin, O18898.
Thomas Joseph Counihan, O17183.
James Winfield Coutts, O18875.
John Francis Cox, O41534.
Ronald Bryce Currens, O41816.
James Chase Damron, O41793.
Charles Salvatore D'Orsa, O18866.
George Thigpen Duncan, O18878.
×Kenneth Alfred Eddy, O29014.
Frederic Nelson Eichorn, O39636.
Marvin Columbus Ellison, O41494.
×Herbert Fred Farmer, O39704.
Louis Joseph Ferony, O50979.
William Floyd Foster, O51016.
Edwin George Fritz, O51063.
Russell Dwight Funk, O42067.
×Arville Ward Gillette, O18883.
Dan Gilmer, O18876.
Joe Edwin Golden, O18872.
×Ira Wellington Grande, O29503.
Clebert Leon Hall, O17779.
Robert Guy Haines, O29460.
Thomas Robertson Hannah, O18899.
Kenneth Kalmar Hansen, O29481.
William Virgil Harber, O39578.
Harley Douglas Harpold, O41831.
Marvin Hays, O41826.
Edward Blackburn Hempstead, O17649.
Charles Gates Herman, O18885.
Gerald Joseph Higgins, O19530.
Alton Arrington Hill, O29384.
Francis Hill, O19058.
Samuel Thomas Hill, O41680.
×Frederick Milton Hinshaw, O18867.
Harry Ernest Hornecker, O29082.
Frank Musser Hosterman, O38631.
William Hand Browne Howard, O39613.
Jerome Hubbard, O41814.
Roscoe Constantine Huggins, O18851.
Sydney Frank Hyde, O29035.
Rupert Ingram, O51103.
Edward Bedell James, O41549.
×Maximiano Saqui Janairo, O18098.
Clarence Melvin Jennings, O41643.
William Elton Kaley, O41818.
×O'Neill Keren Kane, O18150.
John William Keating, O18897.
Henry Alexander Keller, O39637.
Theodore Douglas Kern, O51209.
Stanley Adolph Kretlow, O39708.
John Christopher Lackas, O29366.
×Lawrence Donald Lally, O41674.
Charles Pirie Law, O41684.
Benjamin Albert Lentz, O29401.
Berkley Read Lewis, O29065.
Clarence Shirley Lewis, O29039.
John Cook Light, O39611.
Julian Broster Lindsey, O17772.
Harold Matheson Lindstrom, O28932.
Winton Henry Loveless, O39643.
John Joseph MacFarland, O18100.
Thomas Henry Magness, Jr., O51199.
Walter Danley McCahan, O28936.
Gerald Patrick McCarthy, O41617.
Joseph Maney McCarthy, O29043.
×Charles John McCormick, O51083.
Thomas Randall McDonald, O18892.
Robert Joseph McDuff, O28976.
Upton Albert McGill, O41659.
Alton Oscar McLane, O38658.
William Anderson McNulty, O18871.
Harry Theodore Meyers, O41608.
Edward Gibson Miller, O41633.
×Harold William Miner, O51102.
Roy Edwin Moore, O18880.
Montescue Theodore Moree, O41834.
Sam Francis Muffie, O51201.
Clarence Joseph Murphy, O39647.
Ruel Raymond Neiger, O39576.
Vardell Edwards Nesmith, O39669.
×Stephen Laird Nichols, O28844.
Charles Mason O'Donnell, O29010.
×James Dupree Ogletree, O29492.
Edward Julian Ormiston, O29015.
Wayland Henry Parr, O17565.
Ralph Emerson Pearson, O51077.
Maurice Anthony Peerenboom, O39684.
Wendell Woody Perham, O28999.
×Herbert Lloyd Phyfe, O29390.
Lunsford Clay Pittman, O39586.
Alfred Prahinski, O41620.
×William Clemens Pritchard, O29455.
Raymond Russell Ramsey, O29470.
Clarence Edward Read, O39602.
Frederick Wells Reese, O39600.
×Harry Brownwell Reubel, O29050.
William Pitt Ring, Jr., O29467.
Willis George Robbins, O51081.
×William Ray Robinette, O29539.
×John Edward Rogers, O41505.
Harold Carlos Rowe, O29413.
Charles Frederick Russe, O50967.

Ernest Allen Sallee, O41523.
Thomas Eason Sams, O28989.
×William Otto Schlotter, O41495.
Howard Ignatius Schmitt, O50987.
David Peter Schorr, Jr., O18861.
Arthur Lloyd Selby, O38669.
Leland Claypool Shannon, O29346.
William Summers Shoemaker, O39694.
Ernest Entler Smith, O29418.
George Waite Smith, O29013.
Lon Harley Smith, O18854.
Morton Solomon, O51002.
John Melvin Stark, O39622.
Ernest La Verne Stockton, O39560.
Frank Rockwell Swoger, O29429.
Kenneth Hensley Tando, O39695.
Homer Downing Thomas, O41621.
Hundley Thompson, O41663.
Millard Thompson, O28951.
John Day Tolman, O51191.
Admiral Brinkley Trammell, O41501.
Joseph Henry Twyman, Jr., O18116.
Hugh Anderson Vest, O39692.
Luster Azil Vickrey, O17592.
Homer Reamer Wallar, O51196.
Leon Wendell Walton, O29062.
×Frederick Reginia Weber, O18148.
George Winship Weego, O41484.
John Clinton Welborn, O18863.
Edmund David White, O29077.
Howard Raymond Whittaker, O29408.
Homer Widmann, O29032.
Harry Elsworth Wilbert, O41539.
Basil Emerson Williams, O51025.
×Zack Maroney Williams, O50966.
William Edward Williamson, O50970.
John Lea Wilson, Jr., O39587.
×Minor Keith Wilson, O41626.
Raymond Carlyle Woodes, O29067.
George Edward Woods, Jr., O41840.
Herbert William Wurtzler, O39596.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of sections 502 and 509 of the Officer Personnel Act of 1947. All officers are subject to physical examination required by law.

TO BE CAPTAIN, JUDGE ADVOCATE GENERAL'S CORPS

×Edwin Forrest Ammerman, O63841.
×Paul Eugene Beckman, O66135.
×Eugene Julian Bell, Jr., O63676.
×William Alfred Cameron, O68331.
×Lawrence Woolf Caruthers, O67554.
×Joseph Carroll Chandler, O66142.
×Vernon Mercer Culpepper, O66145.
×Robert Nelson DuRant, O63803.
×Dan Henry Farr, O65554.
×John Edmond Flick, O64988.
×Milton Pritchett Garner, O68187.
×Morris Goldschlager, O65593.
×James Andrew Hagan, O66003.
×Guy Andrews Hamlin, O63740.
×Ralph Brock Hammack, O66004.
×James Reed Harrington, O66158.
×Roland DeWitt Hartshorn, O66010.
×James Victor Harvey, O68012.
×Bueford Gilbert Herbert, O64986.
×Morris Douglas Hodges, O65549.
×William Allison Horger, O63844.
×James Cornelius Hughes, O66024.
×Heyward George Jeffers, Jr., O66166.
×Reid William Kennedy, Jr., O68366.
×Malcolm Lee McCain, O64989.
×Shelton Ross Nelson, O65687.
×John Irving Nevin, O63804.
×Thomas Calvin Oldham, O66188.
×George Van Wyck Pope, Jr., O63485.
×Charles Mathew Powell, Jr., O65475.
×John Coleman Powell, Jr., O68395.
×Bernard Antony Ramundo, O65586.
×Richard Leo Rice, O65690.
×Francis Kost Richwine, O66084.
×Harry Earle Robbins, Jr., O66197.
×Wayne Guthrie Roberts, O63486.
×Edwin Morgan Schmidt, O63677.
×Donald Lyle Shaneyfelt, O64987.
×Billy Joe Shuman, O66098.
×Arthur Roland Slade, Jr., O63741.
×John Andy Smith, Jr., O63843.
×James Elsworth Stodgel, O67963.
×Charles Holland Taylor, O66641.
×Henry Russell Thomas, O65548.
×Robert Parrish Tomlinson, O65545.
×Jack Gorman Van Deventer, O65701.
×Hugh Tabor Verano, O64992.
×Howard Vincent, O65703.
×William Alexander Watt, O63742.
×Luther Charles West, O65704.
×John William Whelan, O64990.
×Edwin Hardy White, O66120.
×Wayne Graham Williams, O65550.
×Dennis Alexander York, O66212.
×Charles Arthur Zuccardy, O64991.

TO BE CAPTAIN, CHAPLAINS

×Kenneth Glenn Irwin, O66165.
×Edwin Allen Jones, O66168.
×Paul Ernst Klett, O67588.
×William Edward Paul, Jr., O67603.
×Lewis Burleigh Sheen, O67615.

TO BE CAPTAIN, MEDICAL CORPS

×Robert Vincent Anderson, O67548.
×Silas Michael Babin, Jr., O67549.
×Grover Cleveland Bolin, Jr., O65683.
×Glenn Brigham Burt, Jr., O66614.
×Harry Alvin Claypool, O67907.
×Jerald Rhodes Cureton, O67807.
×Vincent Keet Cutshall, O67562.
×Vincent Louis de Ciutiis, O65976.
×Thomas Sinclair Evilsizer, Jr., O69917.
×Robert Eugene Feighny, O67568.
×George Paul Foley, O67572.
×William Richard Howard, O67828.
×Clifford Clayton Lardinois, Sr., O67590.
×Philip Jhune Whan Lee, O67592.
×Bert Grover Leigh, O67593.
×Robert Vincent Locke, O67594.
×Thomas Ernest Mattingly, Jr., O67596.
×Foster Collins McCaleb, Jr., O67842.
×Christopher Ludwig Mengis, O69529.
×Clarence Paul Nay, O65537.
×Charles Offie Onstead, Jr., O67600.
×Merle Charles Page, O67601.
×Maurice Glenn Patton, O70012.
×James Philip Richardson, O67608.
×Mervin Herbert Schwartz, O67866.
×James Allen Shafer, O65464.
×Thomas William Sheehy, O67614.
×Frederick Jolley Sheffield, O67616.
×Victor Joseph Slominski, Jr., O67868.
×Vincent Charles Sweeney, O67875.
×William John Toland, O67626.
×Henry Thomas Uhrig, O67878.
×Nicholas William Van Leeuwen, O67630.
×Jack Frederick Wisman, O67886.
×Charles Joseph Zerzan, Jr., O68065.

TO BE CAPTAIN, DENTAL CORPS

×Joseph Stanley Churan, O68794.
×Cecil Franklin Clement, Jr., O67800.
×Roy Edwin Daniel, O69476.
×Robert Edward Dudley, O66616.
×Howard McKnight Duffield, O63847.
×Robert James Everhart, O68002.
×Robert Eugene Farrand, O65988.
×Walter Howard Fox, O66619.
×Joe Frisch, O61193.
×John Price Hathaway, Jr., O66624.
×William Clarence Hurt, O67831.
×Robert Duane Jeronimus, O67585.
×Fredrick Adam Karlson, Jr., O66627.
×Milton Junior Knapp, O67589.
×Donald Owen Lundquist, O65685.
×Billie Delmar McGrew, O67941.
×Ernest Beckwith Mingledorff, O64985.
×Samuel Craig Mooney, O63842.
×Edmund Casimir Pacocha, O65697.
×William Charles Pasternak, O70019.
×John William Plummer, O66071.
×Roland Courtney Sheridan, Jr., O65686.
×Thomas Joseph Smith, O68050.
×Charles William Summers, O70048.
×James Allen Turner, O69567.
×Charles William Vandas, O65590.
×Alfred Carson Waldrep, O70057.
×Billie Gene West, O63180.
×Louis Zislis, O68066.

TO BE CAPTAIN, VETERINARY CORPS

×Edward Ernest Dean, O65547.
×Garland Ray Farmer, O68342.
×Leslie Edwin Meckstroth, O65538.
×Erich Charles Mehnert, O68385.
×Richard Barton Morgan, O65540.
×William Everette Riley, O65553.
×William Eugene Rothe, O70031.
×Francis Lovell Thomas, O67624.
×Roy Walter Upham, O65551.
×Donald Harold Yost, O66129.

TO BE CAPTAIN, MEDICAL SERVICE CORPS

×George Franklin Harding 3d, O68354.
×Robert Donald Hart, O66009.
×Ernest Robert Kolovos, O68022.
×Russell Ellsworth Mason, O68382.

The following-named officers for promotion in the Regluar Army of the United States, under the provisions of sections 502 and 508 of the Officer Personnel Act of 1947. Those officers whose names are preceded by the symbol (×) are subject to physical examination required by law. All others have been examined and found physically qualified for promotion.

TO BE FIRST LIEUTENANT

*James Harrison Aarestad, O69576.
*George Howard Adams, O69450.
×John Talmage Adams, Jr., O69451.
×*Paul Garfield Adams, O68067.
×Franklin Wray Aldenderfer, Jr., O69581.
*George William Aldridge, O69582.
×Hubert Franklin Alexander, Jr., O68068.
×William Arden Alfonte, Jr., O63765.
×Shelby Glenn Alfred, O64722.
×John Charles Allen, O69583.
*Skinner Edward Anderson, O69453.
×Charles Edward Anthony, Jr., O64238.
×Raymond Edward Arnold, O64226.
×Harold Thomas Babb, O63758.
*Olin Justus Baird, Jr., O68075.
×Harold Lee Baker, O64244.
×Frank Philip Kendrick Barker, Jr., O64243.
×Edward Samuel Basanez, O69585.
×Samuel John Bateman, Jr., O63761.
×*James Daniel Bates, O63607.
*Alfred Kenneth Baum, O69587.
×*Adolph E. Baumann, O63554.
×*David Judson Baumgardner, O63594.
×David Allen Bell, O69459.
×Daniel Joel Benefiel, O69588.
×Ralph Olivett Benefield, O67788.
×Frederick Warden Best, Jr., O64245.
×John Julius Bilon, O69591.
×*Louis Robert Birkmeyer, O63576.
×John Ray Black, O64253.
×Robert Edward Blackwell, O64250.
×Robert Milton Bond, O69596.
×James Clare Bowden, Jr., O66136.
*Paul Francis Braim, O69598.
*John Francis Brandenburg, O69599.
*Edwin Ray Breed, O69462.
×James Philip Broady, O64237.
×Vincent Ignatius Brosky, O64232.
×*Albert Byrd Brown, Jr., O63625.
×*Dewey Everett Brown, O63597.
×William Robert Brown, O69603.
×*Russell Eldridge Brubaker, O63652.
×Baird Patterson Bryson, O69604.
×Bruce Fay Buck, O69465.
×Allan Arthur Buergin, O65331.
×*John Philip Burke, O63563.
×Robert Byron Burke, Jr., O65327.
×Joseph William Burkett, O69608.
*Lowell Eugene Burkholder, O69609.
×*Jack William Burns, O63631.
*James Robert Burns, O69610.
×John Taylor Busbee, O64259.
*John William Campbell, O69613.
*Ralph Julian Canine, Jr., O69466.
×Morris Clinton Cannon, O66140.
×Archie Eldon Carpenter, O65621.
×Joseph Rae Carvajal, O63756.
×William Russell Cashman, Jr., O64224.
×Ralph Gordon Chadbourne, O69617.
*Carlyle Hyatt Charles O69618.
×James Clark, O69468.
×Philip Lloyd Clark, O69469.
×Jack Richard Clawson, O63689.
×Carrell A. Clem, Jr., O69470.
×*Junie L. Clough, O63525.
*Walter Emerson Coleman, O70081.
×Harry Henderson Collier, O63691.
×James Hubert Cook, O69471.
×George Edward Craft, O64254.

*Max A. Craig, O63654.
George Dunmore Cram, Jr., O69475.
Theodore Harrison Crane, O65335.
Raymond Benson Cromwell, Jr., O63858.
*Eldward Earnest Crow, O69627.
George William Curran 2d, O68091.
*Louis Aaron Daigneau, Jr., O63565.
*Earl Edward Daly, Jr., O63630.
*William Edward Davis, O63608.
*Alan DeYoung, O69478.
Bernard Wayne Dibbert, O64231.
*John F. Dickson, Jr., O63633.
*Thomas Jacob Dilbeck, O63685.
*Robert Roy Dobson, O69631.
George Herman Doerman, O68095.
Earl Dean Downing, O63698.
John Joseph Doyle, Jr., O64255.
*William Thomas Duba, O69636.
Christian Frank Dubia, O69637.
*Ernest Mobley Eberhardt, Jr., O63583.
Robert Carl Ebersberger, O63690.
Robert Craig Effinger, Jr., O63696.
Richard Lambert Ehni, O63864.
*Robert Harvey Erdrich, O63657.
*Donald Esper, O63581.
*Randall George Eubanks, O63524.
Norman Eva, Jr., O69641.
*Bill George Evans, O69642.
Harry Feinstein, O63767.
Curtis Dudley Fish, O69485.
*Stanton Entine Fisher, O69645.
*Frederick Felix Flemming, O69647.
*Harley Chalmers Fox, O69648.
*Albert Austin Fuerst, O69650.
*James Arnold Fyock, O69652.
Gerald Owen Galvan, O64247.
Dennis Verlin Gentry, Jr., O69490.
Edwin Bernard Gentry, O64362.
*Raymond Gilchrist, Jr., O69491.
Angelo Giambusso, O63687.
Elijah Henry Girven, Jr., O66000.
Rudolph Michael Goffredo, O69657.
*John Donald Gordon, O69659.
*Charles Stewart Graves, O69494.
Sammie Lee Greene, O68349.
Robert Lee Greer, O65326.
*Bob Leroy Gregory, O69663.
Alton White Griffeth, O68106.
Warren Grile Hale, O64257.
Floyd Harold Hall, O63818.
Francis Gail Hall, O68108.
*James Arthur Hammond, O63664.
*Robert Blair Hankins, O69498.
*David Eugene Hardy, Jr., O69665.
*James Marion Harlan, O69667.
Robert Luther Harper, O63699.
Audley Chandler Harris, O69669.
*Gerald Edwin Harris, O63606.
*Edward Abram Hart, Jr., O63634.
*William Hart, O69502.
Bernard Thomas Hassett, O63857.
*Gene Lee Haupert, O63536.
*John Edward Hazelwood, O68110.
*Howard Bennett Helm, O69673.
*John Thomas Henderson, O69675.
Gustav Heningburg, O65622.
*Jack Alton Henson, O69677.
*William Frank Henson, O69678.
*Clarence Thomas Hewgley, Jr., O63550.
*Peter Eugen Hexner, O68113.
William Wesley Higgins, O69681.
*Irving Allyn Hill, O63590.
William Joseph Hoar, O63694.
Ernest Palmer Hoff, Jr., O63686.
Herbert Sidney Holland, Jr., O69505.
*Joe Rice Hooker, O69684.
Raymond Arthur Hopkins, O69506.
Ralph Robert Hoppe, O68685.
Cleo Noel Howard, Jr., O69507.
Henry Coggeshall Howells, Jr., O69686.
Johnson Hubbell, O64241.
*William Augustus Hudson, O69687.
*Lonnie Ray Huff, O69508.
*William Richard Huggins, O69689.
*Harold William Humphrey, O69691.
*Robert Lee Hurd, O63580.
Clarence Clifton Igo, O69692.
Kenneth Ross Ingold, O63764.
*Jack John Isler, O69694.
*Walter Newit Israel, O69695.
*Arthur J. Jackson, O69509.
*George Thomas James, O69696.
Herman Henry James, Jr., O69697.
Daniel Franklin Johnson, O69700.
*Samuel Haigh Jopling, Jr., O69513.
*James Eugene Karo, O69515.
Edward Arthur Kelley, Jr., O69516.
*Edwin Coit Kelton, Jr., O69707.
*Keith Reginald Keister, O69706.
*Marvin Emmett Kemp, O69708.
*George Roger Kennedy, O63520.
Edward Beckham Kenney, O63700.
Otto Kerr, Jr., O63861.
Roy Edward Kimble, O66174.
*Edward Lavoise King, O69711.
*John Powell King, O63623.
James Elmore Kingman, O63773.
George Richard Kirmse, O64233.
Emory Winton Kline, Jr., O69713.
*Emil Eldon Kluever, O69714.
Richard Hill Koenig, O69716.
*Carl Albert Koffler, O69519.
Richard Dawes Kolter, O63692.
Laurence Henry Krause, O69521.
*Wilbur Keith Kreigh, O69718.
*Kenneth Arthur Lagoni, O63567.
*Clem Russell Lakin, O63560.
*Marshall Austin Lanter, O63558.
Keith Edward Larsen, O63688.
*John Robert Lauderdale, O69721.
*William Henry Lawler, O69722.
*Carl Allen Lee, O69724.
Norman Joseph Le Mere, O69725.
Samuel Shrewsbury Lewis, Jr., O64625.
Gerald Aubrey Liebert, O68127.
Frederick Donald Limmer, O63866.
*Delmas Valgene Lippard, O63636.
*Carroll Dean Logan, O63561.
Domenic Fred Longo, O68131.
Brutus Augustus Lowery, Jr., O68377.
Lon Ulysses Lutz, O65324.
Francis Joseph Lynch, O68379.
*Donald Peter Malloch, Jr., O63553.
Dick Robert Markwell, O65758.
Paul Grey Martin, O63757.
*Bruce Douglas Mather, O68135.
*Frank Albert Matthews, O63609.
*Wallace Merle Maurer, O63592.
*Warren Melvin Maurer, O63593.
Leon McCall, Jr., O68136.
*James Robert McClure, O63637.
*Joseph Albert McDade, O68137.
*Everette Glenn McGhee, O63627.
*Norman Francis McGinnis, Jr., O69738.
*John Edward McGlothlin, O69739.
*Leslie Gerald McNair, O69742.
*Arlen Austin McNeil, O63647.
*Thomas Jackson McQuade, Jr., O63632.
Samuel Littler Mecalfe, Jr., O64225.
Jules Raymond Meyer, Jr., O69745.
*Woodburn Johnson Mickel, Jr., O69747.
Myles Herbert Mierswa, O64240.
*George Ellis Mills, O63599.
John Chester Moon, O68140.
*Harry Lee Moore, O69750.
*John Thomas Moore, O63661.
*Joseph Edward Moore, O69751.
Arthur Dupré Moreland, O69531.
Marcus Duncan Moreman, O69532.
Raymond Kenneth Mortensen, O69993.
Harold Edward Mortimore, O64229.
John James Mott, O66058.
*Harold Philip Mueller, O69754.
*Robert William Muller, O63648.
Forrest Cooke Murphy, Jr., O63812.
Joseph Bernard Murphy, O63816.
*Razeal Nash, O63545.
William Richard Needham, O65329.
*Paul Duane Nefstead, O69756.
Charles Kendall Nichols, O68390.
Leo Martin O'Brien, Jr., O69535.
Lowell Elon Oder, O68203.
Ralph Bartlett Osgood, Jr., O69760.
*Joe Maurice Palmer, O69764.
*John Worth Park, Jr., 069765.
Theodore Graham Parkman, Jr., O63860.
Rodney Gustavel Parrish, O69767.
*John Hale Pearson, O70014.
John Albert Pedigo, O64239.
James Cloy Pennington, O69768.
Will Harrison Perry, Jr., O63755.
Louis Peterka, O69769.
*William Clell Petty, O63532.
Y. Y. Phillips, Jr., O69540.
John Wise Pick, Jr., O69542.
Billie Ray Pierce, O68149.
Bobbie Joe Pinkerton, O69543.
*William Isaac Pippin, O69771.
*Donald Nuss Plants, O63552.
Robert Lewis Plavnick, O64258.
*Joseph Harrison Poole, O63853.
Robert David Porter, O63769.
*Jack Beckwith Porterfield, O63659.
John Francis Prendiville, Jr., O63695.
Herbert Howard Ray, O69549.
Joseph Edward Reger, O61883.
*Ralph Emerson Renken, O63653.
Raymond George Rennebaum, O64235.
*Carl Reno, O69775.
*John Henry Richardson, O63642.
Albert Edward Riley, O63693.
*Donald Lorne Roberts, O69778.
John Curtis Roberts, Jr., O64251.
*Antonio Rodriguez-Balinas, O68154.
*Richard Arlen Rooth, O69780.
*Peter Wayne Rose, O69781.
Robert Richard Rudy, O69782.
*Johnnie Leotis Runnels, O69551.
*Clifford Thomas Rutledge, O63538.
Robert Brenner Rutledge, O64256.
Gordon Curtis Russell, O64236.
*Robert Edgar Ryan, O68159.
*Frank Wesley Sample, O63535.
*Horace Murdock Sanders, Jr., O63598.
Neal Wesley Sanders, Jr., O67978.
Jack Edward Sappenfield, O64270.
Robert James Saxton, O69784.
*William Emerson Schiller, O69785.
*Robert Max Schlemmer, O63546.
*James Scudder, O69787.
*Eldred Steed Sessions, O69789.
Joseph Phillip Seymoe, O57342.
*Wilbur Christian Shepard, O69792.
*Joseph Andrew Shewski, O63595.
*John Morris Shipley, O63582.
George Pierce Short, Jr., O65328.
*George Breckenridge Skinner, O63575.
Ivan Lewis Slavich, Jr., O64223.
*Kulman Bussey Smith, O63568.
Hansel Young Smith, Jr., O63697.
Joseph Winford Smith, O69797.
*William Holden Smith, O63660.
*Joseph Lester Somers, O69561.
John Ferdinand Spaid, O68171.
Archie Lee Stamper, O64222.
Thomas Eustace Steimer, O64228.
Lewis Irwin Stein, O69801.
*John Addison Stevenson, O63854.
*Jerry Hyde Stilson, O63638.
Robert George Martin Storey, O69808.
*Ernest Ervin Street, O63537.
William Benedict Strong, Jr., O64252.
Robert Bowater Sumner, O63859.
Thomas Haruo Takano, O69564.
*Darwin Daine Talafuse, O63564.
John Henry Talbot, O69810.
*Albert Prince Taylor, Jr., O63663.
*David Colbert Thomas, O69815.
Raymond Robert Thomson, O63820.
Charles Joseph Treat, O67627.
Ray Earle Tucker, O65330.
Billy Gene Walker, O64248.
Charles Francis Ward, Jr., O66117.
*James Weaver, O69572.
Jonathan Mechem Weaver, Jr., O68174.
Obel Hershel Wells, O69827.
Marion Equiller White, O69830.
*Nelson Lord Whitmire, O63588.
Don Alvan Wilkinson, O63819.
Lawrence Harvey Dean Williams, O69573.
*Walton Springfield Williams, O63521.
Donald Morton Wood, O64234.
*Glenn Hudson Woods, Jr., O63544.
*Donald Arthur Yoder, O63570.
*Fletcher Robert Young, Jr., O63577.
*James Otis Youngblood, O69841.
Richard Edward Zastrow, O69842.
*Richard Gerhard Zeller, O63640.

To be first lieutenant, Medical Service Corps

Charles Robert Angel,, O69848.
*Robert Edward Bolger, O69863.
Duke Constantine Bradford, Jr., O69864.
Francis Joseph Carmody, Jr., O69876.
*Claudius Darlington Chewning, O69881.
*John Pershing Crawford, O69891.

×*Hugh Francis Daly, Jr., O69896.
×Stephen Peter Dittman, O69904.
×Kenneth Dane Garis, O69929.
×*Henry Vieth Griffith, O69938.
×Charles Robert Hamm, O69941.
×Robert Arvin Hedeen, O68111.
×Dan Heyward Horton, O69951.
*Joseph Irvin Hungate, Jr., O69953.
×Robert John MacLennan, O69975.
*Joseph Priestly Madrano, O69976.
John Dean Marshall, Jr., O69978.
×Gust Henry Mastricola, O69980.
×Robert Warren McKinney, O69986.
*Roy Lee Mundy, O69997.
*Herman Carter Needles, O70002.
*Emil Gilbert Shaw, O68163.
×*Robert Dudley Short, O63621.
*Jack Cunningham Smith, O70041.
×William Gail Storms, O70047.
*John Phillip Valentine, O70054.
*John Raymond Wagner, O70056.
×Paul Brown Welch, Jr., O70062.
*Robert Olin Whitmore, O70065.
×Vernon Halstein Wold, O63814.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of section 107 of the Army-Navy Nurses Act of 1947, as amended by section 3, Public Law 514, Eighty-first Congress, approved May 16, 1950. Those officers whose names are preceded by the symbol (×) are subject to physical examination required by law. All others have been examined and found physically qualified for promotion.

TO BE CAPTAIN, ARMY NURSE CORPS

Sara Cecelia Mooney, N1752.
×Margaret Patricia Phillips, N1758.
Marian Agnes Tierney, N1750.

TO BE FIRST LIEUTENANTS, ARMY NURSE CORPS

×Doris Sue Frazier, N2348.
Ellen Frances Gubics, N2611.
×Kathryn Alice Koenig, N2521.
*Phyllis Mae Loucks, N2606.
×Mary Elizabeth Mack, N2522.
×Ruth Anna Wilson, N2347.

TO BE CAPTAIN, WOMEN'S MEDICAL SPECIALIST CORPS

Lottie Vera Blanton, J57.
×Francine B. Bundt, M10018.
×Barbara May Knickerbocker, J33.
×Bertha May Schrack, J26.
×Winnifred Eudora Soady, J65.

TO BE FIRST LIEUTENANT, WOMEN'S MEDICAL SPECIALIST CORPS

×Florence Madeleine Bearden, J70.
Sarah Joan Dempster, M10150.
×Ruth Anna Emilia Rickers, J71.
×Margaret Elnora Waple, J72.

NOTE.—The officers whose names are preceded by the symbol (*) were promoted during the recess of the Senate.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Marion C. Sparks, Alabaster, Ala. Office established November 1, 1951.

James T. Easterling, Clio, Ala., in place of H. M. Snell, resigned.

Marjorie C. Joyner, Garland, Ala., in place of N. P. McCaskill, retired.

Robert M. Fike, Marbury, Ala., in place of W. R. Warrick, retired.

Frances J. Davis, Repton, Ala., in place of J. E. Nettles, Jr., transferred.

William F. Gregory, Rutledge, Ala., in place of A. G. Rushton, deceased.

Frank J. Leutner, Jr., Summerdale, Ala., in place of R. G. Underwood, transferred.

ARIZONA

David J. C. McKinsey, Elfrida, Ariz., in place of T. B. Patterson, transferred.

Mary G. Ferguson, Winslow, Ariz., in place of G. T. Stevens, retired.

CALIFORNIA

Catherine E. Warden, Carlotta, Calif., in place of Julia Mantova resigned.

Elmer J. Chadwick, Cotati, Calif., in place of R. A. Clothier, retired.

Elmer A. Glanzer, Dinuba, Calif., in place of S. E. Burum, retired.

Lois C. Doss, Forestville, Calif., in place of G. O. Athey, resigned.

Germaine A. Rock, Glen Ellen, Calif., in place of C. W. Marsh, declined.

Floyd Erdman, Herndon, Calif., in place of E. A. Erdman, resigned.

Walter E. Parke, Laguna Beach, Calif., in place of B. B. Coffin, resigned.

Dorothy K. Haines, Lake Hughes, Calif., in place of J. B. Hurd, retired.

John T. Boyd, Jr., Newport Beach, Calif., in place of W. H. Adams, deceased.

Ruth H. Hutchins, North Highlands, Calif. Office established July 1, 1951.

William J. Kelly, Penngrove, Calif., in place of Christine Bones, retired.

Ada V. Keener, Rockport, Calif., in place of M. H. Williams, resigned.

John F. Phillips, San Clemente, Calif., in place of B. M. Ayer, removed.

Leon P. Scammon, Saugus, Calif., in place of C. W. Ray, resigned.

William H. Wolf, Sharp Park, Calif., in place of J. Z. Silva, resigned.

Harry E. Van Cleve, Sunnyvale, Calif., in place of J. H. Fahey, retired.

Elizabeth S. Sobrero, Taylorsville, Calif., in place of M. B. Herring, deceased.

COLORADO

Charles E. Robison, Crowley, Colo., in place of G. W. Swift, resigned.

Thomas T. MacLiver, Trinidad, Colo., in place of B. B. Beshoar, retired.

CONNECTICUT

Helen C. Evangelist, Candlewood Isle, Conn., in place of J. L. Jone, resigned.

Lester P. Olson, Collinsville, Conn., in place of G. B. Moroney, retired.

Margaret M. Turner, East Windsor Hill, Conn., in place of M. B. Thornton, deceased.

Edward C. Butler, Southington, Conn., in place of J. J. O'Keefe, retired.

FLORIDA

Ira W. McCollum, Brooksville, Fla., in place of C. S. Ashbrook, retired.

Forrest S. Smith, Lake Wales, Fla., in place of M. M. Coates, retired.

John W. Harrison, Laurel Hill, Fla., in place of F. A. Labors, retired.

Frances D. Taylor, Malone, Fla., in place of O. L. Ward, resigned.

Louise A. Echols, Pelican Lake, Fla., in place of E. T. Jones, resigned.

Paul E. Albury, Tavernier, Fla., in place of R. H. Albury, resigned.

GEORGIA

Pierce E. Cody, Marietta, Ga., in place of W. E. Schilling, retired.

IDAHO

Thornton S. Lambert, Burley, Idaho, in place of H. W. Daven, deceased.

Frederick D. Shaw, Spirit Lake, Idaho, in place of R. J. Hamacher, retired.

ILLINOIS

Vernon F. Otto, Alhambra, Ill., in place of M. W. Pearce, resigned.

George E. Gillett, Avon, Ill., in place of G. A. McFarland, retired.

August J. Mier, Batavia, Ill., in place of Jacob Feldman, retired.

John H. Scattergood, Buffalo, Ill., in place of J. E. Robertson, retired.

Charles Smith, Calumet City, Ill., in place of J. E. Muckian, deceased.

T. Floyd Hughey, Dewey, Ill., in place of R. L. Drennan, deceased.

Merrill W. Volle, Golconda, Ill., in place of W. L. Smith, resigned.

Franklin A. Canaday, Homer, Ill., in place of R. M. Shoaf, transferred.

Fred H. Lancaster, Macon, Ill., in place of M. R. Beckett, transferred.

Fergus G. Anderson, Ohio, Ill., in place of C. W. Knuth, transferred.

Duane R. Jacobson, Pontiac, Ill., in place of C. E. Myers, deceased.

Leo C. Franklin, Prairie du Rocher, Ill., in place of W. C. Dufrenne, transferred.

Elmer F. Carter, Jr., Rosiclare, Ill., in place of O. M. Lamar, retired.

Robert A. Bachand, St. Anne, Ill., in place of C. J. Hanen, removed.

Harry E. Bigler, Urbana, Ill., in place of C. F. Loeb, retired.

Marcellus E. Senne, Woodstock, Ill., in place of W. W. Desmond, retired.

INDIANA

Fred L. Scarce, Fountain City, Ind., in place of Gene Harris, retired.

Chelcie J. Bebout, Freetown, Ind., in place of W. W. Goble, removed.

Earl R. Reid, Lakeville, Ind., in place of F. P. Rensberger, transferred.

Eldora L. Weigle, Otterbein, Ind., in place of W. N. Burns, deceased.

IOWA

George W. Hepworth, Chelsea, Iowa, in place of R. C. Formanek, transferred.

Donald E. Rollins, Chester, Iowa, in place of C. J. Murphy, deceased.

Arthur R. Kroppach, Davenport, Iowa, in place of E. J. Halligan, deceased.

France R. Wanberg, Galva, Iowa, in place of William Molloy, retired.

Merle J. McMahon, Hampton, Iowa, in place of R. A. Fox, resigned.

Wayne R. Bauerle, Harlan, Iowa, in place of H. W. Campbell, retired.

William E. Boyd, Liscomb, Iowa, in place of N. L. Meyers, resigned.

Bertie C. Ramus, Lu Verne, Iowa, in place of J. L. Lichty, retired.

Hazel F. Lawless, Macksburg, Iowa, in place of L. S. Lawless, deceased.

Fred E. Smith, Marble Rock, Iowa, in place of E. S. Jenison, resigned.

Merland J. Wackerbarth, Melvin, Iowa, in place of E. V. Pohlman, transferred.

Ronald R. Thompson, Merrill, Iowa, in place of I. W. Machamer, retired.

Ronald Metzger, Olds, Iowa, in place of C. L. Chrissinger, deceased.

KANSAS

Hallene T. Utter, Cherryvale, Kans., in place of J. A. Rogers, retired.

Louis B. Perkins, Elkhart, Kans., in place of J. L. Ketchum, transferred.

George H. Niesley, Ellis, Kans., in place of Fred Sessin, retired.

Walter W. Beggs, Ensign, Kans., in place of E. J. Reed, resigned.

Quentin L. Ault, Esbon, Kans., in place of Edward Grauerholz, retired.

Bernard A. Bieber, Kinsley, Kans., in place of P. P. Voran, transferred.

Raymond E. Brannan, Meade, Kans., in place of P. W. Smith, retired.

Warren R. Jones, Mulberry, Kans., in place of J. F. Buche, transferred.

Donald E. Burgardt, Park, Kans., in place of F. R. Kaiser, transferred.

Virgil E. Schreiber, Ransom, Kans., in place of Caroline Doerschlag, retired.

Clare S. Knerr, Talmage, Kans., in place of L. A. Fields, resigned.

Louis Henry Moritz, Tipton, Kans., in place of M. A. Arnoldy, retired.

George N. Fisher, Zenda, Kans., in place of I. F. Bridgess, resigned.

KENTUCKY

Chester Patton, David, Ky., in place of Russell Harman, resigned.

MAINE

Norman F. Townsend, Calais, Maine, in place of E. J. Doyle, retired.

Gilbert E. Michaud, Eagle Lake, Maine, in place of W. J. Furlong, deceased.

Ellwood H. Stowell, Freeport, Maine, in place of G. C. Bean, retired.

Donald D. Willis, Gardiner, Maine, in place of D. F. Kelley, deceased.

Charles R. Hubbard, Jr., North Berwick, Maine, in place of C. M. Staples, transferred.

Leon P. Spinney, Topsham, Maine, in place of L. E. Goud, retired.

Emerson R. Laing, Westfield, Maine, in place of T. F. Bean, resigned.

MASSACHUSETTS

Catherine M. Schepp, Hatfield, Mass., in place of M. E. Sheehan, deceased.

Edith R. Caldwell, South Byfield, Mass., in place of D. S. Caldwell, deceased.

Benjamin Elliot Norton, Vineyard Haven, Mass., in place of A. A. Mayhew, deceased.

MICHIGAN

Albert E. Holmes, Bruce Crossing, Mich., in place of B. A. Jurmu, retired.

Norma L. Chesley, Ceresco, Mich., in place of Mina Cato, retired.

Mary M. Mitchell, East Leroy, Mich., in place of A. B. Jacobson, resigned.

William M. Duff, Gaastra, Mich., in place of O. A. Olson, retired.

Lawrence J. Brautigan, Grosse Ile, Mich., in place of G. W. Penglase, resigned.

Martin N. Hoppe, Hesperia, Mich., in place of M. L. McCallum, deceased.

Harvey W. Wilson, Nashville, Mich., in place of E. C. Kraft, retired.

Marjorie E. Watson, Novi, Mich., in place of M. A. Renwick, deceased.

Reino W. Hendrickson, Republic, Mich., in place of W. M. Zeitler, retired.

George O. Sheply, Rose City, Mich., in place of V. S. Nye, retired.

Calvin E. Sands, Three Rivers, Mich., in place of J. F. Cross, deceased.

John A. Dickey, Whittemore, Mich., in place of H. A. Graham, removed.

MINNESOTA

Vernon J. Larson, Bena, Minn., in place of R. C. McFarland, retired.

Dorin W. Anderson, Cosmos, Minn., in place of C. J. Larson, retired.

Raymond W. Schaper, Darfur, Minn., in place of A. T. Jaeger, retired.

Charles V. Miller, Jr., Darwin, Minn., in place of L. F. Jensen, removed.

Norman B. Gregerson, Dennison, Minn., in place of, E. E. Trench, retired.

John H. Drenth, Hollandale, Minn., in place of F. P. Tostenson, retired.

Richard A. Heald, Ogilvie, Minn., in place of J. D. Folsom, transferred.

Bertha S. Bosin, Rapidan, Minn., in place of L. M. Just, resigned.

Luverne W. Lyons, Sabin, Minn., in place of A. M. Suedel, transferred.

Earl E. Watson, St. Charles, Minn., in place of M. N. Chisholm, retired.

Philip Milton Lindbloom, Stillwater, Minn., in place of J. P. McGillin, deceased.

Frederick G. Casper, Wahkon, Minn., in place of T. A. Garvey, retired.

Hilbert B. Anderson, Winthrop, Minn., in place of D. I. Bjorklund, transferred.

MISSOURI

Kathryn L. Rubottom, Cantwell, Mo., in place of E. V. Van Sickle, retired.

John C. Smith, Conway, Mo., in place of H. R. Porter, retired.

Jesse M. Long, Drexel, Mo., in place of W. S. Miller, retired.

Joseph L. Snyder, Holden, Mo., in place of J. T. Glass, transferred.

Joseph M. Dischino, Imperial, Mo. Office established November 1, 1951.

Kenneth R. McLain, Linneus, Mo., in place of J. N. Carter, deceased.

Dorothy Grace Hunt, Lonejack, Mo., in place of A. B. Leach, removed.

John B. Chipp, New Hampton, Mo., in place of G. E. Scott, retired.

Aaron Coleman Johnson, Verona, Mo., in place of W. J. Paschal, transferred.

Herbert W. Wipperman, Wellington, Mo., in place of E. L. Lauderdale, deceased.

MONTANA

Olive M. Coughlin, Brady, Mont., in place of J. L. Rose, resigned.

Edith G. Daniels, Dixon, Mont., in place of W. J. Brown, deceased.

Charles F. Walton, Harlowton, Mont., in place of G. C. Moore, retired.

Myrtle E. Erickson, Saco, Mont., in place of M. A. Fetterman, retired.

NEBRASKA

William C. Schleusener, Bancroft, Nebr., in place of A. E. Rumsey, resigned.

Leigh F. Coffin, Beatrice, Nebr., in place of J. C. Douthitt, retired.

Nellie I. Uerkvitz, Nebraska City, Nebr., in place of A. H. Barstler, retired.

Howard A. Toay, Norfolk, Nebr., in place of Marie Weekes, deceased.

Maurice C. Swanson, Pender, Nebr., in place of B. A. Freed, retired.

Carl E. Baldwin, Salem, Nebr., in place of M. M. Mason, retired.

Robert C. Briggs, Stella, Nebr., in place of T. H. Winfrey, retired.

Myron A. Gordon, Trenton, Nebr., in place of C. E. Major, transferred.

NEW HAMPSHIRE

Charles Francis Leahy, Keene, N. H., in place of C. D. Roche, deceased.

NEW JERSEY

Edward C. Becht, Basking Ridge, N. J., in place of W. L. Scheuerman, retired.

Albert Pavao, Gillette, N. J., in place of L. E. Nelson, deceased.

George H. McCullough, Glassboro, N. J., in place of L. L. Ware, resigned.

Harold S. Maxwell, New Vernon, N. J., in place of Elsa Maxwell, retired.

William L. Kessler, Normandy Beach, N. J., in place of C. R. Neary, resigned.

William Russell Lindabery, Pottersville, N. J., in place of G. C. Lindabery, retired.

NEW MEXICO-TEXAS

Albert W. Mulloy, Anthony, N. Mex.-Tex., in place of P. E. Darbyshire, resigned.

NEW YORK

George H. Walter, Annandale-on-Hudson, N. Y., in place of William McMichael, retired.

Alonzo Winslow Valentine, Bayville, N. Y., in place of O. J. West, retired.

James W. Trimmingham, Branchport, N. Y., in place of M. G. Carpenter, removed.

Stanley C. Shaw, Ithaca, N. Y., in place of E. S. Sloughter, retired.

Leon E. Youngs, Johnson City, N. Y., in place of P. J. Perrault, resigned.

Alton D. Wiggins, Mannsville, N. Y., in place of C. H. Root, deceased.

Lola M. Dauch, Mongaup Valley, N. Y., in place of William Murtagh, resigned.

Alta M. De Silva, Mount Tremper, N. Y., in place of N. S. Wilber, removed.

Ralph P. Sinsabaugh, New Hamburg, N. Y., in place of J. V. Camely, resigned.

Anthoy J. Rivers, New Rochelle, N. Y., in place of J. C. Walter, deceased.

Earl E. Casey, Ontario, N. Y., in place of G. H. Doyle, transferred.

Ralph Britton, Rensselaerville, N. Y., in place of W. G. Britton, deceased.

Doris J. Barclay, Salisbury Center, N. Y., in place of L. E. Fairchild, deceased.

Thomas M. Powers, Scipio Center, N. Y., in place of G. J. McDonald, retired.

Urban C. Everling, Stony Brook, N. Y., in place of C. Q. Archdeacon, retired.

NORTH CAROLINA

Harold D. Anderson, Hot Springs, N. C., in place of J. K. Reeves, resigned.

Archie C. Holland, Kenansville, N. C., in place of J. L. Williams, retired.

Daniel C. Cox, Sr., Raeford, N. C., in place of L. F. Clark, deceased.

Herbert C. Rountree, Rocky Mount, N. C., in place of W. H. Smith, deceased.

Jack L. Leatherman, Vale, N. C., in place of D. F. Mosteller, transferred.

Charles T. Burke, Wilmington, N. C., in place of W. R. Dosher, retired.

OHIO

Elizabeth S. Donnett, Bidwell, Ohio, in place of E. N. Tarrier, resigned.

Edwin W. Kerr, Big Prairie, Ohio, in place of J. M. Hudson, retired.

Albert F. Bilek, Brecksville, Ohio, in place of W. E. Boyle, declined.

James W. Overholt, Bucyrus, Ohio, in place of R. C. Young, retired.

John E. Singleman, New Weston, Ohio, in place of C. O. Bell, retired.

Albert Russell, Pomeroy, Ohio, in place of C. H. Mullen, deceased.

Dorsel C. Riebel, Reedsville, Ohio, in place of K. L. Kibble, retired.

Edwin S. Naus, Upper Sandusky, Ohio, in place of C. U. Read, retired.

William H. Maxwell, West Lafayette, Ohio, in place of H. E. Hall, transferred.

Robert E. Hensel, West Manchester, Ohio, in place of A. E. Baker, transferred.

OREGON

Bill G. Crowther, Banks, Oreg., in place of K. V. Parmley, resigned.

William G. Thompson, Brookings, Oreg., in place of G. V. Smith, retired.

Louis E. Walker, Jr., Brownsville, Oreg., in place of J. E. Ferrell, transferred.

George L. Evans, Central Point, Oreg., in place of E. F. McDonald, resigned.

Walter J. Beumer, Depoe Bay, Oreg., in place of A. R. Kerr, resigned.

Harry A. Cool, Jr., Drain, Oreg., in place of C. M. Sawyer, retired.

Floyd F. Volkel, Gates, Oreg., in place of R. L. Brisbin, retired.

Anita B. Banister, Paisley, Oreg., in place of D. E. O'Connor, retired.

George D. Wilcox, Prineville, Oreg., in place of R. W. Zevely, retired.

Daniel W. Macy, Warm Springs, Oreg., in place of C. F. See, resigned.

PENNSYLVANIA

Francis J. Yanes, Brockton, Pa., in place of S. C. Bassler, resigned.

Glenn L. Rohrbaugh, Codorus, Pa., in place of A. W. Kessler, deceased.

Albert M. Lind, Equinunk, Pa., in place of Roberta Canfield, resigned.

Frank B. Davenport, Fallsington, Pa., in place of C. E. Ottolini, resigned.

James A. Murrin, Franklin, Pa., in place of J. D. Plumer, retired.

Mildred M. Falter, Glassmere, Pa., in place of F. E. Tillard, transferred.

Edwin J. Carr, Hartsville, Pa., in place of S. M. Slight, resigned.

Charles J. Zuerl, Jr., Irvine, Pa., in place of J. J. Myers, retired.

Dean R. Wilt, Landisburg, Pa., in place of L. I. Wertz, transferred.

Wayne H. Anthony, Manor, Pa., in place of H. C. Kifer, retired.

Richard M. Dodson, Marion Center, Pa., in place of C. J. Cleland, transferred.

Edward W. Mathews, Media, Pa., in place of M. C. Fox, Jr., retired.

Nellie F. Higinbotham, Merrittstown, Pa., in place of Anna Fleming, retired.

William Edward Anderson, Morrisville, Pa., in place of G. W. Burgner, resigned.

Herbert M. Dissinger, Mount Gretna, Pa., in place of Roy Peiffer, resigned.

Dorothy J. Biresch, Ottsville, Pa., in place of A. V. Eichlin, resigned.

Mary Agnes Spence, Peach Bottom, Pa., in place of P. C. Shank, Jr., deceased.

Harry L. Schaefer, Ralston, Pa., in place of K. W. Hoag, resigned.

Robert E. Wilson, Sabinsville, Pa., in place of G. D. Wilson, deceased.

Raymond L. Rupert, Sykesville, Pa., in place of B. W. Weber, transferred.

Mary S. Byrd, Toughkenamon, Pa., in place of C. E. Reese, retired.

Emerson C. Gower, Trout Run, Pa. Office became presidential July 1, 1943.

Kenneth C. DeReiter, Trumbauersville, Pa., in place of Charles Gretzinger, deceased.

SOUTH CAROLINA

Floyd C. Hammond, Myrtle Beach, S. C., in place of G. S. Beard, retired.

SOUTH DAKOTA

Orvis M. Gantvoort, Castlewood, S. Dak., in place of Violet Ellefson, resigned.

TENNESSEE

James B. Garner, Alcoa, Tenn., in place of B. H. Kinser, retired.

Betty L. Milton, Duff, Tenn., in place of E. A. Thornton, removed.

TEXAS

Edgar W. Cowling, Bridgeport, Tex., in place of E. E. Frost, removed.

John H. Reinicke, Crockett, Tex., in place of R. N. Allbright, retired.

Billy N. Fine, Petrolia, Tex., in place of M. A. Price, removed.

James W. Hampton, Smithville, Tex., in place of G. W. Kunath, Jr., resigned.

Dallas V. Farmer, Valley Mills, Tex., in place of J. G. Simms, retired.

Paul P. Berthelot, Victoria, Tex., in place of Leopold Morris, deceased.

UTAH

Frances P. Russell, Wendover, Utah, in place of R. M. Birdzell, resigned.

VERMONT

Frank D. Eggleston, East Dorset, Vt., in place of S. R. Sheedy, resigned.

Ralph B. Norton, North Bennington, Vt., in place of James McGovern, retired.

VIRGINIA

Theodocia C. Grant, Catawba, Va., in place of Jerry Morgan, retired.

WASHINGTON

Leland H. Jensen, La Conner, Wash., in place of J. M. Hurley, deceased.

James T. Roberts, Pullman, Wash., in place of J. O. Patterson, retired.

Peter P. Perry, Raymond, Wash., in place of Ralph Nelson, deceased.

Keith S. Marney, Waterville, Wash., in place of B. B. Schmitz, deceased.

WEST VIRGINIA

Bernard R. Osborne, Griffithsville, W. Va., in place of Opal Plott, resigned.

WISCONSIN

Robert W. Edwards, Beaver Dam, Wis., in place of J. L. Cunningham, deceased.

William H. Behrens, Brodhead, Wis., in place of C. H. Pandow, transferred.

Norman Losby, Eau Claire, Wis., in place of T. H. Murphy, retired.

William L. Chesley, Oconto, Wis., in place of F. J. Horak, transferred.

Ernest M. Strom, Ogdensburg, Wis., in place of Bertha Peterson, transferred.

Levern V. Newman, Platteville, Wis., in place of H. M. Harms, transferred.

Willie A. Johnson, Whitehall, Wis., in place of D. M. Warner, transferred.

WYOMING

Edith E. Carr, Midwest, Wyo., in place of L. M. Richard, retired.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 25, 1954

The House met at 12 o'clock noon.

Rev. James I. Logan, Jr., First Presbyterian Church, Chickasha, Okla., offered the following prayer:

Almighty God, Thou who art the sovereign ruler of the hearts of men, as we bow in reverence before Thee, may Thy spirit fill us with a vibrant awareness of Thy abiding presence and eternal vigilance over Thy creation and creatures.

The peoples of this Nation rejoice that it is theirs to be so represented in the national and international affairs of their democracy, and that by Thy ordering it is theirs to be so governed. As these men labor under such responsibility with which they are entrusted, and in these chaotic times of tension, turmoil, and confusion, impart to them the wisdom and ability to perceive that which is true, righteous, and just, and subsequently the courage to act in the light of their knowledge and faith.

Ours is a great heritage as a nation and people. God, grant that by our clear thinking and right acting it may be preserved in accordance with Thy will.

We seek Thy special providence in the life, thought, and deed of our Chief Executive and those of the executive staff: that through the efforts of these, our leaders, our Nation may continue to be a nation under Thee, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Tuesday, February 23, 1954, was read and approved.

APPROPRIATIONS FOR THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND THE UNITED STATES INFORMATION AGENCY, 1955

Mr. CLEVENGER, from the Committee on Appropriations, reported the bill (H. R. 8067) making appropriations for the Departments of State, Justice, and Commerce, and the United States Information Agency, for the fiscal year ending June 30, 1955, and for other purposes (Rept. No. 1242), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. ROONEY reserved all points of order on the bill.

REPUBLICAN BUDGET BALANCING

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

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

There was no objection.

Mr. ROONEY. Mr. Speaker, the mountain of alleged Republican economy has labored, and in the form of the savings in the State, Justice and Commerce Departments appropriation bill just now reported to the House has brought forth not an elephant, but a mouse. In considering the budget estimates in the amount of $1,313,920,960 for these departments, the actual savings would come to no more than $31,282,960 or 2⅓ percent of the budget request.

Of the total amount of the budget requests, $1,313,920,960, the committee according to its report allowed $1,147,638,000. But there must be added to this latter amount the sum of $135 million for 3 items which are definitely not savings at all, merely deferments of payment. These are $50 million for payments to air carriers, the subsidy dough, $30 million for the operating-differential subsidies in the Maritime Administration and $55 million for the Bureau of Public Roads Federal aid to highways program. The majority committee members will, I am sure, admit that these deductions which they made in the bill are not really savings to the taxpayer at all. The law presently requires that they be paid.

We now have the balance of $31,282,960. Or do we? Do we really have a 2⅓ percent deduction in the budget estimates? Because there is now pending in House Document No. 330 a request for supplemental appropriations in which President Eisenhower under date of the 16th of this month asks for $94,500,000 additional for two of these items, to wit, $29,500,000 for operating-differential subsidies, Maritime activities, Department of Commerce, and $65 million for the Bureau of Public Roads, Federal-aid highways, Department of Commerce. And you great Republican advocates of economy will vote for these two supplemental requests, as I think you should. You put off payment of this bill last year, and it has now caught up with you.

The American people must wonder what sort of budget balancing this is.

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

ANNUAL MARDI GRAS BALL OF THE LOUISIANA STATE SOCIETY

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks to include a list of the names of the queens and the industries which they represent and the names of a number of prominent citizens from the Sugar Belt in Louisiana.

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

There was no objection.

Mr. WILLIS. Mr. Speaker, in the grand ballroom of the Mayflower Hotel, at 9:30 o'clock tomorrow evening, will take place the annual Mardi Gras ball of the Louisiana State Society.

Fifteen beautiful and charming queens will represent as many industries in the great State of Louisiana. Some of them are with us even now.

This year the theme of the ball will be the sugar industry. This is fit and proper because Louisiana is the cane-sugar bowl of the United States, which I have the great honor to represent in this body.

By custom, the name of the queen of this gala and spectacular occasion, as distinguished from the queens of industries, cannot be revealed until tomorrow night.

The king of the ball will be a fine gentleman, an outstanding businessman, and a very prominent sugar planter, Mr. Lawrence Levert, Jr., of Thibodaux, La., whose ancestors for a century before him made great contributions to the development of the sugar industry in my State.

Last year the Vice President of the United States was chosen to present the queen of the ball to his majesty.

Although by custom again, I cannot disclose his counterpart this year, I can say that he is a most prominent, highly beloved, and respected American who holds the highest post in his field of endeavors in another branch of the Government.